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| 1580 | 1 | <p>Though I have familiarized myself with the BDCP and its EIR/EIS through reading and attending meetings for the past few years, I find that I am at a loss in understanding how on a basic level the CM1 Water Facilities and Operation, on which most of the proposed cost and attention is focused, can possibly restore the habitat in the Delta. I do not even understand how it could possibly create more water for the water stakeholders, which is what this is actually all about.</p> | <p>Please see Master Response 49 regarding CM1 as a conservation measure.</p> |
| 1580 | 2 | <p>Several of my own primary concerns , cited in tile Significant and Unavoidable Adverse Impacts listed in Table 31-1 in Chapter 31 of the Draft EIR/EIS, include weak and unenforceable "Proposed Mitigation." Examples: PH-2: Exceedances of water quality criteria for constituents of concern such that there is an adverse effect on public health..." Proposed Mitigation: "WQ-5 : Avoid, minimize or offset, as feasible, adverse water quality conditions." Mitigation for other major adverse impacts, including permanent conversion of important farmland and long-term reduction of recreational opportunities as well as reduction of fisheries and other wildlife, include words such as "the extent feasible" and "good faith efforts ."</p> <p>There is no "good faith" felt by the public for the perpetrators of this plan. The only reason you have not heard from more members of the public is that very , very little of the quarter of a billion dollars that has been spent on producing this BDCP draft was for advertising to the citizens of California what this plan will actually mean to them, to their water rates and taxes, and most importantly to the environment of the Delta.</p> | <p>The Lead Agencies respectfully disagree with the general assertion that the documentation is fundamentally flawed as implied by the commenter. The documentation generated by this proposed project has undergone extensive public and scientific input, discussion, and transparency, including the posting of administrative draft chapters online and providing many more opportunities for public participation than is normally required by the CEQA/NEPA processes (see Master Response 65 [Transparency]). Since 2006, the BDCP and subsequently the California WaterFix Project have been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. Please refer to Chapter 32 (Public Involvement, Consultation, and Coordination) in the Draft EIR/EIS and Master Response 64 (Public Outreach Adequacy). Alternative 4A, also known as California WaterFix, has been developed in response to public and agency input and is the new CEQA Preferred Alternative (see Section 4 of the RDEIR/SDEIS). Alternative 4A is also the NEPA Preferred Alternative, a designation that was not attached to any of the alternatives presented in the Draft EIR/EIS. Alternative 4 (AKA BDCP) remains a potentially viable alternative and is being carried forward in this RDEIR/SDEIS because it represents the original HCP/NCCP alternative approach, and is an important reference point from which the Alternative 4A, 2D, and 5A descriptions and analyses were developed (see Section 3 of the RDEIR/SDEIS). If the Lead Agencies ultimately choose the alternative implementation strategy and select an alternative presented in the RDEIR/SDEIS after completing the CEQA and NEPA processes, elements of the conservation plan contained in the alternatives in the Draft EIR/EIS may be utilized by other programs for implementation of the long-term conservation efforts. As implementation of the proposed project or any of the action alternatives will require permits and approvals from public agencies other than the Lead Agencies, the CEQA and NEPA documents are prepared to support the various public agency permit approvals and other discretionary decisions. These other public agencies are referred to as responsible agencies and trustee agencies under CEQA (State CEQA Guidelines Sections 15381 and 15386) and cooperating agencies under NEPA (e.g., USACE and EPA). For more information please on the CEQA and NEPA process, see 1.1.5 of Section 1 Introduction of the RDEIR/SDEIS. With respect to the commenter's assertion of "weak and unenforceable proposed mitigations," refer to Master Responses: Master Response 29 (Specificity of Conservation Measures), Master Response 3 (Project Level versus Program Level), Master Response 32 (Adaptive Management and Monitoring), and Master Response 12 (Decision Tree). Where impacts are determined to be significant, mitigation and/or environmental commitments will be implemented to avoid and/or offset these effects, where possible. In those cases, where it is not possible to offset those significant impacts, that information will be provided in the Statement of Overriding Considerations and will be acted on by the decision makers with each lead agency to determine if the project should still be approved or not.</p> |
| 1580 | 3 | <p>The 2009 Delta Reform Legislation called for reduced dependence on the Delta for California's water supply. In the last decade or so, the five million acre feet of water per year that was taken from the Delta has lead to reduced fisheries and increased salinity of water in the Delta (impacting both the environment and farming)...in short, over time it has brought the Delta close to the precipice. Yet, the CM1 Water Facilities and Operation central to the BDCP calls for water exports of 4.71 to 5.59 million acre-feet per year (Chap. 9, Table 9-3, Take Alternatives Overview). That does not demonstrate REDUCTION of dependence on the Delta!</p> | <p>To improve Delta habitat conditions, Alternatives 1, 2, 3, 4, 6, 7, and 8 evaluated in the EIR/EIS decrease monthly total exports of SWP and CVP water as compared to Existing Conditions and No Action Alternative in the summer and early fall months; and increase flows in the winter months when the river flows are high. Overall, the average annual Delta exports are less in Alternatives 2, 4 (H2, H3, H4), and 5 through 9 than under Existing Conditions, as shown in Figure 5-17 of Chapter 5, Water Supply, of the EIR/EIS.</p> |

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| 1580 | 4 | <p>Even if the BDCP proposed tunnels did address prolonged drought, reduced groundwater, greatly reduced fisheries and other major concerns , it does not include information about how the plan will be financially supported. Before anything goes forward...certainly before take permits can be issued...funding must be demonstrated as sufficient for all proposed activities. The very fact that the public comment period will be over before any financial information has been made public is a travesty!!! Any and all propositions submitted to voters explain how they will be financed. That is the first question on any voter's mind! No one should or will act until they see how something will be paid for!</p> | <p>This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process.</p> |
| 1580 | 5 | <p>There are so many more points I would like to make, but I know brevity is appreciated. Please do NOT issue permits that would enable this ridiculous plan to go forward. They have not earned the right to get these permits from the fisheries agencies and they have not earned our trust that they are truly interested in conserving the Bay and Delta</p> <p>We cannot and should not give them our blessing just because of the money spent on formulating this plan, no more than we should have ever stayed in a war to justify money and treasure lost. The fisheries agencies have the power to hold them accountable. Please do it</p> | <p>The Lead Agencies respectfully disagree with the general assertion that the documentation is fundamentally flawed or "have not earned the right to get these permits" as stated by the commenter. For more discussion on permitting, the commenter is referred to Master Response 8. Furthermore, the preparation and processing of the documentation are in compliance with state and federal environmental laws and regulations. For example, documentation generated by this proposed project has undergone extensive public and scientific input, discussion, and transparency, including the posting of administrative draft chapters online and providing many more opportunities for public participation than is normally required by the CEQA/NEPA processes (see Master Response 65 [Transparency]). Since 2006, the BDCP and subsequently the California WaterFix Project have been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. Refer to Chapter 32 (Public Involvement, Consultation, and Coordination) in the Draft EIR/EIS and Master Response 64 (Public Outreach Adequacy). The preferred alternative is now Alternative 4A (i.e., the California WaterFix Project) and no longer includes an HCP. The Final EIR/EIS is intended to provide sufficient CEQA and NEPA support for approval of the proposed project or any of the action alternatives for either compliance strategy. In turn, applicable permits and approvals from public agencies other than the Lead Agencies will be sought while relying on the Final EIR/EIS. These other public agencies are referred to as responsible agencies and trustee agencies under CEQA (State CEQA Guidelines Sections 15381 and 15386) and cooperating agencies under NEPA (e.g., USACE and EPA). These agencies will make their own findings on the merit of the project and approved mitigation, while conditioning their approvals, as required.</p> |
| 1582 | 1 | <p>In as much as the Legislature and the Governor have not yet completed their "negotiations" regarding the November 2014 Water Bond ballot measure. I write to express The California Contract Cities Association's support for a continued Legislative and Executive emphasis on water conservation, necessary infrastructure improvements, the need for shared water resources throughout the State, a focus on innovative solutions to the water crisis as well as the challenge to take important steps to plan for drought and emergency conditions that may arise in the future.</p> | <p>The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.</p> |
| 1583 | 1 | <p>I am a fourth-generation resident of Northern California. I am writing to let you know that I strongly oppose any tunneling in the California Delta. It will have disastrous effects on the water quality, farms and wildlife in the Delta area. It will negatively affect the hundreds of towns and millions of people living in the area. It is a poorly conceived plan and a huge threat to Northern California .</p> | <p>The preferred alternative is now Alternative 4A (i.e., the California WaterFix Project) and no longer includes an HCP. The commenter is also referred to Master Responses: 45 (Purpose and Need), 47 (Overview of Restoration and Enhancement Activities), 43 (Beneficial Use of Water), 31 (Effects of Proposed Intakes), 62 (Water Supply Reliability South of the Delta), 70 (Upstream Reservoir Effects), 36 (Impacts on Smelt), 51 (Water Supply Downstream of the Delta), and 19 (Water Quality). Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the Draft EIR/EIS. A Draft BDCP</p> |

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| | | Please do not consider any measures which would cause such extensive damage to the Delta region. | Statewide Economic Impact Report has also been published, which indicates that the project would result in a substantial economic net benefit to the State. The environmental documentation and project approval will be acted on by the decision makers from each lead agency at the conclusion of the CEQA and NEPA processes. |
| 1584 | 1 | The Greater Bakersfield Chamber of Commerce write to assist in the full consideration by the EIR/EIS of the need for the project to restore and protect the reliability of our water supply and to highlight the impacts on the environment of not achieving this objective. The "no action" alternative would ultimately have significant detrimental impacts on our region and the state. The feasibility of the chosen project is critical if it is to provide significant restoration and protection of the environment (which has declined from the very creation of our State) and restoration and protection of the water supply to more than 26 million Californians, thus fulfilling the "co-equal" goals embodied in state law | <p>The commenter's opinion is noted and does not raise any issues with the adequacy of the environmental analysis in the 2015 RDEIR/SDEIS or 2013 DEIR/EIS.</p> <p>Alternative 4A, also known as California WaterFix, has been developed in response to public and agency input and is the new CEQA Preferred Alternative. Alternative 4A is also the NEPA Preferred Alternative, a designation that was not attached to any of the alternatives presented in the 2013 Public Draft EIR/EIS. Alternative 4 remains a potentially viable alternative and is being carried forward in this RDEIR/SDEIS because it represents the original habitat conservation plan/natural community conservation plan (HCP/NCCP) alternative approach, and because it provides an important reference point from which the Alternative 4A, 2D, and 5A descriptions and analyses were developed. If the Lead Agencies ultimately choose the alternative implementation strategy and select an alternative presented in the RDEIR/SDEIS after completing the CEQA and NEPA processes, elements of the conservation plan contained in the alternatives in the 2013 Public Draft EIR/EIS may be utilized by other programs for implementation of the long term conservation efforts.</p> |
| 1584 | 2 | The Co-Equal Goals. As you consider the various alternatives, consider whether the project adequately meets the goals to be achieved. The project is to meet co-equal goals -- not only restoring and protecting the environment of the Delta, but also restoring and protecting the water supply that passes through the Delta. An unbalanced project that does not meet these co-equal goals will be infeasible even if it has significant environmental benefits. | For more information regarding the proposed project's consistency with the Delta Reform Act please refer to Master Response 31 and Final EIR/EIS Appendix 3I and 3J. The project's proposed dual conveyance facilities would allow water to be moved through the Delta when conditions permit, and allow water to be diverted from the Sacramento River in the northern Delta when conditions in the south Delta do not permit diversions from the existing State Water Project and Central Valley Project facilities. The location of the north Delta diversion facility is less vulnerable to salinity intrusion, a potential impact of sea level rise, or levee failure, in the future. By establishing an alternative diversion point for exports, a great deal of water management flexibility is added. This added flexibility would provide more options for adaptively managing the Delta so that conditions can be optimized to provide the greatest benefits across all Delta water uses and habitat conditions. For information regarding the purpose and need of the proposed project, see Master Response 3. |
| 1584 | 3 | <p>Affordability. The project chosen must be affordable for the water users trying to restore and protect the contracted water which has been lost, and the State attempting to restore and protect the environment which has been degraded since the very inception of our State. The water supply to be restored and protected is largely distributed by governmental entities within the State of California. Both the SWP and CVP, and their water users, are constrained by significant financial and economic limitations. The State</p> <p>is constrained by economic limitations. An alternative that does not appropriately control the costs to be borne would not be economically feasible.</p> | <p>Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the 2013 Public Draft EIR/EIS. A Draft Statewide Economic Impact Report has also been published, which indicates that the proposed project would result in a substantial economic net benefit to the State of California.</p> <p>. Construction of water conveyance facilities would be sequenced over approximately 10 years. Construction of individual components (e.g. intakes, tunnels) would range from one to six years. Temporary construction-related impacts include noise, visual, and transportation, among others. The construction-related impacts are disclosed in individual resource area chapters in the 2013 Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). All impacts would be minimized and mitigated to the degree feasible and are described under each alternative in the RDEIR/SDEIS individual resource chapters and in Appendix 3B, Environmental Commitments, EIR/EIS. An analysis of economic impacts of the proposed project, including impacts related to agriculture, recreation, water rates, and taxes are also evaluated and described in the Statewide Economic Impact Report (http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Draft_BDCP_Statewide_Economic_Impact_Report_8-5-13.sflb.ashx).</p> <p>Chapter 16, Socioeconomics, of the Draft EIR/EIS was revised based on the revised construction footprint for proposed water conveyance facilities, along with a refined set of construction cost and schedule</p> |

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| | | | assumptions developed for Alternative 4. Refer to Chapter 16, Socioeconomics, Section 16.3.3.9, in Appendix A for the revised analysis of Alternative 4. Additionally, one table from Draft EIR/EIS Appendix 16A has been incorporated into Appendix A. See Master Response 5 for a discussion of the current status of the BDCP including funding strategies. |
| 1584 | 4 | Environmental Impacts of Failure to Achieve the Water Supply Goal. If the chosen alternative does not significantly restore and protect the water supply that passes through the Delta there will be significant environmental impacts throughout California due to the diminishing water supply and the unavoidable effects of economic decline. Our comments will focus on the impacts to our area -- an increase in particulate matter air pollution, an increase in airborne pathogens, and reduction in permanent crops that help to reduce greenhouse gases in the atmosphere. Further, failure to provide a secure means of water transport through the Delta leaves the entire state at risk of catastrophic economic decline if an earthquake (very probable during the 50 year time frame) disrupts water to points south of the Delta (including portions of Alameda County and the "Silicon Valley") for a number of years. | <p>This comment is consistent with the discussion in Section ES.2.2.2.2 of the Executive Summary of the DEIR/EIS, the inability of the SWP and CVP to deliver water to water users south of the Delta has led and will continue to lead to inability to support water users' needs for human consumption, manufacturing, recreation, and crop irrigation.</p> <p>See also responses to comments below.</p> |
| 1584 | 5 | <p>Comments on the identified project purpose:</p> <p>The explanatory comment at ES 2.2.1 (p. 10, 11. 15-22) and Chapter 2, section 2.4 (p. 2-5, 11, 3-9) could be interpreted as recanting on the goal of restoration and protection of water supplies. The co-equal goals embodied in State law are a clear expression of the need to serve both of the goals for the benefit of the State and the language should be clarified to avoid the implication of recantation. The explained phrase does assure interested parties that "restoration and protection" does not include increasing supplies above previously authorized contractual amounts, but it should be a goal of the project to restore and protect those contractually promised amounts. A failure to pursue the goal in good faith on the same footing as environmental goals would ultimately make the project infeasible. It could also result in the project not being financially feasible for the water supplier proponents. To ensure fidelity to the co-equal goals concept the significant and costly environmental benefits of the project should be reduced if the water supply benefits are not achieved.</p> | <p>Please see Master Response 3, which addresses the BDCP's project objectives and its purpose and need. As explained in Master Response 3 and in Final EIR/EIS Chapter 2, Project Objectives and Purpose and Need, the fundamental purpose of the proposed project is to make physical and operational improvements to the SWP and CVP systems in the Delta to protect ecosystem health and water supplies within a stable regulatory framework and consistent with statutory and contractual obligations. See also response to comment 1584-2.</p> <p>For more information regarding consistency with the Delta Reform Act please refer to Master Response 31 and Appendix 3I and 3J of the Final EIR/EIS.</p> <p>Please see 1.1.4 Section1 of the RDEIR/SDEIS for updated project objectives and purpose and need.</p> <p>Please also see Master Response 5, which addresses the cost of proposed project implementation and who will fund it.</p> |
| 1584 | 6 | <p>Comments On the Preferred Alternative:</p> <p>We agree that the dual tunnel conveyance mechanism is the most likely to succeed in achieving the co- equal goals of the project. But alternative operational scenarios are provided for Alternative 4. These scenarios vary from a moderate (18%1) restoration of water supply of 821 kilo acre feet per (KAF) year (Alternative 4 - H1) to an actual negative impact on water supply to the SWP and CVP (Alternative 4 - H4). Given the estimated cost of the twin tunnels at \$14 Billion, the cost of the project is barely tolerable at the 821 KAF per year level of average improvement. Financially responsible water users would find a \$14 Billion project infeasible if it produces no restoration or protection of water supply (such as alternative 4 - H4). The project operated at the level of no restoration or negative impact to water supply would not meet the co-equal goals. Accordingly there should be a minimum water supply restoration benefit that is guaranteed.</p> | <p>As described in response to comment 1584-1, the proposed project is Alternative 4A. Alternative 4 remains a potentially viable alternative and is being carried forward in this RDEIR/SDEIS because it represents the original HCP/NCCP alternative approach. For additional discussion of alternatives please see Master Response 4. The analysis in the BDCP Statewide Economic Impact Report (http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Draft_BDCP_Statewide_Economic_Impact_Report_8-5-13.sflb.ashx) did use 60 years as the time horizon in which to calculate the economic benefits of the operation of the water conveyance facility for water supply, water quality, and water supply reliability. For this analysis, the costs of operating the facility were also calculated out to 60 years. The costs of implementing BDCP conservation measures 2 to 22 would have ended after 50 years, corresponding to the end of the permit term. While costs to manage the BDCP Reserve System continue in perpetuity, these costs would be paid for by the endowment created during the first 50 years. So there would be no net costs after 50 years except the continued operation of the water conveyance facility. Therefore, it was reasonable to consider the costs and benefits of the water conveyance facility beyond 50 years because its useful life would extend beyond 50 years and with benefits accrued throughout its life. Indeed, because the facility would be likely to last much longer than 60 years, considering benefits out to 60 years was very conservative and greatly underestimated these economic benefits.</p> <p>The proposed water conveyance facility design was approximately 10% complete under the 2013 Public Draft. This level of design is typical of infrastructure projects at this stage of the environmental review</p> |

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| | | | process. The detailed cost estimate for the facility was developed to take into account the preliminary level of design. Cost estimates include standard contingencies of 20-30% and in some cases are as high as 50% where cost uncertainties are highest. The cost estimate in Chapter 8 of the 2013 Public Draft, is at an appropriate level of detail and accuracy for a planning level estimate for the endangered species permits from the state and federal governments. |
| 1584 | 7 | To avoid conflict, the project would be well served to tie the significant environmental improvements of the project to the water supply restoration, thus providing an incentive for all to make the project work. The project contains many environmental enhancements over and above mitigation that should be the responsibility of the State. To the degree the 821 kilo acre feet of restoration is not achieved as a rolling average, the environmental enhancements in the project should be reduced, e.g. by reductions in funding for habitat creation and caretaking funds, to achieve a parity of environmental and water supply benefits pursuant to the co-equal goals. | See response to comment 1584-6. |
| 1584 | 8 | Water user payments for the project should be limited in proportion to the actual water supply restoration achieved. A number of mechanisms could be employed. Mitigation requirements, in addition to environmental enhancements, should be reduced pro rata with any reduction of water benefits. If the environmental benefit of these former mitigation elements is still desired, then they should be re- categorized as "enhancements" to help the State restore environmental damage incurred since the time of the "49ers". Also, if the average annual water supply goal is not achieved then the repayment period for tunnel costs should be extended so that the total water benefit over the repayment period is the same, i.e., if the expected water benefit is not achieved over a 50 year period then the repayment period should be extended until the total water benefit is achieved. | See Response to Comment 1584-6. Proponents have assessed the benefits as described in the funding sources. Notably, the water contractors benefitting from the proposed project and their constituents will bear all costs associated with constructing new conveyance facilities and mitigating for the impacts of those facilities. Expenditures of public money from other sources would be limited to restoration activities beyond those needed to mitigate the impacts of facility construction. 2013 Public Draft Chapter 8, which deals with cost issues, and cost-benefit analysis information are available on the BDCP website. Please see Master response 5 for more information on project costs and funding. |
| 1584 | 9 | Limiting the number of intakes and capacity as provided in Alternative 4 is actually a limitation on flexibility of the system. If additional intakes are cost effective then they would add flexibility to the system. | Note that Alternative 4 is no longer considered to be the preferred alternative. See response to comment 1584-1. Appendix 3A of the EIR/EIS, describes the range of conveyance alternatives considered in the development of the EIR/EIS. Several alternatives in the Final EIR/EIS analysis consider up to 5 intakes. The selection of the proposed project was based on numerous factors; the potential for significant impacts being one of them. While additional intakes might offer operational benefits, they would also result in a greater project footprint and associated impacts. It was determined that three intakes with 9,000 cfs capacity would offer important benefits to fish and water supply and minimize project footprint impacts. Please see Master Response 4 regarding the selection of alternatives. |
| 1584 | 10 | Alternative 1 is preferable. It provides the potential for a 23%* restoration of contractual water supply amounts. Our direct water supply coming through the Delta is through the SWP. (Some water received through the Friant system is dependent on deliveries from the Delta to "exchange contractors" on that system.) State and Federal Endangered Species Act limitations had reduced the State's average ability to deliver our contractual amount to approximately 70% by the early 2000s, and that average delivery capability has been reduced to about 60% currently. Therefore a restoration amounting to 23% of the diminished deliveries is actually only a restoration of about 13.8% of our area's SWP contracted supply. This is significantly better than Alternative 4-H1 's restoration of 10.8% of our contracted supply and also lowers the costs to our region 's farmers to a level that will be affordable for more of our existing farms -- thus preserving farms and jobs in our area. | As described in response to comment 1584-2, the location of the north Delta diversion facility would provide more options for adaptively managing the Delta so that conditions can be optimized to provide the greatest benefits across all Delta water uses and habitat conditions. Chapter 16 of the EIR/EIS and RDEIR/SDEIS Appendix A (Socioeconomics) identifies the unique features of the Delta and describes the potential effects on Delta communities. Please see chapter 15 for a discussion on impacts to recreation. Impacts to agriculture are identified and discussed in Chapter 14; the lead agencies have proposed measures that would support and protect agricultural production in the Delta by securing agricultural easements and/or by seeking opportunities to protect and enhance agriculture with a focus on maintaining economic activity on agricultural lands. Please see Master Response 18 for more information on agricultural mitigation and Master Response 24 for information on the Delta As a Place. |
| 1584 | 11 | The Greater Bakersfield Chamber of Commerce believe there is a benefit from more intakes which will have the effect of creating more flexibility in avoiding disruptions to fish migration. | As described in response to comment 1584-2, the location of the north Delta diversion facility would provide more options for adaptively managing the Delta so that conditions can be optimized to provide the greatest benefits across all Delta water uses and habitat conditions. |

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| 1584 | 12 | <p>For the same reasons set forth in our comments on the "no action" alternative we believe these alternatives are not feasible and would have negative environmental consequences in our region. In addition, they do not meet the "co-equal goals" embodied in state law, and would not be economically feasible. Water users could not provide any funding for these alternatives, and it is unlikely the State would fund an alternative that does not meet the co-equal goals.</p> | <p>As described in response to comment 1584-2, the location of the north Delta diversion facility would provide more options for adaptively managing the Delta so that conditions can be optimized to provide the greatest benefits across all Delta water uses and habitat conditions.</p> <p>The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under full-implementation of the proposed project (Alternative 4A) are projected to be roughly about the same the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline.</p> <p>Please see Master response 5 for more information on project costs and funding.</p> <p>For more information regarding consistency with the Delta Reform Act please refer to Master Response 31 and Appendix 3I and 3J of the Final EIR/EIS.</p> <p>.</p> |
| 1584 | 13 | <p>The "no action" alternative has environmental and human impacts. Without action, environmental conditions in our region will continue to deteriorate. The failure to deliver water to our area has already resulted in an increase in particulate matter and airborne pathogens due to winds whipping many empty acres of fallowed fields in dry years. Reduced acreage in agriculture has resulted in significant unemployment in dry years. Failure to correct this condition could result in more significant economic disruption as the agriculture economy in our area is permanently diminished.</p> <p>Additionally many of our orchards bearing almonds, pistachios, citrus and other fruits, and other permanent plantings (including grapes) may ultimately be destroyed having a serious negative effect on the production of oxygen from carbon dioxide. Permanent plantings are more environmentally friendly, but they require a more stable water supply.</p> <p>Kern County (served by the SWP and Friant systems) was the third largest agricultural producer in the state in 2012 with \$6.2 Billion produced. Fresno County (served by the CVP) was the second largest in the state with production of about \$6.4 Billion in 2013. Kings County served by the SWP had agricultural production of about \$2.3 Billion during 2013, and Tulare County served primarily by the Friant system (dependent on Delta water to the "Exchange Contractors") produced \$7.8 Billion in 2013. More than \$22 Billion of annual agricultural production in these counties, and each of our counties significantly depends upon water transported through the Delta or exchanged for water transported through the Delta. Each has been adversely affected by the inability to move water reliably through the Delta. The reductions in water unavoidably reduce production ceteris paribus, and increase food prices throughout the United States. Ultimately the economic impacts of the increased cost of food supply will limit the ability of our society to engage in prudent and responsible environmental restoration. Imprudent and irresponsible approaches impairing our economy will ultimately harm the environment as well. Dedication to the "co-equal goals" will enhance the prudence and responsibility of the project.</p> | <p>See responses to comments 1584-6 and 1584-10.</p> |
| 1585 | 1 | <p>We the residents of the Natoma Station Neighborhood Organization in Folsom, California wish to express our opposition to the construction of the two proposed water diversion tunnels served by three new North Delta intakes, in addition to the existing intakes at the</p> | <p>The issue raised by the commenters addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/EIS documentation.</p> |

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| | | South Delta along the Sacramento River. We wish to add our opposition to that voiced by the City of Folsom, the Placer County Democratic Party, San Juan Water District, and others. | |
| 1585 | 2 | Under proposed water operations that would occur with the institution of the BDCP, Folsom Lake would likely reach dead pool levels (water levels below the intake valves for City use) on a more frequent basis. We are already dangerously close to this condition, even without the initiation of the BDCP and are currently implementing significant water restrictions. It is clear that twin tunnels would increase the number of times Folsom Lake reaches dead pool levels along with low levels similar to what we are currently experiencing. | <p>The projected water demands in the No Action Alternative and all of the EIR/EIS alternatives include the assumptions that water conservation will be implemented by 2060 in accordance with State law as compared to the Existing Conditions, as described Section 30.1.3 of Chapter 30, Growth Inducement and Other Indirect Effects, of the Final EIR/EIS, including a reduction of water demand by up to 20 percent. These changes would result in “dead pool” conditions in SWP and CVP reservoirs upstream of the Delta even without action alternatives.</p> <p>The “dead pool” conditions presented in the CALSIM II model results in the EIR/EIS are developed from calculated monthly average reservoir volumes. Because the model only calculates and reports SWP and CVP water operations at an average monthly basis, the model cannot simulate changes that occur on a weekly basis by water users and SWP and CVP operations. In addition, the model cannot make decisions that occur in real-time, such as drought operations during the ongoing drought. Instead the model includes average operating criteria for all dry pool periods, and does not reflect specific changes. The dead pool conditions occur in the No Action Alternative as compared to the Existing Conditions because the model includes changes in precipitation without making changes in water diversion patterns. The EIR/EIS analysis considers changes between the frequency of dead pool conditions under the alternatives and the No Action Alternative (both with the same climate change assumptions) to determine if the changes are adverse or beneficial. For further details about how climate change assumptions impact the analysis, please see Master Response 19. See also Master Response 25 for discussion of modeling upstream reservoir effects.</p> |
| 1585 | 3 | We are aware that reservoirs in Southern California are currently full, i.e. Castaic, Pyramid Lake, etc., and we feel it is necessary to preserve the Folsom Lake water supply for the residents and businesses of Folsom. We do not have any groundwater resources for backup water supply and, as reported, Southern California has both groundwater resources and enough water to supply them through the next two years without any conservation efforts (LA Times, Jan 15, 2014). We, in Folsom, are currently subject to Stage 3 Water Conservation measures while much of the water originating here has been sent to supply Southern California. | The reservoirs referred to in the comment are operated using SWP water supplies that are conveyed across the Delta when SWP water supplies are available and south of Delta storage is available. During dry periods, the SWP water users rely upon that stored water because SWP water deliveries are reduced in a similar manner as CVP water deliveries are reduced in the American River watershed from Folsom Lake. |
| 1585 | 4 | We do not oppose releasing water from Folsom Lake for conservation, but believe releases could potentially be cut at times without sacrificing the necessary benefits. For example, narrower stream beds may allow water to be released for hatchlings in the Fall yet allow enough water for residential and commercial use to sustain our population while conserving is still enforced. | Reservoir operations and diversions by the SWP and CVP under Existing Conditions, No Action Alternative, and all other alternatives are regulated by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife to protect aquatic resources and other beneficial uses. The amount of water to be diverted is determined by these agencies based upon river water levels and flow, water available in the system, the presence of threatened and endangered fish species, and water quality standards. Changes to the river channels would be coordinated with all relevant regulatory parties, consistent with appropriate local, regional state and federal requirements. |
| 1585 | 5 | It has been proposed that the twin tunnels are necessary to protect the water transport in case of an earthquake though there is no certainty that either of the two tunnels would withstand a significant seismic event. | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. In response to comments received during the 2013-2014 public comment period, State and Federal agencies have developed a modified proposed project (Alternative 4A/California WaterFix). Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. In response to the comment, the project infrastructure will be designed to withstand reasonably foreseeable seismic events. For more information about project geology and seismicity, see Chapter 9 of the Final EIR. |

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| | | | <p>Alternative 4A, also known as California WaterFix, has been developed in response to public and agency input and is the new CEQA Preferred Alternative. Alternative 4A is also the NEPA Preferred Alternative, a designation that was not attached to any of the alternatives presented in the 2013 Public Draft EIR/EIS. Alternative 4 remains a potentially viable alternative and is being carried forward in this RDEIR/SDEIS because it represents the original habitat conservation plan/natural community conservation plan (HCP/NCCP) alternative approach, and because it provides an important reference point from which the Alternative 4A, 2D, and 5A descriptions and analyses were developed. If the Lead Agencies ultimately choose the alternative implementation strategy and select an alternative presented in the RDEIR/SDEIS after completing the CEQA and NEPA processes, elements of the conservation plan contained in the alternatives in the 2013 Public Draft EIR/EIS may be utilized by other programs for implementation of the long term conservation efforts.</p> |
| 1586 | 1 | <p>This letter provides comments in regards to the Bay Delta Conservation Plan DEIR/DEIS. Unfortunately due to the voluminous nature of this DEIR/DEIS I was unable to review the plan in its entirety; frankly, a public document of this length is prohibitive of public review and engagement, and seems counter to the intent of NEPA/CEQA (the California Bay-Delta Authority (CALFED) DEIR/DEIS, which encompassed the Delta was nearly 10 times shorter). The comments provided draw upon my professional, personal and cultural background.</p> | <p>Please see Master Response 38. It explains that the Draft EIR/EIS is the result of many years of collaboration and analysis necessary to review a project that would impact the Delta and water supplies for millions for Californians. The size and complexity of the document reflect an unprecedented effort to analyze a proposed project and 18 alternatives under both state and federal laws for special status species protection.</p> |
| 1586 | 2 | <p>The Delta falls within the Miwko? Waali? (Plains Miwok ancestral homelands). This region has undergone tremendous change in geologic time, and in the process has provided a means for maintaining a resilient and sustainable ecosystems and livelihoods for countless generations who mindfully considered their obligations to generations unborn. In the spirit of these obligations we also maintain a need to take responsibility for our actions to ensure future generations receive a world left in as good, if not better condition than we leave it. In review of the Bay Delta Conservation Plan (hereafter BDCP), it is difficult to obtain a sense that this world would be left in a better condition for future generations. The BDCP is clearly a plan comprised of maintaining the status quo of old ideas to ensure operations for a water delivery system that is inefficient and unsustainable. Clearly, at this point in time the Delta is not resilient; the flora and fauna of the region are suffering, the landscape is threatened by poor land-use decisions, and the water that is crucial to it all is being commodified by interests that lack the foresight to see beyond financial gains for themselves. In short, the Delta is not resilient, and no alternatives offered within this plan will correct this. Thus, there is no choice but to support the No Project Alternative.</p> | <p>The commenter does not offer any evidence on how the project would result in significant impacts.</p> <p>The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such, the proposed project is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, turbidity, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.</p> |
| 1586 | 3 | <p>As indigenous people, we hold water as sacred. It is a life giving force which all creation is connected to. For millennia we have asserted our ancestral obligation to ensure the balance and stewardship of water is maintained. Since colonization we have systematically been denied our ancestral rights; rights which by the nature of transitory resources (i.e., water, air, fish and wildlife) were never surrendered by treaty or other means. Therefore, we as indigenous people form this position in response to the threat of mis-use and mis-management of our resources vis-a-vi the BDCP, its predecessors and offer a plan to achieve implementation of actions to make our systems sustainable and resilient to social and environmental change.</p> | <p>The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.</p> <p>The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, turbidity, and salinity the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.</p> |
| 1586 | 4 | <p>Among major flaws in this plan is the disconnect in recognizing the interrelatedness of the Delta within a landscape context that extends from source to sink. While there is discussion of hydrologic inputs from regions beyond the Delta, it does not holistically consider the landscape feedbacks from the crest of the mountains to the sea. The Delta is part of a system that is not linear, but is circular; simplistically, water, juvenile salmon, and nutrients flow through the Delta, but are ultimately cycled back to the source. Thus, the</p> | <p>This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the</p> |

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| | | Delta is just part of the problem or solution, but real benefits will be met when treated as a whole. The BDCP considers storage primarily in the sense of dam operations, but fails to recognize the landscape features that naturally provide storage including meadows and the basins and sinks that exist throughout the Central Valley from the Colusa Basin to Tulare Lake. | BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 5 | Where in the hell does it consider the impacts of restoration. Where would restoration occur, what would it look like. Why is there no historic map of the Delta for reference? The BDCP fails to clearly articulate what actions would be undertaken to restore the Delta or at a minimum facilitate natural processes, which would make it more resilient. | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 6 | Given the BDCP has failed to include regional Tribal experts as stakeholders in the development of this plan the entire plan is an environmental justice issue. | <p>Chapter 32, Public Involvement, Consultation, and Coordination provides a summary of the public involvement and outreach activities conducted for the BDCP EIR/EIS, contains information regarding the federal and state agencies that are participating in the CEQA and NEPA processes leading to the development of the Draft EIR/EIS for the BDCP, and a summary of some of the public involvement, consultation, and coordination activities conducted as part of the larger BDCP program independent of any EIR/EIS process. The chapter describes the six tribal consultation meetings that DWR held in 2014 to seek input from tribes in the northern region of the state, the Delta region, the South Central region, Santa Clara Valley, and southern parts of the state.</p> <p>Chapter 18, Cultural Resources, includes descriptions of Native American consultation and mitigation measures for the project.</p> <p>In addition to the mitigation measures proposed in this EIS/EIR, federal agencies that have a significant role in implementing the BDCP are required to comply with Section 106 of the National Historic Preservation Act (NHPA) (16 United States Code [USC] 470f). Section 106 and the Section 106 regulations require that the agencies identify effects on historic properties and consult with the public (including relevant minority groups) and Native American tribes during the management process. Section 106 thus adds another mechanism for identifying resources, and developing mitigation that would reduce or avoid adverse effects.</p> |
| 1586 | 7 | Section 1.2 needs to acknowledge the impacts to cultural heritage and habitats. "Financial stability" is not achieved on an agricultural economy that contributes less than 2% of the state's economy. Unsustainable population growth, water-use and land-use must be reconsidered in this state. | Section 1.2 is a very brief introduction to project and is not intended to provide a detailed context. Chapter 18, Cultural Resources, presents an in-depth context and analysis on impacts to cultural resources. |

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| 1586 | 8 | Section 1.4 pg. 1-6 "historical context" does not begin with the 1850's white settlement and havoc. Historical context begins by understanding the entirety of human history within this landscape inclusive of geologic time. | "Historical" is the standard industry term used in California for the time period beginning at Euro-American exploration and settlement in the area under discussion. |
| 1586 | 9 | Pg. 1-7 Fish and Wildlife Service and National Oceanic and Atmospheric Administration have issued Biological Opinions for culturally important species that they have Trust responsibilities to Tribes for, yet have not consulted with Tribe to ensure their cultural obligations are upheld. | Native American consultation in the development of the Programmatic Agreement is currently underway and is included in the recirculated DEIR/S through the addition of Section 18.2.1.3, which provides information on Section 106 consultation and development of a Programmatic Agreement. Please see Master Response 21 related to the involvement of Native American Tribes in the planning and development of the proposed project. No further response is necessary because no issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. |
| 1586 | 10 | Pg. 1-10 Does the development of the tunnels really provide a reliable water source? It seems that real investments in research and development for water resources would provide long-term benefits to the state and achieve better results for sustained water and environmental concerns. | <p>The concept of providing increased predictability is part of the Project Objectives and Purpose and Need for the action alternatives for the project, as indicated in Chapter 35, Glossary, of the Draft EIR/EIS, under the definition of "water supply reliability." This term is defined as "The occurrence of water supplies of sufficient quality and certainty to enhance or sustain a diverse portfolio of economic activity and ecosystem health and maintain quality of life." Please see Master Response 3.</p> <p>The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians. As described in Section 1.1 of Chapter 1, Introduction, of the EIR/EIS, the project was developed to improve water supply reliability by the lead agencies. The action alternatives could only deliver the amount of water diverted under the existing SWP and CVP water rights and in accordance with the existing and future related regulatory requirements, as described in Chapter 5, Water Supply. No changes would occur to other water rights holders (see Section 5.3.1 of Chapter 5 of the EIR/EIS).</p> |
| 1586 | 11 | Pg. 1-14-15 lists the BDCP proponents. It is apparent that corporate and political interests are well represented. Where is the balance to this? Where is there true interest in healthy and resilient ecosystems? | <p>Please note that the preferred alternative is now Alternative 4A (i.e., the California WaterFix Project) and no longer includes an HCP or NCCP. The RDEIR/SDEIS Executive Summary, ES.1, identifies and updates from the 2013 Draft EIR the lead and cooperating agencies that will use the EIR/EIS as part of their decision-making process. Reclamation will act as the sole federal Lead Agency of the proposed project (under NEPA) while DWR will continue to act as the state Lead Agency (under CEQA). The USFWS and NMFS will act as NEPA Cooperating Agencies. The regulatory agencies – USFWS, NMFS, CDFW, USACE, and the State Water Board – are participating to provide technical input and guidance in support of planning efforts to complete the proposed project.</p> <p>CDFW would consider whether to approve the project under CESA and issue permits under Section 2081 of the California Fish and Game Code. USFWS and NMFS will make a decision regarding the issuance of Incidental Take Permits for the incidental take of federally listed species under ESA Section 7.</p> |
| 1586 | 12 | Pg. 1-16 etc. list of covered species contains many culturally significant species. The list are noticeably absent of important species including, but not limited to gray whale, humpback whale, bald eagle, peregrine falcon and other marine mammals and fishes. Traditional knowledge within this region recognizes the connection of these species to the region and impacts to these species need to be considered in this plan. It is a Trust responsibility to Tribes of this region to ensure impacts to these species are addressed, as impacts to them are likely to occur. | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP |

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| | | | alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 13 | Figure 1.4. How can the project area not include the entire catchment of the Sacramento and San Joaquin Rivers? | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 14 | Pg. 2-2 How will this be achieved when it is still the same amount of water being used from the same sources. This does not add up. There needs to be reform with respect to urban and agricultural use. Past efforts have failed for a variety of reasons; largely have been unsuccessful due to a lack of being able to think beyond the status quo. | Reform related to urban and agricultural use is not a part of this project. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. |
| 1586 | 15 | Pg. 2-4 The BDCP should take initiative to lead to recovery of all species whose homeranges fall within the Delta. The proposed restoration and enhancement activities are minimal efforts towards recovery. The plan should strive for a resiliency and long-term viability of populations. Restoring less than 10 percent of the Delta's landscape will not recover many of the covered species if any. | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 16 | Why is the plan only to encompass a 50-year period? The plan should be developed for multiple generations. It is feasible that within my own lifetime this plan will have expired. Will the species have recovered? Will the Delta face the same threats we anticipate and know of today? | Please note that the preferred alternative is now Alternative 4A (i.e., the California WaterFix Project) and no longer includes an HCP, and thus no longer includes a 50 year permit term. California WaterFix will follow the Section 7 Process for federal Endangered Species Act compliance, which does not have a "permit term". Instead the authorization and management of actions under the permit relate to the triggers for re-initiation of consultation with permitting agencies. The BDCP chose a term of 50 years in consultation with fish and wildlife agencies for an incidental take permit for covered species. Please see Master Response 5 for information on project compliance with the ESA. |
| 1586 | 17 | Pg. 3-4 "Under these principles, the EIR needs to describe and evaluate only those alternatives necessary to permit a reasonable choice and "to foster meaningful public participation and informed decision making" (State CEQA Guidelines Section 15126.6[f])." This is ironic, because the BDCP does not provide an array of alternatives that are | Please see Master Response 4 regarding the range of alternatives selected. The alternatives included in the Draft EIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The Lead Agencies |

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| | | <p>reasonable. It seems there are other options for procurement and conveyance of water. Further, the restoration does not even include any discussion of setback levees throughout the Delta, which would also provide more in-stream habitat, improve water quality, and retention. Lastly, the length of this document and lack of inclusion of Tribal people in its development have been far from meaningful, and thus limit truly informed decision making.</p> | <p>evaluated carefully all potential alternatives that were proposed during the scoping process and during time of preparation of the Draft EIR/EIS.</p> <p>Some commenters have suggested that the alternatives included in the Draft EIR/EIS failed to represent a "reasonable range" of alternatives or otherwise failed to fulfill CEQA and NEPA requirements regarding the scope of alternatives that must be analyzed in an EIR/EIS. The Draft EIR/EIS includes a legally adequate reasonable range of alternatives. Please see Master Response 4 for further explanation.</p> <p>Conservation Measure 5, Seasonally Inundated Floodplain Restoration, will breach or set back river levees and restore seasonally inundated floodplains that historically existed in the Plan Area but have been lost because of flood control and channelization. At least 1,000 acres will be restored by year 15 of BDCP implementation, and 10,000 acres by 2050. Conservation Measure 5 is discussed in BDCP Chapter 3, Section 3.4, Conservation Measures.</p> <p>The BDCP and Draft EIR/EIS attempt to balance both readability, the need for accurate and thorough technical analysis of the numerous complex issues involved, and responses to public and agency requests for more information. The Lead Agencies recognize that the documents are sizable. In drafting the BDCP and the EIR/EIS, they focused on presenting information in plain language and a clear format with emphasis on information that is useful to the public, agencies and decision makers.</p> <p>Tribal input is critical to the process and development of the BDCP proposed project and associated EIR/EIS. Please see Master Response 21 for details of the government-to-government consultation between the California Natural Resources Agency and California Native American Tribes.</p> |
| 1586 | 18 | <p>Pg. 3-6 The Steering Committee includes not a single Tribal representative. At least there are some environmental groups represented here.</p> | <p>This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process.</p> |
| 1586 | 19 | <p>Pg. 5-1 The environmental setting is too narrowly focused on the Delta. The direct, indirect and cumulative effects associated with this plan are much farther-reaching than is analyzed. This is where every plan thus far has gone wrong. To understand the Delta the environmental setting begins at the top of the contributing watersheds and extends through the ocean.</p> | <p>The EIR/EIS evaluated changes in the environment within geographies that would be affected by implementation of the action alternatives. Therefore, the study area included the upstream SWP and CVP reservoirs and the rivers downstream of those reservoirs; the Delta; and the service areas that would receive water through the proposed conveyance facilities. Under the range of alternatives considered in the Draft BDCP EIR/EIS, only water under existing water rights issued by State Water Resources Control Board to DWR and Reclamation could be delivered to SWP and CVP water contractors. The project would not impact senior water users or groundwater users outside of the Delta. It is recognized that conditions would change over the study period due to other issues, such as climate change and population growth. However, those issues would have occurred with or without the project and are not analyzed in detail in the CEQA/NEPA analysis.</p> |
| 1586 | 20 | <p>Pg. 5-2 Define historical precipitation patterns. The paleo record demonstrates extensive droughts, and traditional knowledge does too. Using recorded climate data without</p> | <p>The Draft EIR/EIS evaluates long-term operation of the SWP and CVP over an 82-year long hydrologic period with extended wet periods and dry/critical dry periods. The evaluation is a comparative analysis to</p> |

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| | | considering the paleo record is short-sighted. | determine the incremental differences between conditions under the Alternatives 1 through 9 and conditions under the Existing Conditions and the No Action Alternative. It is recognized that under the range of alternatives, full contract amounts are not delivered in the majority of times to the SWP and CVP water contractors, as presented in Figures C-13-1 through C-13-13 in Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS. However, the project would reduce the uncertainty associated with diverting water in the south Delta when the presence of fish is not well predicted or uniform. |
| 1586 | 21 | Pg. 5-4 California's water demand is not sustainable. What are the ramifications of water over use... saline soils, subsidence, etc. California needs to be looking to alternative means such as establishing policies for new (if not every) housing development to install cisterns and grey water systems. Research and development should be funded to improve water technologies such as desalination, recycling, and fog harvesting. | <p>Chapter 30, Section 30.1.3, Urban Land Use and Water Use by Hydrologic Region, 2013 Public Draft EIR/EIS, describes long-term water demand in the hydrologic regions based on projections from the California Water Plan. The chapter goes on to compare the modeled changes in deliveries associated with alternatives to the projected changes in future demand in order to evaluate the potential for the proposed project implementation to remove obstacles to growth. The proposed project does not propose any change to storage or conveyance capacity of facilities outside of the Plan Area. Thus, water diverted from new north Delta facilities would find its way into existing facilities.</p> <p>The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures) of the EIR/EIS. For more information regarding demand management please see Master Response 6.</p> |
| 1586 | 22 | Table 5-1 How does this relate to the balance of water for fish? If the consumptive use is a percent of the water available, then there shouldn't be an issue for species survival. How does the lack of Tulare lake and wetlands lost due to the Swamp Lands Act factor in to our water budget? | As noted in the footnote on this table, the term "consumptive use" for agricultural, industrial, municipal, and wetlands generally includes evapotranspiration, evaporation, and water consumed by animals or humans. Water for instream flows would be included in the term "applied water." The values in Table 5-1 are related to existing land uses. |
| 1586 | 23 | Figures 5-17-19 It seems that things come out ahead to ensure more water in the Delta with the No Action alternative. How is it that exports will decrease from existing conditions with the No Action alternative? | Conditions under the No Action Alternative as compared to Existing Conditions are different due to climate change, sea level rise, and population growth north of the Delta (primarily in the American River watershed). As described in Chapter 5, Water Supply, in the EIR/EIS, under the No Action Alternative, climate change is projected to reduce the amount of snowfall and increase rainfall. In addition, SWP and CVP water must be released from the upstream reservoirs to reduce the effects of sea level rise. In addition, projected growth would occur upstream of the Delta with or without the project. All of these factors would reduce the amount of water available for SWP and CVP water contract users. |
| 1586 | 24 | Pg. 6-7 it is acknowledged that sea level has risen ~120 meters in 20 ka, with ~ 1.8 mm/year during the 20th century. If those rates of increase hold, then it would be anticipated that sea level will increase by approximately 8.28 cm during the life of the plan period, but sea level rise has been greater than that in recent years, and there is much uncertainty in sea level model predictions; the greatest extent would yield a 7m increase in sea level, which would have shorelines near Yuba City. If the BDCP is serious about securing water and improving environmental conditions it would make more sense to plan for the worse case scenario. What good would it do to have intakes located within the current extent of tidal flux, when it is obviously going to move further upstream. Furthermore, impacts to fisheries some of the focus fisheries are still within areas that would likely have the greatest impact on them. This is clearly a flaw in the thinking process for the development of the BDCP. | As described in the Draft EIR/EIS, model assumptions for the No Action Alternative and the action alternatives include an assumed sea level rise of 45 cm by 2060. In addition, as described in Section 3C.4 of Appendix 3C in the BDCP/California WaterFix RDEIR/SDEIS, the pumping plants would be designed to provide protection from 200-year flood level with sea level rise plus wave run up and additional 3.5 feet of freeboard. Criteria for identification of intake locations are presented in Section 3F.6 in Appendix 3.F of the Draft EIR/EIS. However, it is recognized that the intakes would be located in areas with Delta Smelt and other fish. Therefore, operations of the intakes would be curtailed during some periods of the year, as discussed in Chapter 3, Description of Alternatives. |

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| 1586 | 25 | Pg. 6-23 discusses the regulatory setting, as it is also discussed in other sections of the BDCP. Throughout the document there is an apparent neglect for Tribal law, which is critical for Federal and to a lesser extent State entities to uphold. PL 93-638 Tribal Self Determination policies were established by Congress to ensure that the Sovereign interests of Tribes and Tribal organizations are upheld. As permitting, funding and authorizing entities Federal agencies much act in the interest of Tribes and Tribal organizations. Thus, coordination with Tribes and Tribal organizations beyond the minimalist attempt that has been provided needs to occur. To date, DWR has neglected to hold consultations at mutually agreeable times with key Tribal groups. | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 26 | Pg 6-37-41 It is unclear how X2 would be managed through climate change and sea level rise. How could it be ensured that this mixing zone could be maintained. Further, if more restoration was done, would X2 have to be managed at such a fixed location. Clearly from the maps provided about historic salt water intrusion, the fish have obviously been able to survive with the mixing zone at various locations provided there is habitat and more robust populations. Pg. 6-42 Basically, there are no guarantees that this plan will achieve its intended purpose. | The CALSIM II and DSM2 models used for the EIR/EIS assumed that X2 location and criteria would not change by 2060 under the No Action Alternative and the action alternatives. Water would be released from the SWP and CVP reservoirs to meet the X2 criteria; and this would reduce available water from SWP and CVP water deliveries. |
| 1586 | 27 | Pg. 6-46 Why are exports and river flows increasing? How would flood stage capacity be less under the No Action alternative? Would salt water enter the existing export facilities under the No Action Alternative? | As shown in Figures 5-17 through 5-19 of the Draft EIR/EIS, Delta exports would be less under the No Action Alternative as compared to the Existing Conditions. The text on pages 6-46 and 6-47 of the Draft EIR/EIS refers to increased water demand and deliveries in the Delta watershed (primarily in the American River watershed) that would occur with or without the proposed project. The text also refers to increased water demand south of the Delta in the SWP service area, however, water deliveries are not able to meet this demand except in wet years under the No Action Alternative. The river flows increase in the winter under the No Action Alternative as compared to the Existing Conditions because it is assumed that climate change would increase rainfall (and associated winter river flows) and decrease snowfall (which would decrease spring river flows during the snowmelt period). Therefore, there would be less snowmelt flows to refill reservoir in the summer months. Salinity would be higher in the south Delta in summer and fall months; which would result in more flows released from the SWP and CVP reservoirs to reduce the salinity in accordance with existing water quality requirements. This also would provide more flood storage space in the reservoirs. |
| 1586 | 28 | Technical Appendices Pg. 218 of 5A-A-5-B-B state the max diversion will be 3000 cfs at each intake. How was 65,000 acres determined for restoration? How would it be done? What would the impacts thereof be on water quality and quantity? How will it lead to sustained populations and recovery for fish, wildlife and plants? | Appendix 3G, Background on the Process of Developing the BDCP Conservation Measures, in the Draft BDCP EIR/EIS describes the process in development of the restoration assumptions. Habitat restoration under CMs 2-21 is only included in the BDCP EIR/EIS in a programmatic manner. Although the BDCP EIR/EIS describes general effects on water quality and water supplies for programmatic habitat restoration assumptions, future engineering, land use, and environmental studies would need to be completed prior to selection of locations, size, restoration methods, and habitat types. The preferred alternative (4A) includes mitigation to offset primarily construction-related effects, and does not propose 65,000 acres of restoration. Compliance with ESA and CESA would be achieved through the |

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| 1586 | 29 | Table B-31 USFWS Biological Opinion did not account for Trust responsibilities. It is focused on delta smelt, estuarine habitat in the fall (historically fall would have had lower flows and salinity would move eastward. The problem is that there is not enough instream floodplain habitat for covered fishes. NMFS Biological Opinion is focused on spring-run Chinook and steelhead. Wouldn't thermal stress relief better be achieved through cooling agricultural return waters and having more riparian restoration along the rivers. Models did not account for these sorts of efforts. | <p>Section 7 and 2081(b) permitting processes, respectively.</p> <p>The modeling for the public draft BDCP and EIR/EIS did account for restoration of floodplain habitat in the Yolo Bypass, as well as tidal habitat restoration in the BDCP Plan Area, in terms of hydrodynamics. The temperature effects of such actions are uncertain and so not readily modeled. The commenter says that the models did not account for efforts that the commenter suggests could be beneficial; this reflects the modeling aiming to represent important features that are proposed or existing, as opposed to potential efforts such as those suggested by the commenter.</p> <p>Please note that an RDEIR/SDEIS was developed and circulated in 2015, which included 3 new Alternatives including the new preferred alternative, 4A. The evaluation of the effects of Alternative 4A are included in the RDEIR/SDEIS. Alternative 4A would not serve as a habitat conservation plan/natural community conservation plan (HCP/NCCP) under ESA Section 10 and the NCCPA. Instead, Alternative 4A, as the California WaterFix proposed action, will be subject to incidental take authorization under ESA Section 7 and CESA Section 2081(b), and will therefore be subject to review by federal and state fisheries agencies following submission of a Biological Assessment (ESA) and incidental take application (CESA). During this process, the fisheries agencies will determine the potential for adverse effects to critical habitat; DWR is working with these agencies to determine appropriate avoidance and minimization measures, and mitigation for any such effects.</p> |
| 1586 | 30 | 5A-C Since the model accounts for Trinity Lake, the effects analysis should be extended to the Klamath Trinity system too. | <p>This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process.</p> |
| 1586 | 31 | Table C-7-1-1 has nice data on Delta outflows; the No Action Alternative does better than the existing conditions for outflows. | <p>No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.</p> |
| 1586 | 32 | 5A-D figure 1 seems to assume a lack of species resiliency and fluidity. Why did the sea-level rise model not project beyond 2060? Figure 11 and 12 both show more significant rise. Table 1 shows more limited model projections within state, but there are models that indicate up to 7 m rise. Where is a map showing the extent of tidal flux and sea water via climate change and sea level rise? | <p>This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the</p> |

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| | | | BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 33 | 5A-D2 Restoration should focus on areas not already natural. How and why were the restoration areas selected? Who will hold title to these lands after restoration? Title should be deeded to Tribe and Tribal organizations as appropriate to traditional territory or agreements. | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. For additional detail on the primary issues being raised with regard to the BDCP or Alternative 4, as well as a discussion of the current status of the draft BDCP Effects Analysis, please see Master Response 5. |
| 1586 | 34 | 7.7.1 Why is there such a narrow scope of groundwater areas? | Effects on groundwater due to implementation of the action alternatives would be related to changes in groundwater use in areas that also rely upon SWP and CVP water supplies conveyed through the Delta for water supply. Other effects on groundwater would occur in the Delta to due groundwater dewatering near the construction sites or changes in seepage rates near canals. |
| 1586 | 35 | Pg. 7-10 Salinity of groundwater increases due to overdraft and irrigated agriculture evapotranpiration. It has been known from Mesopotamian times that irrigated agriculture is difficult to sustain in arid regions. The state needs to think beyond current land use and water management to support ag. | As described in Chapter 7, salinity increases in some areas where groundwater is affected by natural salinity, and/or application of higher salinity surface water that flows into the groundwater. |
| 1586 | 36 | How might the tunnels truncate or contaminate groundwater in the eastern and central Delta? Pg. 7-57 shows some of this. | As described in Chapter 7, Groundwater, and Chapter 14, Agricultural Resources, in the Draft EIR/EIS and the BDCP/California Water Fix RDEIR/SDEIS, DWR would conduct site-specific groundwater analysis to determine the extent of the dewatering activities along the conveyance route. The impacts to agricultural production due to temporary construction activities that could result in disruption of irrigation or drainage infrastructure, and could jeopardize agricultural production. Implementation of Mitigation Measures AG-1, GW-1, GW-5, and WQ-11 will reduce the severity of these impacts. However, these impacts remain significant and unavoidable and adverse to agricultural resources. |
| 1586 | 37 | Pg. 7-19 Tulare Lake poses a unique feature to naturally provide water in the San Joaquin Valley for ag and other users. Would the lake be dry if not for diversions upstream? If the basin has subsided, what would the potential holding capacity be now? If the Kern subbasin has lost 325,000 acre-feet capacity/year between 1970-1998, then they have not been managing their groundwater sustainably, and should not be rewarded with water from the Delta to subsidize their poor management. | The EIR/EIS only analyzed changes in the Tulare Lake groundwater basin related to changes that would occur due to implementation of the action alternatives; and in comparison of groundwater conditions under the Existing Conditions and the No Action Alternative with ongoing management and policies and implementation of foreseeable and certain programs. |
| 1586 | 38 | Pg. 7-22 It states that San Francisco Bay covers 4,600 acres of coastal plain. Is this a misprint? | The text should refer to 4,600 square miles. |
| 1586 | 39 | Pg. 7-43 How would the No Action Alternative in itself lead to increased subsidence due to continued water withdrawals. Groundwater management plans should be in place to ensure this does not occur. | Recent adoption of the Sustainable Groundwater Management Act will implement groundwater monitoring programs and require implementation of groundwater sustainability plans throughout California by 2022, and full implementation of the plans by 2042. The requirements for the groundwater sustainability plans are currently under development by DWR. As those plans are developed by local and regional agencies, separate environmental studies also will be completed. It is possible that the future water demands and uses could change after adoption of the groundwater sustainability plans; however, it would be speculative to include those assumptions in the action alternatives in the EIR/EIS. Although implementation of the groundwater sustainability plans are considered in the cumulative impact analysis. |
| 1586 | 40 | Table 7-7 if a table can be done for SWP/CVP deliveries with each alternative, there should also be one for groundwater changes under each alternative. It is also unclear what groundwater changes would occur due to restoration efforts. | Due to the complexities of groundwater conditions over the geographic study area in the EIR/EIS, changes in groundwater conditions under the action alternatives as compared to the Existing Conditions and the No Action Alternative are presented in graphical format in Figures 7-6 through 7-37. Impacts GW-6 and GW-7 describe programmatic effects on groundwater related to implementation of |

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| | | | habitat restoration and non-conveyance conservation measures. Specific effects will be analyzed in site-specific evaluations of habitat restoration programs prior to their implementation. |
| 1586 | 41 | Figure 7-7 depicts that impacts to groundwater may affect a traditional cultural property. | <p>As described in Chapter 7, Groundwater, in the Draft EIR/EIS and the BDCP/California Water Fix RDEIR, DWR would conduct site-specific groundwater analysis to determine the extent of the dewatering activities along the conveyance route related to disruption of irrigation or drainage infrastructure, and could jeopardize agricultural production. Implementation of Mitigation Measures AG-1, GW-1, GW-5, and WQ-11 will reduce the severity of these impacts. However, these impacts remain significant and unavoidable.</p> <p>DWR and Reclamation have engaged in government to government consultation with affected tribal communities to avoid impacts to tribal cultural resources and property. DWR and Reclamation will implement specific mitigation and avoidance measures to protect these cultural resources and property. These measures are detailed in the Final EIR, Chapter 18 Cultural Resources, Sections 18.3.5 and 18.3.6.</p> |
| 1586 | 42 | Chapter 8 suggests that water quality would still be poor in the Delta. Why isn't there more effort to address point source and non-point source pollution in this plan? More riparian plantings would help improve water quality. | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 43 | Pg. 8-46 Could sediment from the export facilities be used to restore Delta islands if mixed with coarse organic material? | Use of sediment to restore Delta islands could be a potential beneficial reuse. However, there is the potential for sediment-bound contaminants to be released into the ambient environment. Therefore, additional environmental and geotechnical studies will have to be performed to determine the suitability of sediment to restore Delta islands. |
| 1586 | 44 | Appendix D5 figure 4.4 Why would the tidal prism be less in future years in the east Delta? | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |

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| 1586 | 45 | Pg. 11-14 Clearly the issue of fish entrainment will not be absent with the proposed pipelines. What is the point then if fish are still being threatened by export operations. If exports must continue, then a better plan would be to locate intakes outside of the range of the most critically threatened species (perhaps focus on upstream tributaries). | This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative. Instead, a modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1586 | 46 | Pg. 12-8 69,275 acres protected and 83,839 acres of natural community restored, but the loss would be 74,413-92,301 due to habitat conversions. So what this is saying is there is basically no net gain in wildlands either upland or wetland. 12-ES-2 states that most of the protected acreage would be cultivated ~51,000 acres. As stated previously, protecting natural functional areas is important in conservation, but we also need to restore natural processes to make these systems resilient. It does not seem the BDCP is prepared to achieve that. A key goal should be to ensure that all channels are restored with emergent vegetation versus the 20 miles proposed out of the hundreds of miles of waterways that exist in the Delta. | <p>The commenter states that there is “no net gain in wildlands either upland or wetland.” As stated on line 8 of page 12-8 of the Draft EIR/EIS the BDCP does propose 83,839 acres of natural community restoration and the range for the various alternatives is 74,413 acres (Alternative 9) to 92,301 acres (Alternative 2B) . The BDCP, which is represented by Alternative 4, has a total of 77,258 acres of permanent and temporary impacts (see Table 12-ES-1 on page 12-7 of the Draft EIR/EIS). These permanent and temporary losses include the conversion of agricultural lands into natural habitat (e.g., tidal marsh, riparian) and most areas temporarily impacted would be restored to pre-project conditions. Those alternatives with impacts that exceed the proposed protection and restoration targets have additional mitigation proposed in Chapter 12 of the Draft EIR/EIS. The conversion of cultivated land to wetland and upland would certainly represent a net gain in wildlands compared to current conditions in the Plan Area.</p> <p>The Plan does not propose to introduce emergent vegetation in all of the channels of the Plan Area. Most of the channels and adjacent levees are designed to provide for water conveyance and flood protection and these functions would be diminished by placing emergent vegetation in all channels. The proposed 20 miles of channel margin enhancement would provide for improved habitat conditions for important juvenile salmon migration corridors and would be a significant improvement over existing conditions.</p> |
| 1586 | 47 | Pg. 12-11 impacts to vernal pools west of Clifton Court Forebay would impact Traditional Cultural Properties and culturally significant species. | The impacts to cultural resources are identified in the FEIR/EIS Section 18.3.5. For more information regarding cultural resources assessment please see Master Response 20. For additional information about Native American outreach efforts, including identification and analysis of impacts on archaeological sites and/or traditional cultural properties, please see Master Response 21. In addition, potential significant impacts on buried human remains (FEIR/EIS Section 18.3.5.9 Impact CUL-4) is acknowledged. |
| 1586 | 48 | Table 12-2, Why is the bald eagle not covered, but golden eagle is? There is traditional association of bald eagles within traditional accounts throughout the Delta. Burrowing owls are also not included, yet they are known from areas near Clifton Court. Marine mammals are not included, yet they are also an important component of the Delta and Trust responsibilities. Tule elk are also of importance and are not covered. There are a variety of species not covered, but should be. See below for a cursory list of culturally significant species: | Please see Appendix 1A in the 2013 Public Draft for information on how species considered for coverage by the BDCP were evaluated. However, please note that the preferred alternative is now Alternative 4A and no longer includes an HCP, thus does not include a list of “covered species”. Instead, analysis for Alternative 4A is focused on special-status species that will be addressed in the new permit process, to the extent that the implementation of the proposed project could result in impacts to these species. For information about Native American outreach efforts, please see Master Response 21. |
| 1586 | 49 | ATT1: List of Culturally Significant Species | The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in the Final EIR/EIS. |

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| 1586 | 50 | Chapter 18 The noted Tribes responding do not necessarily include traditional owners within the Delta. While no sacred lands files recognized sacred sites within the Delta, there are many sacred sites within the Delta that need to be addressed. Similarly, there are many Traditional Cultural Properties that exist throughout the area, and some sites do fall within the alignments of the proposed pipelines. Living cultural resources need to be included for impacts consideration too; some of this would be addressed through broadening the list of covered species. Analysis needs to include reservoirs linked to the SWP and CVP, which have had adversely affected sacred sites, traditional cultural properties, etc. which previously were not subject to consultation, or consultation processes did not involve the appropriate Tribal leaders with specific knowledge of these sites. | For additional information about Native American outreach efforts, including identification and analysis of impacts on archaeological sites, Traditional Cultural Properties, and cultural significance of biological resources, please see Master Response 21. |
| 1586 | 51 | Pg. 18-52 Any conservation easements or title should be granted through consultation to appropriate regional Tribe(s) or designated Tribal organizations (e.g., California Indian Water Commission). | Updated tribal outreach information was included in the Recirculated DEIR/S. Refer to Sections 18.1.1.4, which provides information on outreach efforts to Native Americans. For additional information about Native American outreach efforts, including identification and analysis of impacts on archaeological sites, Traditional Cultural Properties, and cultural significance of biological resources, please see Master Response 21. |
| 1586 | 52 | In closing, I would like to reiterate that I support the No Action Alternative; I would prefer to see a true effort to restore the Delta and make it a resilient ecosystem. | The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such, the proposed project is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, turbidity, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. |
| 1587 | 1 | I am writing to demonstrate that we support the goals of the Bay Delta Conservation Plan (BDCP) of providing water for human use and for the environment. 22 million people need access to fresh water to preserve our region, the economy, and the environment. | Please note the preferred alternative is now Alternative 4A and no longer includes an HCP component. The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/EIS documentation. |
| 1587 | 2 | With respect to this letter, I speak for myself and feel compelled to participate in the EIR/EIS process. As you know the drought has devastated our region's Agriculture economy. Large parts of the Central Valley have encountered devastating effects of water shortages. I believe the BDCP will be a positive long term solution to balancing the needs of people and the economy. | The commenter's support of the project is acknowledged. The Lead Agencies acknowledge the importance of water supply reliability. The BDCP sets out a comprehensive conservation strategy designed to achieve the two co-equal goals of providing for a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. |
| 1587 | 3 | I also believe the people and lands of the Bay Delta region must be protected from potential salinity, but feel after reviewing the materials the adaptive management plan feel the science and water management policies ensure the region is protected by this plan. | The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. |
| 1587 | 4 | In addition, policymakers must ensure that above ground water storage is part of California's future. BDCP proves to me the science exists to be applied storage and additional conveyance be part of California's future. It is my hope that the Bay Delta Conservation is expeditiously approved to ensure the survival of our state and the Central Valley's agriculture economy. | The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage. |

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| 1588 | 1 | <p>The California Small Business Association supports the Bay Delta Conservation Plan (BDCP) and Alternative #4, as outlined in the Draft Environmental Impact Report/Environmental Impact Statement. We believe this plan will provide the best approach for addressing the challenges of meeting California's water supply delivery system and Delta ecosystem.</p> <p>We are pleased to see the collaboration by multi-agencies and government entities working together to achieve the best outcome for our water needs. As you develop this much-needed water program, please work to not only meet the eco needs but also to maintain the stability and future of small farmers and small businesses. We believe this outlined plan will meet the present and future needs of California and provide a final plan that offers the best solution with the lowest risk to our great state.</p> | <p>The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S.</p> |
| 1589 | 1 | <p>This comment letter is being written on behalf of the Willis Jepson Chapter of the California Native Plant Society, serving Solano County. The letter comments on the Draft EIR/EIS released in December 2013 for the Bay Delta Conservation Plan (BDCP). The lengthy document provides an analysis of the potential impacts for constructing many water conveyance alternatives through a large part of the Delta of California. While Solano County is not within the footprint of the construction, Suisun Marsh located in Solano County, will be impacted by changes to water quality, sediment flow, infrastructure modifications, and proposed restoration. Construction of any of the tunnel or pipeline alternatives will be major undertakings that will impact beyond the construction footprint due to the large amount of truck and other vehicle traffic, movement of sediment, and general activity in an area unused to such things. Dust and vehicle exhaust in particular, will impact plants in the area including native plants along construction corridors and adjacent area. While the DEIR/EIS discusses sensitive plants and communities, the average and very important natural plant communities in the Delta will also be impacted. We cannot afford to lose them. How will indirect impacts to natural plant communities be minimized with such a huge project? We did not see an analysis of the ongoing cumulative effects of construction and maintenance.</p> | <p>This comment pertains to alternatives presented in the 2013 Draft EIR/EIS, in which Alternative 4 (also known as the BDCP) was considered the CEQA Preferred Alternative. Alternative 4A, also known as California WaterFix, has been developed in response to public and agency input and is the new CEQA Preferred Alternative. Alternative 4A is also the NEPA Preferred Alternative, a designation that was not attached to any of the alternatives presented in the 2013 Public Draft EIR/EIS. Alternative 4 remains a potentially viable alternative and is being carried forward in this RDEIR/SDEIS because it represents the original habitat conservation plan/natural community conservation plan (HCP/NCCP) alternative approach, and because it provides an important reference point from which the Alternative 4A, 2D, and 5A descriptions and analyses were developed. If the Lead Agencies ultimately choose the alternative implementation strategy and select an alternative presented in the RDEIR/SDEIS after completing the CEQA and NEPA processes, elements of the conservation plan contained in the alternatives in the 2013 Public Draft EIR/EIS may be utilized by other programs for implementation of the long term conservation efforts.</p> <p>Note that Alternative 4A no longer includes a Habitat Conservation Plan (HCP) or restoration in Suisun Marsh.</p> <p>The comment states that the project would have indirect effects on Suisun Marsh. The effects of the BDCP that could occur outside of the construction footprint are addressed throughout the 2013 DEIR/EIS, including the chapters for water quality, air quality, transportation, and terrestrial biological resources. Chapter 12 of the 2013 DEIR/EIS addresses impacts on common plant communities as well as sensitive plant communities. Cumulative effects are addressed in 2013 DEIR/EIS Chapter 12. With regard to the effects of Alternative 4A, refer to the RDEIR/EIS.</p> |
| 1589 | 2 | <p>Suisun Marsh impacts are not clear. CM 4 discusses tidal marsh restoration in general and focuses on fish impacts. It is unclear what the impacts to rare marsh plants will be when areas are converted to tidal marsh. Weed impacts, such as from pepperweed, are not addressed. Can you specifically address impacts to Suisun Marsh from the project implementation and what the proposed mitigation measures will be?</p> | <p>This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. As indicated in Response 1589-1, Alternative 4A is now the Preferred Alternative and does not include an HCP, restoration in Suisun Marsh, or conservation measures. Generally any project impacts to pepperweed would be addressed in Chapter 12 of the Final EIR/EIS.</p> <p>Numerous comments were received that focused on various elements of the BDCP. Where the comments focused on elements of the BDCP that overlap with the elements of Alternatives 2D, 4A, or 5A (e.g., CM1 as it comprises of the North Delta Diversions, tunnels, and supporting facilities), specific responses are presented. Where comments raised issues as to whether the BDCP and other HCP/NCCP alternatives in the 2013 Draft EIR/EIS were potentially feasible and could function as an alternative for purposes of meeting CEQA and NEPA's requirements to analyze a reasonable range of alternatives to the proposed project (e.g., issues regarding the BDCP Effects Analysis or financial feasibility), responses are presented generally in Master Response 5. Where comments submitted on the BDCP were focused on elements outside the scope of the environmental analysis or viability of the BDCP and other HCP/NCCP alternatives within the context of CEQA/NEPA (e.g., request of specific revisions to the BDCP related to mapping or references), no specific responses are provided and further consideration will be given to these comments, and any revisions to the</p> |

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| | | | Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process. |
| 1589 | 3 | <p>The project alternatives are many, however, the need for this project is not convincing. Have you considered alternatives such as placing a pipeline in the existing concrete conveyance channels or covering the existing water conveyance canals to reduce the huge amount of existing loss due to evaporation? What is the cost benefit in gallons for these measures? Please add this type of measure to the alternative to the discussion.</p> <p>Water conservation by end users is not mentioned. One alternative should be a no or minimal construction alternative with more conservation (less water pumped). We would like to see these types of alternatives in the document. California Native Plant Society is a proponent of using low water use native plants in gardens. We know there is a different way to landscape that does not include the existing large amounts of water consumption.</p> | <p>Chapter 2 of the Final EIR/EIS describes the need for the proposed project. Appendix 3A of the Final EIR/EIS, Identification of Water Conveyance Alternatives, Conservation Measure 1, describes the range of conveyance alternatives considered in the development of the EIR/EIS. Appendix 1C of the Final EIR/EIS, Water Demand Management, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not part of the proposed project, the Lead Agencies recognize that they are important tools in managing California’s water resources.</p> <p>Please see Master Response 4 regarding the selection of alternatives analyzed, and Master Response 6 regarding demand management.</p> |
| 1589 | 4 | <p>It is not clear from the DEIR/EIS and draft plan what kinds of maintenance, such as weed control, will be provided with this plan. There is a section on aquatic invasives through boating outreach, however there does not seem to be any commitment to actual on the ground invasive species (weed) control in the both the aquatic or terrestrial of the project. Invasive species increases can be anticipated in all of the construction areas and with water quality changes anticipated with the plan. These invasives have the potential to eliminate entire natural communities including sensitive species. What invasive species (weed) impacts are anticipated and what measures will be provided in the future to mitigate?</p> | <p>This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. As indicated in Response 1589-1, Alternative 4A is now the Preferred Alternative and does not include an HCP, restoration in Suisun Marsh, or conservation measures.</p> <p>Regarding Alternative 4, Chapter 12 of the Draft EIR/EIS addresses the potential for project alternatives to increase the presence of terrestrial invasive vegetation. This subject, including potential impacts, is addressed for Alternative 4 beginning on page 12-2578. The BDCP includes conservation actions designed to avoid Plan-related increases in the presence of invasive plant species in the Delta, both in the short-term and the long-term. Refer to CM20 in the Draft BDCP, at page 3.4-333. Also refer to CM11 in the Draft BDCP, Section 3.4.11, Natural Communities Enhancement and Management.</p> <p>Regarding Alternative 4A, Mitigation Measures in the Mitigation Monitoring and Reporting Program for Alternative 4A that include invasive weed prevention and management are: AG-1a: Promote agricultural productivity of Important Farmland; AES-1c: Develop and Implement a Spoil/Borrow and Reusable Tunnel Material (RTM) Area Management Plan; AES-1d: Restore Barge Unloading Facility Sites Once Decommissioned; AES-1f: Locate Concrete Batch Plants and Fuel Stations Away from Sensitive Visual Resources and Receptors and Restore Sites upon Removal of Facilities; AES-1g: Implement Best Management Practices to Implement Project Landscaping Plan; EC: Develop and Implement a Barge Operations Plan; AMM7: Barge Operations Plan; and AMM11: Covered Plant Species.</p> |