

DEIRS Ltr#	Cmt#	Comment	Response
1770	1	In spite of the world-class efforts of Orange County to provide greater water supply certainty for eight percent of California's population and the \$200 billion economy they represent, Orange County remains dependent on imported water to meet approximately 45 percent of its average annual demand, with the State Water Project (SWP) deliveries from the Delta meeting approximately half of those needs. The Delta ecosystem and water supply conveyance problems have long been recognized, and have remained in a continuing state of degradation, conflict, and stalemate.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
1770	2	Many years and hundreds of millions of dollars have been spent on study efforts while the Delta system continues to be used for water conveyance in a manner for which it was not intended. The longer it takes to begin the resolution, the more expensive it will become. This stalemate has been punctuated by droughts, floods, economic losses, environmental degradation and litigation every decade since the construction of the SWP in the 1960s. We can no longer delay action in the Delta, and urge the State and federal government to quickly move forward with the Preferred Alternative. Failing to act and move forward is not an acceptable alternative.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
1770	3	In recent years the endangered species Biological Opinions for protection of Delta and longfin smelt and Chinook salmon have resulted in massive cutbacks in exports by over 1.5 million acre-feet per year and without the BDCP further cuts of another 1.0 million acre-feet per year could occur with new endangered species listings according to the BDCP briefing documents. This situation is untenable and a solution must be found to stop this hemorrhaging of this critical foundational water supply to southern California. The BDCP is the best hope we have and it must be approved and implemented in a timely and cost-effective manner.	Please note that the BDCP is no longer the preferred alternative. The preferred alternative is now Alternative 4A (i.e., the California WaterFix Project) and no longer includes an HCP. Alternative 4A has been developed in response to public and agency input. The EIR/EIS analyzes all alternatives, including Alternative 4A. The environmental documentation and project approval will be acted on by the decision makers from each lead agency at the conclusion of the environmental planning processes for both CEQA and NEPA.
1770	4	Yorba Linda Water District strongly supports the BDCP Preferred Alternative (No. 4) and opposes the No Action Alternative. It is critical to the state's economy and environment that both the State and federal government expeditiously follow through with the decision for adopting and implementing the BDCP.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
1770	5	The BDCP must be implemented in a manner consistent with the co-equal goals adopted by the State. Preferred Alternative (No. 4) is consistent with the Delta Reform Act of 2009's co-equal goals.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
1770	6	The modernization of the Delta conveyance system is essential in order for habitat restoration and conservation to have its intended effect; Preferred Alternative (No. 4), which incorporates the 9,000 cubic feet per second (cfs) three intake, twin tunnel conveyance system, provides the best balance between operational flexibility and modernizing the conveyance system for environmental benefit and water supply reliability.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
1770	7	The 2009 Delta legislation called for water agencies to reduce future reliance on the Delta, not to become 100 percent "self-reliant." While our major efforts in these areas will continue, it is important to note that "reduced reliance" does not equate to and was never intended to require a move to 100 percent "self-reliance" and the notion of co-equal goals was never intended to result in a future with significant reduction in exports from levels achieved before the 2008 Bio-Opinions.	For information regarding the proposed project's compliance with the Delta Reform Act please see Master Response 31.
1770	8	The BDCP must provide the needed implementation and regulatory structure and assurances to help achieve the co-equal goals.	Please see response to comment 1533-7.

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		<p>To the Yorba Linda Water District, this means that it is virtually impossible to predict the outcome of the BDCP habitat restoration efforts and endangered species population dynamics, and such a standard should not be required in the DEIR/DEIS.</p> <p>This means that changed circumstances under the operation of the BDCP, including the potential for new species listing, be incorporated in such a manner to result in a minimum impact on future water supply exports.</p>	
1770	9	<p>It is critical that sound science is provided in order to assure the long-term success of the BDCP. The Yorba Linda Water District strongly supports the inclusion of independent scientific investigation and research to be included in the BDCP process.</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 Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process.</p> <p>Please note that the BDCP is no longer the preferred alternative. The preferred alternative is now Alternative 4A and no longer includes an HCP. Alternative 4A has been developed in response to public and agency input. Under the revised Preferred Alternative, adaptive management, monitoring, and research would all be pursued through a Collaborative Science and Adaptive Management Program described in a biological assessment and biological opinion reflecting outcomes of an interagency consultation between Reclamation, USFWS, and NMFS.</p>
1770	10	<p>The Yorba Linda Water District supports the "beneficiary pays principle" in cost allocation for all responsible parties and beneficiaries.</p>	<p>No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.</p>
1770	11	<p>The Implementing Agreement is a contractual, legally binding agreement that spells out the commitments and assurances as well as the terms and conditions for on-going implementation of the BDCP. Clarity in this agreement is essential as well as the balance in implementation of the co-equal goals.</p>	<p>This comment addresses the 2014 Draft Implementing Agreement (IA), a document detailing the roles and responsibilities of the various agencies under the BDCP (Alternative 4). For more information on the primary issues being raised with regard to the IA, as well as a discussion of the current status of the IA, please see Master Response 5.</p>
1770	12	<p>The SWP is critically important to the Orange County economy, environment and water management. Implementation of the BDCP is critical to Orange County's future.</p> <p>Orange County and the Yorba Linda Water District have invested heavily to diversify our water portfolio but the SWP remains a critical source of low salinity water supply that is currently unacceptably jeopardized by the unsustainability of the current Bay-Delta system.</p> <p>Orange County relies on the SWP to support groundwater conjunctive use programs and water recycling programs. It is an essential part of our water reliability strategy that sustains our citizens and businesses.</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>
1770	13	<p>The Yorba Linda Water District supports the 9,000 cubic feet per second twin tunnel Preferred Alternative (No. 4) provided reasonable assurances are included regarding governance and future decision-making in the process. We strongly advocate for a seat at the table for the water Permittees in the various oversight groups. The investment and</p>	<p>The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.</p>

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		decision-making must be structured to achieve a positive outcome for both the SWP and Permittees and the ecosystem restoration in a collaborative, partnership manner.	
1770	14	It is now time for the State and Federal government to adopt and move the BDCP to implementation in order that we can achieve the 2009 legislation's co-equal goals of improving water supply reliability and ecosystem restoration and improved function by implementing the BDCP Preferred Alternative (No. 4).	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
1771	1	<p>The State Water Project is a vital component of Southern California's water system, providing roughly 30 percent of the region's water needs. As Las Virgenes Municipal Water District and other Southland water agencies expand their respective conservation and recycling efforts, state project water will remain an essential source to replenish groundwater basins and reservoirs and enhance water quality in the region.</p> <p>In recent years, both state and federal project deliveries have been repeatedly interrupted and reduced due to operational conflicts with threatened and endangered Delta species. Additionally, both projects are at risk for complete failure given the vulnerability of the Delta levee system to catastrophic earthquake and flood events -- threatening water supplies for the central and southern portions of the state for a protracted period of time. These risks are unacceptable, and conditions are expected to worsen with climate change unless steps are taken now to mitigate these concerns. The proposed BDCP, being developed under provisions of the state and federal endangered species protection laws, is the most promising plan developed to date to address these challenges and resolve decades of conflicts among agricultural, urban and environmental water users with a comprehensive solution that achieves California's co-equal goals of a reliable water supply and restored Delta ecosystem.</p>	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please note that the preferred alternative is now Alternative 4A (i.e., the California WaterFix Project) and no longer includes an HCP.
1771	2	The public draft of the BDCP represents an important milestone in this eight-year stakeholder process. In great detail, the draft BDCP identifies the complexity of the problems and the need for a comprehensive approach to resolve conflicts in the Delta through a multi-species habitat conservation plan that protects the state's water resources and infrastructure investments.	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.
1771	3	Las Virgenes Municipal Water District supports the BDCP's proposed twin-tunnel conveyance system that isolates and protects drinking water supplies and helps restore natural flow patterns in the Delta for the benefit of native species, along with the complementary habitat restoration, water quality and predator control measures outlined in the BDCP.	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 decided to change the approach. 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. Alternative 4 remains a viable alternative.
1771	4	<p>Las Virgenes Municipal Water District supports the plan's recognition that changing conditions in the Delta will require ongoing scientific review and real-time monitoring so the plan can effectively adapt an important framework for a range of operational outcomes and a level of certainty necessary for a final plan to merit investment by participating public water agencies and by the state and federal governments.</p> <p>Key decisions remain, including specifics on cost allocations, operations, outflow range, financing and other issues; however, the current [BDCP] draft provides a workable solution to the challenges facing California's water resources and the Delta.</p>	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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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

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1771	5	Las Virgenes Municipal Water District is a member agency of the Metropolitan Water District of Southern California, which has established six benchmarks for a comprehensive Delta solution, providing a basis to analyze the draft BDCP.	Please note that the preferred alternative is now Alternative 4A (i.e., the California WaterFix Project) and no longer includes an HCP.
1771	6	<p>Conveyance options need to provide water supply reliability consistent with DWR's most recent State Water Project Reliability Report (2005).</p> <p>Comment: BDCP has the potential to regain State Water Project supplies and meet this benchmark. BDCP potential water supplies are within the range of recent 20-year averages. For the participating public water agencies, reliable and adequate supplies are necessary to finance this project.</p>	The 2005 State Water Project Delivery Reliability Report projected future SWP water Table A deliveries over the long-term average to be 3,570 acre-feet/year prior to implementation of the existing U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions. Over the past years, environmental constraints and a better understanding of climate change and sea level rise has limited to the projected future long-term average deliveries to 2,365 acre-feet/year under the No Action Alternative and a range from 1,430 to 2,931 acre-feet/year under the EIR/EIS alternatives (see Table C-13-26 in Appendix 5A, Section C, CALSIM II and DSM2 Model Results, in the EIR/EIS).
1771	7	<p>Conveyance options should reduce bromide and dissolved organic carbon concentrations. Existing in-Delta intakes cause direct conflict between the need to reduce organic carbon to meet stricter urban drinking water standards, and the need to increase carbon to promote a healthy food web for fish.</p> <p>Comment: Existing in-Delta supplies have salinity in the range of 300 milligrams per liter. Upstream supplies on the Sacramento River are in the range of 100 milligrams per liter. The construction of intakes in the northern Delta, and BDCP's dual conveyance water operations strategy, would improve and protect export water quality.</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.
1771	8	<p>Water supply conveyance options should allow the greatest flexibility in meeting water demands by taking water where and when it is least harmful to migrating salmon and in-Delta fish species. All options should reduce the inherent conflict between fisheries and water conveyance.</p> <p>Comment: The new screened intakes proposed by BDCP in the northern Delta would eliminate reverse flow conditions when water is diverted in the north and lead to a far more natural flow pattern in the estuary.</p>	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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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.
1771	9	<p>Conveyance options should provide the ability to restore fishery habitat throughout the entire Delta and minimize disruption to tidal food web processes, and provide for fluctuating salinity levels.</p> <p>Comment: The modernization of the Delta conveyance system as proposed by BDCP is essential in order for the proposed habitat restoration to have its intended effect.</p>	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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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

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			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.
1771	10	<p>Conveyance options should provide significant reductions in risks to export water supplies from seismic-induced levee failure and flooding.</p> <p>Comment: The twin tunnels to transport northern supplies beneath the Delta would protect this critical supply from future disasters. The twin-tunnel subsurface design also provides important operational redundancy and reduces risks associated with earthquakes, such as levee failure and liquefaction. The twin-tunnel design would also allow for isolation of repairs if needed for specific tunnel segments, rather than compromising the entire Delta water supply. Tunnels also would prevent saltwater contamination, should there be significant or multiple levee failures. Seismic preparedness is crucial for this vulnerable segment of the statewide water delivery system.</p>	The commenter notes the importance of tunnel design to ensure the protection of water supplies in the event of a seismic event, include levee failures.
1771	11	<p>Conveyance options should reduce long-term risks from salinity intrusion associated with rising sea levels. Intake locations should be able to withstand an estimated 1- to 3-foot sea-level rise in the next 100 years.</p> <p>Comment: The proposed intakes in the northern Delta are upstream of predicted long-term salinity intrusion due to climate change. The future water system must be sized sufficiently to capture available water in the face of climate change.</p>	As indicated in the comment, the proposed intakes for California WaterFix are upstream of predicted long-term salinity intrusion due to climate change. Conceptual engineering completed for the intakes includes flood protection criteria that require the structures be protected from 200-year flood with sea level rise. The sea level rise estimate considered for the design was based on published sea level increase prediction for years from 1990 to 2100.
1771	12	The final BDCP governance structure must provide for public water agencies to be full participants in the implementation process in a manner that maintains the existing authorities of the state and federal wildlife agencies. Metropolitan Water District of Southern California must be among the project permittees in order to assure its active participation in BDCP.	The 2013 public draft BDCP proposed that the participating state and federal water contractors, including Metropolitan Water District, be permittees.
1771	13	As a Habitat Conservation Plan under Section 10 of the federal Endangered Species Act and a Natural Community Conservation Plan pursuant to Fish and Game Code Section 2800 et seq., BDCP offers a path of regulatory stability for both public water agencies and wildlife agencies. It is important to better define and describe this regulatory stability so that the final BDCP offers a clearer choice between this approach and today's ineffective species-by-species approach to regulation and ESA enforcement.	Please see Master Response 5 for more information on compliance with the ESA and Master Response 3 for more information on the purpose and need for the project.
1771	14	The Delta Reform Act of 2009 passed by the California Legislature established the co-equal goals of a reliable water supply for California and ecosystem restoration for the Delta. The BDCP must be implemented in a manner consistent with those co-equal goals.	For more information regarding the proposed project's compliance with the Delta Reform Act please see Master Response 31.
1771	15	Las Virgenes Municipal Water District is encouraged by recent changes in the proposed intake/tunnel project that will reduce by 50 percent the overall footprint of the project. While the hydrological simulation model in the BDCP analysis suggests that Delta salinity objectives may be exceeded in some instances, the DEIR/EIS explains that this is due to	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.

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		modeling anomalies. In any event, the Project would be operated to meet all Delta Salinity Standards thus it is not expected to have a significant impact to local agriculture.	
1771	16	Habitat restoration is expected to lead to a net increase of 50,000 local Delta-area jobs. Continued efforts to reduce in-Delta impacts and increase in-Delta benefits of BDCP will improve the final project.	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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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.
1771	17	<p>Las Virgenes Municipal Water District and Metropolitan Water District of Southern California other member agencies have been investing in the State Water Project for more than four decades. It should be noted that the revenues for the State Water Project are derived largely from the rate-paying public. Metropolitan and its member agencies have additionally invested in regional storage and conveyance to allow Southern California to capture water when it is plentiful and reduce demands on imported supplies during dry and critically dry years. These investments are effectively stranded, if water deliveries from the State Water Project continue to degrade.</p> <p>The State Water Project provides essential supply and water quality benefits to Southern California and helps the region achieve other water resource development objectives. When blended with the Southland's more saline water resources, its water supplies improve regional water quality. State project water also facilitates water recycling and groundwater replenishment. Recycling might otherwise be inhibited since Colorado River water is significantly higher in salinity; recycling concentrates salts to levels that can exceed protective groundwater basin standards. Similarly, recharge of imported water to groundwater basins would have similar challenges in meeting basin plan standards without sufficient State Water Project supplies.</p> <p>The proposed BDCP is the most comprehensive effort ever undertaken to address the chronic water challenges facing the state and federal water projects in a manner that is protective of the Delta environment. LVMWD urges the state to move forward with the draft plan and focus on resolving those remaining issues needed to provide assurances that the plan will achieve California's co-equal goals of water supply reliability and ecosystem restoration in a cost-effective manner.</p> <p>LVMWD appreciates the opportunity to comment on this historic draft plan.</p>	The commenter is referred back to the response to Comment No. 1 of this letter (i.e., Letter No. 1771). Remaining issues raised by the commenter are discussed in the following Master Responses: Master Response 10 (Compliance with Delta Reform Act), Master Response 30 (Operational Criteria), Master Response 12 (Decision Tree), Master Response 38 (Costs of Implementation), Master Response 39 (BDCP Funding), and Master Response 37 (Governance Structure and Implementation). The environmental documentation and project approval will be acted on by the decision makers from each lead agency at the conclusion of the environmental planning processes for both CEQA and NEPA.
1772	1	The Bay Delta Conservation Plan (Nov. 2013) ("BDCP") proposes to dramatically alter the way in which the Walnut Grove Fire Protection District (the "District") meets its mission and delivers emergency services within District boundaries and in accord with its mutual aid	This comment addresses the location and mission of the Walnut Grove Fire Protection District and does not raise issues with the environmental analysis in the EIR/EIS.

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		<p>agreements. Those mutual aid agreements include agreements with other fire districts within the Sacramento-San Joaquin Delta.</p> <p>The District is a unit of local government in the Sacramento-San Joaquin Delta (the "Delta"). The District generally covers all of the geographical area south of Lambert Road, west of Interstate Highway 5, east of Steamboat Slough, and South to Poverty Road on Grand Island. The District lies entirely within the legal boundaries of the Delta. The geographical area covered by the District lies entirely within the Plan Area (as defined in the BDCP) and includes the towns of Walnut Grove, Ryde, and Locke. The district has the only marine unit on the Sacramento River from Rio Vista to Sacramento.</p>	
1772	2	<p>The mission and purpose of the Walnut Grove Fire Protection District is to provide reliable fire suppression and emergency medical response to the people, residents, structures and businesses within the boundaries of the District. In order to meet this mission and purpose the District relies upon a number of existing physical and economic facts within the District, including:</p> <p>Reliant for the majority of its funding from agricultural land uses and operations, a system of assessments (including special assessments and a portion of general real property taxes) on real property parcels and structures, the maintenance of agricultural viability and land values, and the determination and payment of fees to meet the financial obligations of the District.</p>	<p>The commenter's general comment on the mission and purpose of the Walnut Grove Fire Protection District and its funding is acknowledged. However, it is not evident that the commenter is making a comment on the EIR/EIS.</p>
1772	3	<p>The mission and purpose of the Walnut Grove Fire Protection District is to provide reliable fire suppression and emergency medical response to the people, residents, structures and businesses within the boundaries of the District. In order to meet this mission and purpose the District relies upon a number of existing physical and economic facts within the District, including:</p> <p>A system of roads and travel routes for the delivery of services both within the District and to facilitate and continue the existing deliveries of as needed mutual aid to and from other fire districts through existing agreements and, through strike teams, throughout California.</p> <p>The on-going system of purchase and maintenance of equipment comprised of rolling stock, personal protection, fire suppression, medical aid, and supportive supplies, materials and equipment.</p>	<p>This comment addresses the mission of the Walnut Grove Fire Protection District and does not raise issues with the environmental analysis in the EIR/EIS.</p> <p>Chapter 19, Transportation of the Final EIR/EIS identifies impacts and mitigation measures for affected jurisdictions within the plan area.</p>
1772	4	<p>The mission and purpose of the Walnut Grove Fire Protection District is to provide reliable fire suppression and emergency medical response to the people, residents, structures and businesses within the boundaries of the District. In order to meet this mission and purpose the District relies upon a number of existing physical and economic facts within the District, including:</p> <p>The maintenance of existing levees and flood protection to reduce the risk of floods and the damage caused by inundation of water.</p> <p>A number of State and federal entities are discussing formulating various devices, strategies, policies, habitat conservation plans, reports and other procedures (together, "Plans") which appear to have the potential to significantly and seriously disrupt or even prevent the District from accomplishing its mission and purpose by alteration of the physical and economic facts listed above. The BDCP is one example of one of these Plans currently under</p>	<p>Although a viable alternative, please note that the BDCP (EIR/EIS Alternative 4) is no longer the 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>Unlike the BDCP, Alternative 4A would not serve as a HCP/NCCP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See</p>

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		consideration.	<p>RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>Please see Appendix 6A of the Final EIR/EIS for a discussion on levees modified by construction Alternative 4 and 4a, including responsibilities of the project proponents.</p> <p>Before and/or during construction of water conveyance facilities, the Lead Agencies will explore opportunities with local reclamation districts and the Central Valley Flood Protection Board (CVFPB) to address potential conflicts regarding levee maintenance, inspection, and flood fighting activities on project and non-project levees. The Lead Agencies will look to enter into agreements with local reclamation districts with jurisdiction in the Delta to ensure levee management activities by both government and local agencies are not interrupted during construction of the water conveyance facilities. In addition, the project will comply with all applicable flood protection requirements and regulations to ensure flood neutrality during construction and operations of the project.</p> <p>Also, see Chapter 6, Section 6.2.1.3 of the Final EIR/EIS for a discussion on DWR consistency with the State Plan of Flood Control, and Section 6.1.2 for information on project consistency with USACE, CVFPB, and DWR flood standards and regulations.</p> <p>See also Master Response 8 regarding State Plan of Flood Control. Also see Appendix 6A of the Final EIR/EIS.</p>
1772	5	Currently the Walnut Grove Fire Protection District responds to approximately 100 fire suppression calls, and 150 medical aid/response calls, on an annual basis. Assuming choice and construction of one of the alternatives (excluding the no project alternative), the District estimates that its fire suppression calls will increase by 10%, and its requests for medical aid/response increase by 20%, on a yearly basis during the construction phase, and by 5% [fire] and 20% [medical aid/response] per year during post-construction operations.	See response to comment 1772-4. See Responses to Comments 1597-1 and 1597-3. The preferred alternative, Alternative 4A, no longer includes an HCP/NCPP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information. As discussed in Chapter 19, Transportation of the Final EIR/EIS, the lead agencies will work with State, Federal and local agencies to develop Transportation Management Plans prior to construction and development of a Transpiration Management Center which is designed to coordinate and manage traffic and to help manage traffic incidents.
1772	6	<p>Comments Regarding Surface Water.</p> <p>The Walnut Grove Fire Protection District relies in part on surface waters throughout the District, and elsewhere on mutual aid calls, for fire suppression and emergency response. Chapter 6 purports to analyze the significant and serious effects and impacts because of changes in surface water as a result of the project alternatives.</p> <p>Chapter 6 focuses almost exclusively on the changes in the level of surface water in and around both the Delta and the State of California as a result of the project alternatives. However, Chapter 6 fails to analyze or discuss the quality or quantity of surface water available or used by existing surface water users as either impacts or effects as a result of any of the project alternatives.</p> <p>Specific to the District, various project alternatives, if not all project alternatives, fail to analyze the significant and substantial impacts or effects of lowered surface water tables, and thus failures or significant or substantial loss of access to water. The District relies heavily on water, carried in all of its rolling equipment, to fight and suppress fires.</p> <p>The anticipated lowering of the surface water elevations, and/or the possible degradation of surface water quality and/or quantity has the serious and very possible of additional and further deterioration of the District's ability to fight and suppress fire both within the</p>	<p>See response to comment 1772-4. See Responses to Comments 1597-1 and 1597-3. The preferred alternative, Alternative 4A, no longer includes an HCP/NCPP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>The incremental changes in Delta outflow under Alternative 4A compared to baseline conditions are a function of both the facility and operations assumptions, including north Delta intakes capacity of 9,000 cfs, OMR flow requirements, Fall X2 requirements, and the reduction in water supply availability due to increased north of Delta urban demands, sea level rise, and climate change (the last three assumptions, plus Fall X2 requirements, are included in both the No Action Alternative (ELT) and Alternative 4A, but not in Existing Conditions). Results for the range of changes in Delta outflow under Alternative 4A are presented in more detail in Appendix 5A, BDCP/California WaterFix EIR/S Modeling Technical Appendix. Changes in long-term average Delta outflow under Alternative 4A (ELT) as compared to the No Action Alternative (ELT) and Existing Conditions are shown in Figures 5-37 through 5-39 and Tables 5-10 through 5-12 in Chapter 5.</p> <p>See also Master Responses 14, 25, 26, 28 and 32 regarding water quality, upstream reservoir effects, area of origin, operational criteria, and water rights, respectively.</p>

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		District and in response and draw of water outside the District under mutual aid agreements.	
1772	7	Chapter 8 does not appear to address changes in water quality upon Walnut Grove Fire Protection District operations. Poor water quality, whether in surface or ground waters, is believed to significantly and seriously deteriorate and negatively affect the efficiency of water use in fire suppression and emergency response, and is further believed to shorten the life of the equipment used by the District to perform its mission. The EIR/EIS must fully analyze serious and significant impacts and effects arising from changes in water quality upon District operations and equipment in order to be complete.	<p>See response to comment 1772-4. See Responses to Comments 1597-1 and 1597-3. The preferred alternative, Alternative 4A, no longer includes an HCP/NCPP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>Fire protection is a component of municipal and agricultural operations, and effects of water quality on municipal and domestic supply (MUN) and agricultural uses (AGR) were assessed in Chapter 8, Water Quality of the Final EIR/EIS in Impacts WQ-1 through WQ-33, and where significant impacts to these uses were identified due to adverse water quality conditions, mitigation has been included.</p> <p>See also Master Responses 14, 25, 26, 28 and 32 regarding water quality, upstream reservoir effects, area of origin, operational criteria, and water rights, respectively.</p>
1772	8	<p>Comments Regarding Groundwater.</p> <p>The Walnut Grove Fire Protection District relies in part on groundwater through various existing wells located in the District, for fire suppression and emergency response. Chapter 7 purports to analyze the significant and serious effects and impacts because of changes in groundwater as a result of the project alternatives.</p> <p>Chapter 7 focuses almost exclusively on the changes in the level of groundwater in and around both the Delta and the State of California as a result of the project alternatives. However, Chapter 7 fails to analyze or discuss the quality or quantity of ground water available or used by existing groundwater users as either impacts or effects as a result of any of the project alternatives.</p> <p>Specific to the District, various project alternatives, if not all project alternatives, fail to analyze the significant and substantial impacts or effects of lowered groundwater tables, and thus failures or significant or substantial loss of access to water. The District relies heavily on water, carried in all of its rolling equipment, to fight and suppress fires. The anticipated lowering of the ground water tables, and/or the possible degradation of groundwater quality and/or quantity has the serious and very possible of additional and further deterioration of the District's ability to fight and suppress fire both within the District and in response and draw of water outside the District under mutual aid agreements.</p>	<p>See response to comment 1772-4. See Responses to Comments 1597-1 and 1597-3. The preferred alternative, Alternative 4A, no longer includes an HCP/NCPP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information. As described in Section 7.3.3 of Chapter 7, Groundwater of the Final EIR/EIS, groundwater wells in the Delta could be adversely affected during construction due to groundwater dewatering at the construction sites.</p> <p>The proposed project would not significantly impact local water supplies. While groundwater levels could be temporarily lowered in localized areas during the dewatering phases of construction, groundwater would return to pre-pumping levels over the course of several months following the dewatering phase. Mitigation has been proposed to maintain water supplies in areas affected by construction dewatering. Additionally, the lead agencies would relocate and/or replace wells, pipelines, power lines, drainage systems, and other infrastructure that are needed for ongoing agricultural uses and would be adversely affected by project construction or operation. For additional information regarding proposed agricultural mitigation, please see Master Response 18.</p> <p>Construction of the proposed project's facilities will occur in a manner specifically designed to avoid adverse effects on groundwater. As described in Appendix 3C, Table 3C-7, of the Final EIR/EIS, ponds to store reusable tunnel materials and spoils material would be designed with the invert at least 5 feet above seasonally high groundwater and impervious liners along the invert and interior slopes of the ponds to avoid contamination. The tunneling operation would use biodegradable polymers that would be combined with the excavated soil to allow conveyance of the soil slurry, or reusable tunnel material. The polymers would decompose over time.</p> <p>In some locations within the State, groundwater is regulated through judicial review related to adjudication proceedings in the court system. Many counties and regional agencies, or groups of agencies, have adopted groundwater management plans and/or ordinances. Governor Brown recently signed into law three bills that address groundwater management in California. These bills direct local agencies to develop groundwater management plans and allows the state to monitor and intervene if local agencies fail to do so.</p> <p>For more information regarding groundwater impacts and their associated mitigation please see Section 4.3.3 Groundwater in the RDEIR/SDEIS. Updated information on groundwater effects of water conveyance alternatives can be found in Appendix A Chapter 7 of the RDEIR/SDEIS.</p>

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1772	9	<p>Comments Regarding Agricultural Resources.</p> <p>The Walnut Grove Fire Protection District provides substantial fire and emergency response services to the persons, businesses, structures, industrial locations and improvements located out in the District which are primarily characterized by or materially support agriculture land uses. The cross-reference discussion set forth in subsection 14.1, beginning on page 14-1, line 28, through page 14-2, line 2, fails to refer to fire suppression and emergency response as related to agriculture in any other chapter. Failing this, reader expects to see analysis of the serious and significant impacts and effects of each of the proposed project alternatives on agriculture as a result of the serious and substantial impacts and effects on the District operations caused by each of the project alternatives. The lack of such analysis is a fatal and serious flaw in the Draft EIR/EIS.</p> <p>The substantial and serious connection between the District's income from special assessments (determined by a schedule of fixed amounts) and a portion of general real property taxes (determined by assessed values) and related serious and substantial impacts and effects caused by the various project alternatives is not analyzed at all.</p> <p>Additionally, serious and substantial impact and effect, and possible reduction in the level of fire suppression and emergency response will have a serious and substantial impact and effect on future agricultural development and per acre values. These impacts, and the serious and significant impacts and effects which may occur related to the District may limit, restrict, stop, or reduce the agricultural infrastructure required for continued existence of all of the crops and agricultural activities identified in Chapter 14.</p> <p>Section 14.2.2.3, page 14-20, lines 3 to 21, with reference to the Delta Protection Commission ("DPC") and its work fails to mention or analyze the DPC's Economic Sustainability Plan ("ESP"). [Footnote 1: The ESP is described and analyzed in subsection 16.2.2.3, beginning at page 16-32. However, the ESP also should be included in the Draft EIR/ EIS analysis for Chapter 14.] Cutting across a number of sections written into the Draft EIR/ESP, but with particular focus on Delta agriculture, the ESP is an important planning and legal document formally adopted by the DPC. Many of the components of the ESP have been incorporated into and made a part of the Delta Plan, formally adopted by the Delta Stewardship Council. This failure is a fatal flaw.</p> <p>Additionally, the admitted lack of analysis of Williamson Act contract cancellations discussion (e.g., at page 14-75, lines 10-24) fails to include in its analysis the resulting financial impacts resulting on changes in land values, changes and restrictions in crop plantings, and changes in land uses on the income and operations of the District and the other public entities, utilities, and other organs of the Delta and the Delta communities. This failure is a fatal flaw.</p>	<p>See response to comment 1772-4. See Responses to Comments 1597-1 and 1597-3. The preferred alternative, Alternative 4A, no longer includes an HCP/NCCP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>Chapter 20, Public Services and Utilities of the Final EIR/EIS, Impact UT-1, describes impacts to emergency response times as not adverse or significant because construction of the proposed project would not increase the demand on law enforcement, fire protection, and emergency response services either due to an increased worker population or due to construction-related hazards, such that it would result in substantial adverse physical effects associated with the provision of, or the need for, new or physically altered governmental facilities. These are discussed as a whole for the community, not just in terms of pertaining only to agriculture. As discussed in Impact ECON-4 in Chapter 16, Socioeconomics of the Final EIR/EIS, California Water Code Section 85089 subdivision (b) specifies that the entities constructing and operating a new Delta conveyance facility will fully mitigate for the loss of property tax revenues or assessments levied by local governments or special districts. Socioeconomic impacts related to Williamson Act contract cancellations are discussed in Chapter 16, Socioeconomics of the Final EIR/EIS, under Impacts ECON-1, 6, 7, and 12. See also Master Responses 18 and 22 regarding agricultural impact mitigation, and mitigation measures and environmental commitments, respectively.</p>
1772	10	<p>Comments Regarding Socioeconomics.</p> <p>Chapter 16, discussing the Socioeconomics of the Delta, founds its analysis in large and significant part on the thinking and belief, without evidence of this belief, that the "rural communities" of the Delta are the towns of the Delta, the collection of improvements lying within the historic townships in the Delta. The language set out at page 16-3, lines 8-10 is an important example of this thinking.</p> <p>In truth, the Delta communities are composed of both the townships together with their surrounding agricultural lands, each in symbiotic relationship with the other. The Walnut</p>	<p>See response to comment 1772-4. See Responses to Comments 1597-1 and 1597-3. The preferred alternative, Alternative 4A, no longer includes an HCP/NCCP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>Chapter 16, Socioeconomics, Section 16.1.1 of the Final EIR/EIS, to which the commenter refers, goes on to more thoroughly describe the population of the Delta. Similarly, stating that "population in the interior of the Delta is centered around several rural communities" is not incorrect, as the commenter states that the town of Clarksburg brings in both in-town residents and residents from the area. Lines 33-45 of this same</p>

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		<p>Grove Fire Protection District includes the historic towns of Walnut Grove, Ryde &amp; Locke.</p> <p>The District is also characterized by an important multi-cultural history. Whether it is the example of farmers who during the Second World War paid the taxes on the lands and building of their fellow Japanese farmers so they would not lose their land during internment, protection of the historic Japanese School, or the example of German POWs choosing to remain in the Delta upon their release in 1945, the Portuguese &amp; Italians, or the large Hispanic population which participates in the life of the Delta, these facts and more demonstrate that the Delta community and its social fabric is not divided along the lines of township vs. non-township.</p> <p>The activities, meetings, social gatherings, parades, and other regular and annual events which provide important glue for the community and its social harmony face substantial likelihood of disruption constituting a substantial and serious negative impact and effect.</p>	<p>page, page 16-3 describe the multicultural demographics of the population. See also Master Responses 20 and 24 for more information on cultural (historical) resources assessment and the Delta as a place, respectively.</p>
1772	11	<p>Chapter 20 of the Draft EIR/EIS claims to describe the public services and utilities in the study area which may be affected by the construction, operations and maintenance of the action alternatives in the Plan Area. (Page 20-1, lines 4-6.)</p> <p>As part of the subsection discussing Fire Protection and Emergency Response, the Draft EIR/EIS states "Response time is broken into three components: alarm processing time (dispatch), turnout time, and travel time. The element of time for alarm processing is in the hands of the dispatch and communication system. The amount of time it takes to turnout fire apparatus is different depending on whether the station is staffed by full-time permanent or otherwise assigned personnel or whether the staffing is recalled (volunteer). Travel time is a function of speed and the availability of a road network to get to the scene of an emergency." (Page 20-3, lines 35-40.)</p> <p>Flawed Method of Analysis:</p> <p>Subsection 20.3.1, from page 20-29, line 16 through page 20-30, line 8, recites a "desktop" method of analysis, limited solely to review of electronic data and telephone calls, perhaps limited to one voice message, and email(s). These two methods are the only listed means attempted by the drafters and proponents of the Draft EIR/EIS to obtain information from the public agencies and utilities the drafters write about.</p> <p>There is absolutely no data presented in summary, raw or other form making representation of any data collected from the telephone calls and emails. This means that no such analysis was received. The calls and emails, and all information received as a result, should be disclosed in the Draft EIR/EIS. The lack of information is not disclosed, and should be disclosed. The Draft EIR/EIS, presented without any of the information collected via the personal methods, is flawed and defective because without the information obtained by telephone calls and email the readers and reviewers of the Draft EIR/EIS cannot effectively evaluate the Draft EIR/EIS. The conclusion is that the drafters have either hidden or failed to disclose the information received, or that information was received and not disclosed.</p> <p>The drafters further failed to inventory the equipment and training level of the Walnut Grove Fire Protection District or any Delta public entity or utility, failed to estimate the increased service load on the District because of the construction and/or operations of the projects listed in any of the alternatives, and failed to evaluate whether the District, or any other public entity or utility is possessed, and offered no plan, to assist the District or any other public entity or utility would possess the required equipment and training to respond</p>	<p>See response to comment 1772-4. See Responses to Comments 1597-1 and 1597-3. The preferred alternative, Alternative 4A, no longer includes an HCP/NCP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>The commenter's concern with the data collection of this document is acknowledged. The developers of this EIR/EIS made a reasonable effort to acquire data on the public agencies and utilities within reason. While the information suggested below would be very informative it does not affect the significance determination made that the increase in worker population in the study area would be minor and temporary and therefore the impact to fire protection services would be less than significant. Implementation of environmental commitments would further minimize the potential for construction-related accidents associated with hazardous materials spills, contamination, or fires, and reduce potential effects associated with increased service demands from new construction workers in the Plan Area. The following environmental commitments would be incorporated (Appendix 3B, Environmental Commitments of the Final EIR/EIS):</p> <ul style="list-style-type: none"> <li>• A hazardous materials management plan (HMMP) that includes appropriate practices to reduce the likelihood of a spill of toxic chemicals and other hazardous materials during construction and facilities operation and maintenance.</li> <li>• A SPCC Plan will be developed and implemented to minimize effects from spills of oil or oil-containing products during construction and operation of the project.</li> <li>• A fire prevention and control plan that will include fire prevention and suppression measures consistent with the policies and standards in the affected jurisdictions and will be in full compliance with Cal-OSHA standards for fire safety and prevention.</li> </ul> <p>Impacts on traffic safety are discussed in Section 4.3.15, Transportation of the RDEIR/SDEIS in Impact TRANS-3. The potential for significant impacts is identified and mitigation is proposed to avoid or minimize these effects. Section 4.3.11, Recreation of the RDEIR/SDEIS, Impact REC-3, discusses potential impacts on boating activity. Mitigation Measure TRANS-1a requires the project proponents to develop site-specific construction traffic management plans (TMPs) that address specific steps to be taken before, during, and after construction to minimize traffic impacts. Per this mitigation measure, the TMPs would include notifications for the public, emergency providers, cycling organizations, bike shops, and schools, the U.S. Coast Guard, boating organizations, marinas, city and county parks departments, and the California</p>

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		<p>to the increased service demands upon the District caused by any of the projects or proposals listed in the Draft EIR/EIS.</p> <p>Further Flaw in Method:</p> <p>As stated above, Subsection 20 .3.1, from page 20- 29, line 16 through page 20-30, line 8, recites a "desktop" method of analysis, limited solely to review of electronic data and telephone calls, perhaps limited to one voice message, and email(s). The drafters of the Draft EIR/EIS completely failed to collect the statements of mission, plans, purpose or any other matter from the data and information developed and stored at each public service entity, did not inspect or view any of the facilities listed, did not learn the scope, number or type of responses handled by the District, or any public service entity, in the Delta. The District submits that these flaws are fatal and the failures listed are required in order to construct and understand the base line data points upon which the Draft EIR/EIS purports, and should be, based.</p> <p>As one example, for illustration only, if such basic inquiry has been performed by the drafters of the Draft EIR/EIS, they would have learned that part of the primary mission of the District is to provide emergency medical aid, accident and other non-fire first responder services, and that the annual calls of this type typically number above 75 per year. The drafters would also have learned that many of these calls result from existing and long-standing mutual aid agreements with sister Delta fire protection districts. The project, and all of the alternatives, clearly disrupt and delay the delivery of these non-fire responses. It is reasonably believed by the District, based on long experience, that loss of life, serious and permanent injury, some of a debilitating type, with corresponding catastrophic financial, social and quality of life loss.</p>	<p>Department of Parks and Recreation, where applicable, describing construction activities that could affect transportation and water navigation. The proposed mitigation will allow for emergency responders to continue responding in a timely manner. This potential impact is discussed in Section 4.3.16, Public Services and Utilities of the RDEIR/SDEIS, Impact UT-1. See Master Response 22 for more information on adequacy of mitigation measures and environmental commitments.</p>
1772	12	<p>Error:</p> <p>At Page 20-22, line 22, under the section entitled "Yolo County General Plan", the Draft EIR/EIS states that the Yolo General Plan makes provision for public services and utilities within "Solano" County.</p> <p>Correction:</p> <p>The reference should be changed so that the word "Yolo" replaces the word "Solano". Please make this correction and change all analysis accordingly.</p> <p>Error:</p> <p>At Table 20A-4, page 20A-13, of Appendix 20A, in the River Delta School District section, third school from the top of the page, referring to "Delta Elementary (K- 6 Charter)" claims and states that the enrollment of the school, as of the date of the release of the plan (November 2013) is 123, with a capacity of 280, and states that capacity is not exceeded.</p> <p>Correction:</p> <p>The correct numbers for the Delta Elementary (K-6 Charter) school are: 345 enrollment, with a capacity of 345, at capacity, with a wait list of 32. Please make this correction and change all analysis accordingly.</p>	<p>The Chapter 20 error on page 20-23, line 12 has been corrected.</p> <p>Additionally, Appendix 20A, Table 20A-4 has been updated. The table now says Delta Elementary (K-6 Charter) enrollment is 382, capacity is 280, and capacity is exceeded. Table does not identify waitlists for any schools.</p>
1772	13	<p>Flawed Environmental Analysis:</p>	<p>See response to comment 1772-4. See Responses to Comments 1597-1 and 1597-3. The preferred alternative, Alternative 4A, no longer includes an HCP/NCP under ESA Section 10 and the NCCPA, but rather</p>

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		<p>Subsection 20.3.1.1, in reference to the Environmental Consequences as applied to Fire Protection states, that "Fire Protection entities have the potential to be affected by construction activities in the same ways as law enforcement agencies." (Page 20-30, line 30.) The "Law Enforcement" section immediately above this quoted sentence on Page 20-30, lines identifies four potential impacts: increased number of construction personnel moving into the Plan Area, construction encroachment on station(s), road impacts, and decreased funding.</p> <p>This analysis is flawed in the following ways:</p> <ul style="list-style-type: none"> <li>- The analysis is limited to "construction activities" (Pg. 20-30, line 30.) The effects analysis (referred to below) lists both constructions and operations activities as creating effects. The flaw here is the failure of the scope of environmental analysis limited to "construction", whereas the effects analysis focuses on both construction and operation. The environmental analysis must focus and include operations in addition to constructions. Such expansion of analysis to include operations will require further study, additional data, and expanded outreach to understand the true environmental impacts of the BDCP operations upon public services such as Fire and Emergency Response.</li> <li>- The Environmental analysis as applied to fire protection, by simply incorporating the analysis as applied to law enforcement, fails to included emergency response and other first responder effects and activities.</li> </ul>	<p>would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>The effects of the operation and maintenance of the proposed project are analyzed in Impact UT-7: Effects on Public Services and Utilities as a Result of Operation and Maintenance of the Proposed Water Conveyance Facilities in Chapter 20, Public Services and Utilities of the Final EIR/EIS. For the preferred alternative (Alternative 4A), it was estimated that weekly operations and maintenance would require approximately 129 workers, including maintenance crew, management, repair crew, pumping plant crew, and dewatering crew. These activities would take place along the entire alternative alignment. Given the limited number of workers involved and the large number of work sites, it is not anticipated that routine operations and maintenance activities or major inspections would result in substantial demand for law enforcement, fire protection, or emergency response services. Alternatives 1A-8 all have similar estimated workers and the same impact on public services as a result of maintenance and operation.</p>
1772	14	<p><b>Flawed Effects Analysis of Both Adverse Effects (NEPA) and Significant Impacts (CEQA):</b></p> <p>Subsection 20.3.2, Determination of Effects (beginning at page 20-33, line 1) should be titled "Determination of Effects and Impacts", to cover both NEPA and CEQA analysis.</p> <p>The effects and impacts analysis on page 20-33 should include "lack of fire suppression equipment to serve the needs of substantially greater, adverse and significantly higher number of calls and events requiring fire suppression services by the District both within its boundaries and through the District's mutual aid agreements.</p> <p>The effects and impacts analysis on page 20-33 should include "lack of emergency response and medical aid equipment."</p> <p>The District requests that the final EIS/EIS presentation clearly identify specifically all places where each and every one of the comments above is addressed.</p>	<p>The Determination of Effects section is based on the CEQA Guidelines Appendix G (the Environmental Checklist Form) and have been adapted by the lead agencies to meet both CEQA and NEPA requirements, as necessary. The potential adverse effects and significant impacts which are evaluated for the proposed project will remain the same and no changes have been made. Section 4 of the RDEIR/SDEIS and Chapter 20, Public Services and Utilities of the Final EIR/EIS thoroughly analyze impacts to public services and utilities. Please see Master Response 31.</p>
1773	1	<p>After so many years of preparation, the Bay Delta Conservation Plan (BDCP) is not comprehensive enough in addressing Delta issues, since it offers nothing but "twin tunnels". The concentration on tunnels, as the sole remedy in the Delta, does not resolve related problems like sufficient cold water releases for fisheries, adequate water for the X2 mixing zone, and generally a comprehensive treatment of the impact tunnels would have on the joint operations agreement between the State and federal water projects, and the subsequent effects on Northern California water reliability. We believe that the "shrinking pie" of available water is a problem in attempting to address the "Twin Goals" set by the Legislature of meeting both Delta restoration needs and providing a reliable water supply for Californians.</p>	<p>Although a viable alternative, please note that the BDCP (EIR/EIS Alternative 4) is no longer the 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>

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			<p>Unlike the BDCP, Alternative 4A would not serve as a HCP/NCCP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>The proposed project was developed to meet the 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, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. The amount of water that can be diverted from the new north Delta facilities is set by Federal regulating agencies, ESA compliance and project design, and not by the water contractors. Operations for the proposed project would still be consistent with the criteria set by the FWS (2008) and NMFS (2009) BiOps and State Water Resources Control Board Water Right Decision 1641 (D-1641), subject to adjustments made pursuant to the adaptive management process as described in the 2008 and 2009 BiOps. For more information regarding impacts to aquatic species please see Chapter 11 in the Final EIR/EIS. See also Master Responses 28, 29, and 45 for more information on operational criteria, ESA compliance, and permitting, respectively.</p>
1773	2	<p>The State's water resources goals should help ensure that the needs of fisheries and people are met. Likewise, absent increases in storage in close proximity to the Delta, there is not a source to enable rapid releases of water to meet key adaptive management goals for Delta and in-river fish species. We believe that looking at increased water supplies, like increasing above-Folsom storage, and other increases in water storage, should be an integrated element of any statewide Delta Solution. From presentations made to our Council, it appears that there are other in-Delta options for both water storage and transport (i.e., the West Delta Intake Concept) which may provide less environmentally damaging alternatives than the proposed tunnels. Increased storage will also allow additional storage releases, above the Delta, for occasions when it can be moved south and can help to provide ground water recharge and storage.</p>	<p>See Responses to Comment 1773-1. The preferred alternative, Alternative 4A, no longer includes an HCP/NCPP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p> <p>It is important to note that the proposed 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, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage.</p> <p>Please see Master Response 37 regarding why an alternative focused on creating additional storage, either in the Delta or elsewhere, was not included in the or EIR/EIS.</p> <p>See also Appendix 1B, Water Storage of the Final EIR/EIS for a discussion on the potential for additional water storage.</p>
1773	3	<p>Without specifically endorsing any particular proposal, such as the West Delta Intake Concept, we believe that it, and possibly other alternatives, to address the State's twin goals, should be considered as part of the BDCP process. We've attached, for the record, a fact sheet on upstream Folsom Storage (i.e., the Auburn Dam), as an example of what upstream storage can provide. Only additional storage can meet the impacts of Climate Change, including a decreasing snow pack and an extended drought, and simultaneously address some of the State's other goals, like "green" hydroelectric power production.</p>	<p>See Responses to Comments 1773-1 and 1773-2. The preferred alternative, Alternative 4A, no longer includes an HCP/NCPP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p>
1773	4	<p>Alternatives should also include fully integrating the above-Folsom Reservoir (e.g., Auburn Reservoir) water supply potential into the State's overall water delivery system along with other increased storage facilities. As this year's drought shows, current users of Folsom Dam can experience mandated curtailments, to meet statewide operational objectives and environmental needs, thus decreasing their reliable supply, even for those whose water rights pre-date the Bureau of Reclamation in use of "Folsom" water. We believe that, without the increased storage, provided by a multi-purpose facility above the Folsom Reservoir, with close proximity to the Delta for releases of cool water, water needed for fisheries, Delta restoration, and reliable water supplies for users on the Lower American</p>	<p>See Responses to Comments 1773-1 and 1773-2. The preferred alternative, Alternative 4A, no longer includes an HCP/NCPP under ESA Section 10 and the NCCPA, but rather would achieve incidental take authorization under ESA Section 7 and CESA Section 2081(b). See RDEIR/SDEIS, Section 4, New Alternatives: Alternatives 4A, 2D, and 5A, and Master Responses 4 (Alternatives) and 5 (BDCP) for additional information.</p>

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		River will not be available in the future, and the Delta Solution will be incomplete and ineffective.	
1773	5	ATT1: Fact Sheet on Upstream Folsom Storage, AKA Auburn Dam	The comment is 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 comments referencing the attachment of the Final EIR/EIS. The disposition of the comments on the BDCP is addressed in the text of Master Response 5, which refers the reader to Appendix 11F of the Final EIR/EIS and Appendix D of the RDEIR/SDEIS.
1774	1	<p>On behalf of Reclamation Districts 2068 and 2098, we submit these comments on the Draft Bay Delta Conservation Plan ("BDCP" or "Plan") and the accompanying Draft Environmental Impact Report/Environmental Impact Statement ("EIR/EIS"). Because the BDCP states that the Plan and supporting documents are incorporated into the EIR/EIS, the Districts' comments on the BDCP should also be considered comments the EIR/EIS.</p> <p>The Districts hereby incorporate by reference the comments on the Plan and EIR/EIS submitted by the North Delta Water Agency, the California Central Valley Flood Control Association, Solano County, Yolo County, Solano County Water Agency and the North State Water Alliance (including all attachments to those comments) as though fully stated herein.</p>	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. However, all comments received during the 2013 and 2015 public comment period are included in the FEIR/EIS. Please refer to the table of commenters to locate the letter of interest. For more information regarding public comment responses please see Master Response 42.
1775	1	On behalf of Fresno Economic Opportunities Commission (Fresno EOC), we express our support of the Bay Delta Conservation Plan. Building a modern day water conveyance system as proposed will not only secure a reliable water source to 22 million Californians, but will also protect and restore the ecological health of the Delta.	This 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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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.
1775	2	This plan is an investment in the future and stability of California and provides an opportunity to complete the water plan vision that started in the 60's. Not only did the California Aqueduct provide much needed water to Southern California, it also stimulated farming in the Central Valley and has contributed to the growth of agriculture here in Fresno County.	This comment is consistent with the information presented in Chapter 2, Project Objectives and Purpose and Need, in the Final EIR/EIS.
1775	3	Infrastructure investment, including above ground storage and the rebuilding of California's water conveyance system will spur job creation in the Central Valley and help improve our region's suffering economy.	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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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

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			made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process.
1775	4	As we continue to face one of the worst droughts in our state's history, we need to plan and implement projects that look to secure water for generations to come. After years of development, refinement and review we feel it is time to move forward with the Bay Delta Conservation Plan.	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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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.
1776	1	I am writing to you to express the support of the Bay Delta Conversation Plan by the Kern, Inyo and Mono Counties Building and Construction Trades Council. Building a modern day water conveyance system as proposed will not only supply much needed water to the rest of the state, but will protect the Delta environmentally.	The 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. Please note that the new preferred alternative is now Alternative 4A (California WaterFix) and does not involve an HCP component. However, the lead agencies maintain that the new preferred alternative continues to meet the co-equal goals of a reliable water supply and a restored Delta ecosystem to benefit all water users.
1776	2	The two tunnel system will be an obvious opportunity for jobs that will stimulate the economy in an area of our state that has suffered a severe financial hardship, but it will complete the transfer of excess water when available to the California Aqueduct for distribution to the other areas of the state. The drought has brought to the forefront the immediate focus by all of Californians that we are not distributing enough excess water to areas that are in dire need, particularly here in the Kern County area.	The action alternatives would only deliver water to the SWP and CVP water users under existing water rights; however, the proposed project would provide for increased deliveries under some alternatives as compared to the Existing Conditions and the No Action Alternative.
1776	3	This plan is a smart investment in the future of California and will provide an opportunity to complete the water plan vision that was started in the 60's. Not only did the California Aqueduct provide much needed water to Southern California, it stimulated farming in the San Joaquin Valley and moved California to the forefront of providing food to rest of the state, the nation and the world.	This comment is consistent with the information presented in Chapter 2, Project Objectives and Purpose and Need, in the Final EIR/EIS. 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.
1776	4	As we continue to face on to the worst droughts in our state's history, we need to ensure that we are preparing for future generations. After eight years of development, refinement and review, it's time to move forward with the Bay Delta Conservation Plan.	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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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.  No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
1777	1	Anderson-Cottonwood Irrigation District supports the comment letter dated July 28, 2014, submitted on behalf of the North State Water Alliance [see BDCP 1597], which contains comments on the Bay Delta Conservation Plan, and its associated Implementation Agreement and draft Environmental Impact Statement and Environmental Impact Report. By and through this letter, Anderson-Cottonwood Irrigation District adopts each comment and objection in the July 28 letter as its own, along with all exhibits and attachments to that letter, and incorporates herein by this reference all such comments, objections, and documents.	Please see responses to comments on Letter BDCP 1597.

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1779	1	BDCP Preferred Alternative No. 4: El Toro Water District supports the BDCP Preferred Alternative No. 4 provided reasonable assurances are included regarding governance and future decision making in the process. It is critical to the state's economy and environment that both the State and Federal government expeditiously follow through with the decision for adopting and implementing the BDCP.	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. 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.
1779	2	El Toro Water District strongly advocates for a seat at the table for the water Permittees in the various oversight groups. The investment and decision-making must be structured to achieve a positive outcome for both the State Water Project and Permittees and the ecosystem restoration in a collaborative, partnership manner.	The implementation structure is designed to ensure that sufficient institutional expertise, capacity, resources, and focus are brought to bear to accomplish the goals and objectives of the proposed project, that the entities receiving regulatory authorizations are accountable to those agencies granting the regulatory authorizations, and that the decision-making process regarding the implementation of the project is transparent and understandable to the public.
1779	3	El Toro Water District opposes the No Action Alternative.	<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, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.</p>
1779	4	Co-Equal Goals: The BDCP must be implemented in a manner that is consistent with the co-equal goals adopted by the State. Preferred Alternative No.4 is consistent with those goals as outlined in the Delta Reform Act of 2009.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
1779	5	New Facilities and In-Delta Operational Flexibility: The modernization of the Delta conveyance system is essential in order for habitat restoration and conservation to have its intended effect. Preferred Alternative No. 4, which incorporates the 9,000 cubic feet per second three in-take, twin tunnel conveyance system, provides the best balance between operational flexibility and modernizing the conveyance system for environmental benefit and water supply reliability.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
1779	6	Reduced Future Reliance: The 2009 Delta legislation called for water agencies to reduce future reliance on the Delta, not to become 100 percent "self-reliant". While major efforts in these areas will continue, it is important to note that "reduced reliance" does not equate to and was never intended to require a move to 100 percent "self-reliance" and the notion of co-equal goals was never intended to result in a future with significant reduction in exports from levels achieved before the 2008 bio-opinions.	<p>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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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.</p> <p>The Draft BDCP EIR/EIS and the Draft BDCP were prepared in a manner to comply with the 2009 Delta Reform Act, as described in Appendix 3I, BDCP Compliance with the 2009 Delta Reform Act, of the Draft BDCP EIR/EIS. The range of alternatives in the Draft BDCP EIR/EIS includes alternatives which result in</p>

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			reductions in SWP and CVP water deliveries south of the Delta as compared to the Existing Conditions and the No Action Alternative. However, SWP and CVP water deliveries would continue under all alternatives.
1779	7	Plan Implementation and Regulatory Assurance: The BDCP must provide the needed implementation and regulatory structure and assurances to help achieve the go-equal goals. To El Toro Water District, this means that it is virtually impossible to predict the outcome of the BDCP habitat restoration efforts and endangered species population dynamics, and such a standard should not be required in the Draft EIR/EIS. Furthermore, this means that changed circumstances under the operation of the BDCP, including potential for new species listing, be incorporated in such a manner so as to result in a minimum impact on future water supply exports.	Please see response to comment 1553-7.
1779	8	Implementing Agreement: The Implementing Agreement is a contractual, legally-binding agreement that spells out the commitments and assurances as well as the terms and conditions for on-going implementation of the BDCP. Clarity in this agreement is essential as well as the balance in implementation of the co-equal goals.	This comment addresses the 2014 Draft Implementing Agreement (IA), a document detailing the roles and responsibilities of the various agencies under the BDCP (Alternative 4). For detailed responses on the primary issues being raised with regard to the IA, as well as a discussion of the current status of the IA, please see Master Response 5.
1779	9	Sound Science: It is critical that sound science is provided in order to assure the long-term success of the BDCP. El Toro Water District strongly supports the inclusion of independent scientific investigation and research to be included in the BDCP process.	<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 Draft BDCP would only be made, if an HCP/NCCP alternative was ultimately approved at the conclusion of the CEQA/NEPA process.</p> <p>Please note that the BDCP is no longer the preferred alternative. The preferred alternative is now Alternative 4A and no longer includes an HCP. Alternative 4A has been developed in response to public and agency input. Under the revised Preferred Alternative, adaptive management, monitoring, and research would all be pursued through a Collaborative Science and Adaptive Management Program described in a biological assessment and biological opinion reflecting outcomes of an interagency consultation between Reclamation, USFWS, and NMFS.</p>
1779	10	Cost Allocation: El Toro Water District supports the "beneficiary pays principle" in cost allocation for all responsible parties and beneficiaries.	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 decided to change the approach. A modified proposed project (Alternative 4A/California WaterFix) is being considered. Numerous comments were received that focused on various elements of the BDCP. Alternative 4 remains a viable alternative. 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

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			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.
1779	11	The State Water Project is critically important to El Toro Water District and the Orange County economy, environment and water management. Implementation of the BDCP is critical to Orange County's future. We have invested heavily to diversify our water portfolio but the State Water Project remains an essential source of low salinity water supply that is currently unacceptably jeopardized by the unsustainability of the current Bay-Delta System. At the same time, Orange County relies on the State Water Project to support groundwater conjunctive use programs and water recycling programs. It is an essential part of our water reliability strategy that sustains our citizens and businesses.	It is recognized in Chapter 5, Water Supply, and Chapter 7, Groundwater, of the Final EIR/EIS that deliveries of SWP from the Delta supports ongoing conjunctive use programs in southern California.
1779	12	It is now time for the State and Federal government to adopt and move the BDCP to implementation in order that we can achieve the 2009 legislation's co-equal goals of improving water supply reliability and ecosystem restoration and improved function by implementing the BDCP Preferred Alternative No. 4.	For information regarding the proposed project's compliance with the Delta Reform Act please see Master Response 31.No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.