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600	1	BDCP does not address agriculture south of the Delta. SWP and CWP are purposely overlooked. Commies run the left.	Please see Master Response 34 regarding the potential uses of water delivered via project conveyance facilities.
601	1	Delta restoration is critical. The first and foremost step must be to determine exactly how much water the Delta needs to be healthy. In the 1980's that was the starting point for saving Mono Lake. The courts determined, based on good science, how much water Mono Lake needed to be sustainable. Then LA Water and Power had to work from there. Hopefully that information has been determined already for the Delta in Bay Delta Conservation Plan. If not, that must be your starting point regardless of the thousands of pages in the plan. The next item must be to determine how much water is needed to keep the National Wildlife Refuges and other wetlands in the Pacific Flyway sustained and healthy. Through hard work by state and federal agencies as well as volunteers, the wetlands have made a comeback, but are being threatened by the current drought and demand for scarce water. The wildlife need our protection of their habitat. Only after those two amounts are determined and established as the starting point for dry years, such as 2013, then one can proceed to determine what amounts the remaining stakeholders might vie for. How much water do the Delta farmers need? How much water do the communities in the Sacramento River watershed need? How much water does the fisheries industry in Northern California need? Even though the Westlands Water District, Kern County Water Agency and LA Water and Power (Metro Water District of Southern California) have said they would contribute a large portion of the funds, that should not, and must not mean they are allowed to jump to the front of the line.	The fundamental purpose of the project is to make physical and operational improvements to the SWP system in the Delta, water supplies of the SWP and CVP for users located south of the Delta, and Delta water quality consistent with statutory and contractual obligations of the SWP and CVP, as described in Section 2.3 of Chapter 2, Project Objectives and Purpose and Need, of the EIR/EIS. Operation of the Project water delivery system and SWP and CVP facilities would be in accordance with permits issued by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife. The project only would be permitted to operate with regulatory protections, including stream flows and water quality which would be determined based upon how much water is actually available in the system, needs of other beneficial uses (including the environmental habitat), the presence of threatened and endangered species, and water quality standards. More information on the ranges of project water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Section 3.6.4.2, North Delta and South Delta Water Conveyance Operational Criteria, EIR/EIS. Current limitations and operational criteria for existing facilities can be found in DWR's State Water Resources Control Board Permit D1641 (see http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/decision_1641/index.shtml) and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits (see http://www.usbr.gov/mp/cvo/ocap_page.html). Adaptive management is part of all alternatives evaluated in the EIR/EIS, as described in Section 3.3.2.2 of Chapter 3, Description of Alternatives. Under adaptive management and monitoring program, monitoring information and research results will be used to assess uncertainties and modify operations to meet the overall project objectives, including environmental habitat objectives. Refuge water supplies provided by CVP to refuges in the Sacramento and San Joaquin valleys are included in the Existing Conditions, No Action Alternative, and all other alternatives, in accordance with the Central Valley Project Improvement Act.
601	2	Conservation is what the people of California (including farmers) must do to sustain the limited water supply in California. Building two huge tunnels to bypass the "Tracy pumping vs fish problem" is not the answer. $25 billion is an unacceptable amount to spend so that Central and Southern California stakeholders can get more water at the expense of the Delta. One could spend $25 million in restoring the flow of water from the Sacramento and the San Joaquin Rivers and their tributaries to restore the Delta, and another $25 million on conservation efforts, helping citizens and, in particular, the west side farmers with conservation efforts. Some forward thinking west side farmers are already doing water conservation on their own.	The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project. 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. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as desalination or water storage) that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project. Also, refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and conservation. Finally, see Master Responses 5 for information on project costs and funding, respectively.

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603	1	The current situation is that California is an arid state next to the Pacific Ocean. California depends upon annual rainfall to provide all of its water needs. There is no backup solution in case of severe drought. The solution is to build and maintain a sufficiently large saltwater conversion facility near Moss Landing that would supply sufficient fresh water to the California Aqueduct near Los Banos. -The primary concern is to maintain the ecosystem in Monterey Bay -Next objective is to construct an underground water pipeline to transverse the 57 miles from the Pacific Ocean to the California Aqueduct. -Third objective is to construct an energy supply system consisting of wind farms, solar panels, and possible underwater current electric generators to power the facility and convert saltwater to fresh. The process would entail suspending one to three underwater supply pipelines approximately 150 feet deep and of a sufficient distance from the shoreline as to have minimal affect on Monterey Bay Ecosystem. The water obtained would pass through a typical marine type salt water evaporator. The converted steam would then be pumped underground to the California Aqueduct and either allowed to flow south, or be pumped north to supplement the water supply in the Bay Area. The power to make this occur would come from a sufficient number of wind farm generators built inland along the water pipe easement, supplemented by solar panels, and possibly, a wave generator. Excess power could be either added to the electrical grid as needed, or sent to storage batteries. During years when sufficient rainfall is available the facility can undergo maintenance, serve as a research facility, and augment the electrical grid as needed. During years when rainfall is insufficient this back up system could augment the available supply of precious water without imperiling the fragile Delta water system near San Francisco.	For more information regarding alternatives to the proposed project please see Master Response 4. For more information regarding desalination please see Master Response 7.
603	2	The cost of the Pacific Ocean Aqueduct would have to be determined by consulting engineers, and other agencies that would be needed to provide required information as to the best design, initial construction cost and maintenance of the facility. I would speculate that the initial construction cost would be less than what the State of California spent on the new Bay Bridge construction, is spending on the high speed rail system, and any Peripheral Canal construction projects. The state would be compensated for the cost and operation of the Ocean Aqueduct Project by use fees, bonds, and general funding. After payment for construction cost is recovered, the annual maintenance cost could be added to the annual California Aqueduct operational cost.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
603	3	The protection of Monterey Bay regarding the Pacific Ocean Aqueduct is paramount. Addressing this concern, I propose a pipeline extending from the shore built a suitable distance (to be determined) from land to assure an adequate supple of clean salt water. I propose that this pipeline be suspended so as not to damage the ocean bottom. I further propose that designs for the inlet piping be drawn in such a way as to minimize injury to sea life and to prevent unwanted growth of marine life that could clog the	Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. For more information regarding alternatives to the proposed project please see Master Response 4.

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		saltwater inlet. The final draft of protections afforded this mandate should be strongly enforced by the State of California and any other agencies and interested parties. Design: The design of the system is based upon proven technology whereby seawater is pumped into multiple suitable size steel evaporators. The water is then heated using electric copper coils to a steam flash point of approximately 160 degrees. The steam is then collected and routed to another chamber where cool seawater condenses the steam into condensate. The condensate is then collected and pumped as needed, the approximately 57 miles underground to the California Aqueduct. The section of inlet piping is of special interest. First off it needs to be detachable. This is for maintenance and repair. Secondly, it needs to be designed in such a way as to facilitate the flow of water using an internal nozzle effect to accelerate and cyclone water so that fish inadvertently drawn into the piping could be flushed out without harming them. In addition, an internal cleaning system comprised of an abrasive plug driven either by air or hydraulic pressure is necessary to routinely clean out the inlet piping so as to reduce the growth of marine life within the inlet. A consideration to injecting chlorine within the outside jacket of the ocean plumbing with the intent to minimize marine growth should be considered. The objective is to keep the growth, i.e., weight of growth to a minimum so that the flexible pipeline can remain suspended in place. The necessity for burying the pipeline is to reduce the impact on farm land. The engineering of which would be similar to the underground system used to transport gasoline from north to south in the central valley. The power for this system as alluded to earlier, comes from wind powered electrical generators, solar panels, and possibly a system using wave action to generate electrical power. The design criteria should eliminate any other power supply that is not eco-friendly. Power collected this way could then be converted to current to power all the electrical systems, including pumps and the heating elements within the salt water evaporators. Administration: The administration of the new system should fall into the State agency that oversees the California Aqueduct System. That State agency should develop the operation manuals for implementing and using the supplemental water source as demand requires. The agency should implement additional safeguards regarding the sensitive nature of the water source, Monterey Bay as deemed necessary and proper, and should be shielded from adverse pressure to allocate this water source in such a way as to be harmful to the State of California.	
603	4	The folly of not addressing the Pacific Ocean Aqueduct can be catastrophic. The wellbeing of every person that lives in the State of California, works in the state, visits the state or derives products and services from the state is impacted by water.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as desalination) that were not carried forward for analysis in this document due to the fact that required

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		Currently, the state is dependent upon water nature provides. Lack of it sends shivers of fear up and down the State as a sever water shortage is not a matter of if, but rather of when. This proposal addresses the lack of vision of developing a sustainable water supply from the vast Pacific Ocean. It takes advantage of linking this inexhaustible source of water to the California Aqueduct at a point where the canal is closest to the Pacific Ocean on terrain that can be developed to transport water economically. The connect point is also critical as at this juncture fresh water can be pumped northward to the San Francisco Bay Area Region as well as south to the farm lands and dare I say it, swimming pools of Southern California. By using proven technology, new energy sources, and California knowhow, mixed in with a deep desire to preserve the State's environment, an effort to not implement this concept is immoral and foolish.	actions beyond the scope of the proposed project. . The alternatives included in the EIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA.
603	5	In the context of considering the details of the Pacific Ocean Aqueduct, I submit that there are areas that I do not have answers. For example, I do not know the minimum required size for the pipelines that would provide a sufficient water flow to the aqueduct. Nor do I know the amount to energy required to run the plant operation, or the distance required of the supply pipelines to secure a sufficient water supply without impacting the ecosystem of Monterey Bay. Nor do I know the ongoing operational cost, the number of personnel needed to run the plant, or the cost and funding for future upgrades and replacement of equipment. What I do know: I know that the answers to the basic questions are available. I know that they could be found within the state government departments, and university system. I know that there are a number of renewable energy sources that are available now that were not available ten years ago. I know that having a proven inexhaustible water source is a great bargaining chip when it comes to enticing businesses to relocate to California. I know that the citizens of California would be in favor of this concept as the idea simply makes sense. Lastly, I know that the next critical statewide water crisis is only a matter of time. To do nothing, or to destroy the balance of the current water supply system based upon political self interest would be regrettable.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies threatened and endangered species that depend on the Delta. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as desalination) that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project.
604	1	I have been informed that the tunnels will not divert more than 10% additional to the current allocation. I have further been informed that 75% of this diversions will go to agriculture. Also, that fish and wildlife will benefit because the new screens will not damage smelt and salmon. What I know is that California is very susceptible to droughts. My water district will eventually mandate that I cut usage by at least 20%. That will mean forgoing our	In its efforts to achieve the co-equal goals of water supply reliability and ecosystem restoration, the BDCP seeks to protect dozens of species of fish and wildlife in the Delta while also securing reliable water deliveries for two-thirds of California. Please refer to Master Response 3 for additional information regarding the purpose and need behind the proposed BDCP. State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to

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		summer garden and letting our vineyard go without water. If the drought continues our orchard will probably be left to sink or swim. My family is largely self-supporting, meaning we grow our own produce. In the meantime, my tax dollars will be used to support big agriculture, who is using the water to grow almonds and pistachios for China's burgeoning middle class. The trees, by their nature, will need the water every year to survive. It is not as if the famers can just let the ground go fallow, as with other crops. The Central Valley in large part just is not suited for long-term agriculture. Let big agriculture suck it up for a change. Like everyone else, they should have to make decisions based on water reality. No water? Do not grow! Go to other areas with more water supplies.	designate what water deliveries are used for. Please refer to Master Response 34 regarding the potential uses of water delivered via BDCP proposed conveyance facilities.
604	2	This Plan is an expensive boondoggle. The people of California wisely voted "no" on the Peripheral Canal years ago. They have already spoken. If politicians claim that times have changed, then let the people vote again.	Please see Master Response 36 on the differences between the proposed project and the peripheral canal. This comment is an opinion about project decision making. No comments on the content of the EIR/EIS or environmental review process are presented. For more on the costs of the proposed, please see Master Response 5. For information regarding project funding, please see Master Response 5.
605	1	I am wondering about the amount of bureaucracy and the cost and confusion of creating that much administrative machinery. Any project this large in terms of costs, construction impact, and administration is bound to have significant unintended consequences. We cannot hope to foresee these consequences, but we do know that they will require mitigation. Have we planned ahead for that?	Please see Master Response 5 regarding funding sources for the project. Where significant environmental impacts have been identified related to these issues, mitigation measures have been proposed to avoid, reduce, and minimize those impacts to the extent feasible. Information regarding BDCP costs and funding is provided in Chapter 8, Implementation Costs and Funding Sources, BDCP. State Water Project and Central Valley Project contractors would be responsible for funding construction and operation of new water conveyance facilities, as well as the costs for mitigating the impacts associated with facility construction.
606	1	I am a retired farmer/landlord who lives near Knights Landing, California. I directly divert irrigation water from the Sacramento River to the adjoining land. We also are serviced by a mutual water company on other lands. Millions of dollars have been spent discussing the Bay Delta. The bills have been paid by water organizations, individuals, both the State and federal government, i.e. taxpayers. Very little has been accomplished with all the money and time. In this current drought we are being penalized for nothing having been done.	The proposed project is costly, but proponents have assessed the benefits as described in the BDCP funding sources. Notably, the water contractors benefitting from the proposed project and their constituents will bear all costs associated with constructing new conveyance facilities and mitigating for the impacts of those facilities. Expenditures of public money from other sources would be limited to restoration activities beyond those needed to mitigate the impacts of facility construction. BDCP Chapter 8, which deals with cost issues, and cost-benefit analysis information are available on the BDCP website. Please see Master Response 5 for more information on project costs and funding.
606	2	Water is a finite asset. We cannot make more or less snow or rainfall. It is extremely important that the Sites Reservoir be built as soon as possible to hold water in a wet year and let it out in a dry year. Where do we get the money to do this? Water diverters, bonds, federal programs. Water fowl, deer and other creatures [sic] would use the lake as well as other recreational uses.	The North-of-the-Delta Storage Investigation (Sites Reservoir) is considered in the Cumulative Analysis. This project has not been fully defined or approved at this time, and therefore; it is not included in the No Action Alternative or other alternatives, as described in Appendix 3D, Defining Existing Conditions, No Action Alternative, and Cumulative Impact Conditions.
606	3	We and other farmers are totally against the twin tunnels as proposed by Governor Brown. A huge expense of putting water in a tube to bypass the Delta and making an environmental mess with the mud from the tunnel construction. There would have to be permanent contracts made with the water users south of the Forebay and diversion point. We water diverters north of Sacramento are afraid in a	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.

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		drought that the Governor would declare a disaster and take some water from us to satisfy the tunnel contracts. We could also get some money for Sites by cancelling the high speed rail boondoggle at once. Thank you for listening to my concerns on these important projects; enough talk, let us act.	
607	1	Construction of this project will forever damage the Delta.	The comment does not raise any environmental issue related to the 2013 Draft EIR/EIS or the 2015 RDEIR/SDEIS. Developed to meet the rigorous standards of the federal and state ESAs, the proposed project is intended to be environmentally beneficial. 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.
607	2	It is unacceptable that efforts to put this project into action will not be put to a vote of the people.	Prior to construction of the proposed project, the EIR/EIS must be certified and adopted by the implementing agencies, and permits must be obtained. However, a public vote is not required to move forward. California Water Code section 12934, subdivision (d)(3), of the Burns-Porter Act and Water Code section 11260 of the Central Valley Project Act authorize DWR to build water facilities in the Delta, as part of the State Water Project, and give DWR broad discretion as to what those facilities may involve. Thus, DWR has the authority to build the proposed project without a public vote. Even so, the proposed project is the result of more than seven years' collaboration and consultation with numerous stakeholders, agencies, public water agencies and environmental organizations. The organizations that have participated in the Steering Committee, public meetings or written letters to provide input on the Plan include: American Rivers, Bay Institute, Defenders of Wildlife, The Endangered Species Coalition, Environmental Defense Fund, The Golden Gate Salmon Association, National Audubon Society, Natural Resources Defense Council, the Nature Conservancy, and Planning and Conservation League. The feedback was used to guide the development and subsequent revisions of the Proposed Project and its associated EIR/EIS to reflect concerns addressed from the various groups. All of the documents, studies, administrative drafts, and meeting materials have been posted online since 2010 in an unprecedented commitment to provide public access and government transparency. Although the RDEIR/SDEIS, EIR/EIS and much of the proposed project has been drafted by scientists working for a private consulting firm (ICF) working for the Lead Agencies, the Agencies' scientists have been intimately involved, and their judgments are reflected throughout the EIR/EIS and the proposed project itself. The State is most interested in putting forth the best project that meets the goals of ecosystem improvement and water supply reliability. To the degree that the current Plan is endorsed by some environmental organizations serves as confirmation that the proposed plan protects species, habitats and the Delta ecosystem in a way that is compatible with their goals. The website includes correspondence from agencies and NGOs received prior to the start of the formal comment period. Comments received during the comment period are to be included in the Final EIR/EIS. Please see Master Response 40 for additional detail on public outreach efforts that have been made on this project.
607	3	Southern California only wants more water from a region that has already been overused. I will fight this project in any way I can.	See Master Response 35 regarding water use in southern California. Overall, the issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental impact analysis provided in the EIR/EIS documentation.

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608	1	Delta tunnels - all materials need to be obtained within the U.S., under our E.P.A controls. Do not make the same mistakes that CalTrans made on the Bay and Antioch Bridges. Global warming has caused the Sierra snow pack to disappear. Caltrans obtained the steel from China. The steel was transported by fossil fuel burning ships, no E.P.A. controls.	This comment is on implementation of the project not on the CEQA and NEPA analyses presented in this Final EIR/EIS.
608	2	The current draft of the BDCP does not address the water needs for the northern portion of the state. We need a state-wide water supply solution for all of California.	Please see Master Response 26 regarding water resources in northern California and Master Response 3 for discussion regarding the purpose and need for the proposed project.
608	3	The Quantification Settlement Agreement (QSA) and Federal and involved agreements were signed in October 2003 and involved agreements between the Imperial Irrigation District (IID), San Diego Country Water Authority (SDCWA), Coachella Valley Water District (CVWD), & Metropolitan Water District of Southern California (MWD) in summary the agreements provide for IID to conserve and transfer up to 200,000 acre feet annually (AFA) of Colorado River water acquisition by CVWD and/or MWD for a period of 35 years. In order for IID to transfer Colorado River water to SDCWA it involves fallowing 170,000 acres of farmland, reduces agriculture jobs and has a negative effect on businesses that support agriculture in the Imperial Valley (unemployment is 30% plus and going up. This will mean that we will have to import more of our vegetables from out of the country, being transported by air polluting ships and trucks. The high unemployment will have a negative impact on the state budget. Do we fix the water problem or ask the state voters for multibillion dollar sales and income tax measures?	More than two-thirds of the residents of the state and more than two million acres of highly productive farm land receive water exported from the Delta watershed. The proposed BDCP aims to provide a more reliable water supply, in a way that is more protective of fish than the current system. The BDCP does not propose any changes to rules governing transactions between contractors and individual agricultural producers.
608	4	Almost the entire inflow to the Salton Sea is agricultural run off. Judge Candee's ruling the State of California should not have to pay for the environmental obligations of QSA. Who should pay? Let us look at Owens Lake on the Eastern slope of the Sierras the Owens Lake nearly dried up after the L.A. Dept. of Water and Power diverted the Owens River for use the L.A. residents. The dry lake bed was a catastrophic arsenic infused dust, P.M. 10 creating an environmental disaster. The cost is approaching one billion for fines and mitigation costs and the Salton Sea is four times larger. The Salton Sea is part of the Pacific flyway, if the sea goes dry the State will be in violation of an international migratory bird treaty with Mexico and Canada. The P.M. 10 dust may affect the health of the residents from Phoenix to Oceanside and from Mexico border to Joshus Tree. The State of California needs to find a solution to a sustainable water supply for the entire State.	The Salton Sea is not included in the study area of the EIR/EIS because SWP and CVP water do not flow into this water body. The Coachella Valley Water District (located to the north and adjacent to the Salton Sea) is included in the study area because SWP water is exchanged for Colorado River water delivered to this district. Changes in SWP water deliveries through this exchange to the district would not affect runoff into the Salton Sea. Therefore, changes in the Salton Sea were not analyzed in this EIR/EIS. The action alternatives are considered to be part of an overall set of water management actions that could be implemented to provide sustainable water supplies in California, as discussed in Appendix 1C, Demand Management Measures, in the EIR/EIS.
608	5	The Politicians of California need to pass legislation to build more water storage and a new peripheral canal to deliver water to Southern California. Just maybe it is time to park our kayaks and build the Auburn Dam and the Antelope Valley Reservoir.	While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of FEIR/EIS, describes the potential for additional water storage. For more information regarding water storage please see Master Response 37. 15 alternatives and 3 new subalternatives were analyzed in the EIR/S and the RDEIR/RSEIS respectively. Four major alignments have been included in the EIR/S: Through-Delta, East of the Sacramento River, West of the Sacramento River, and a Tunnel under the Delta. Many additional proposals by public and private

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			individuals and organizations have also been evaluated and described in Chapter 3 of the EIR/S and Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Regarding development of alternatives for the EIR/EIS, a description of the process the Lead Agencies followed to develop and screen alternatives is provided in Master Response 4.
608	6	Climate change (green house gas) is having a negative impact on the Sierra snow pack. A very large natural storage. The new dams would supply the needed water to save the Delta. The herring, smelt and the salmon. Estuary dependent fish are declining. The Delta is becoming salty, all due to lack of water flow. The National Academy of Science has found the climate change (green house gas) will impact melting ice and warming of the oceans, results will be the sea will rise and the salt water will back into the Delta. Delta Vision Task Force recommended greater fall flows.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. Please see Master Response 19 regarding climate change.
608	7	The National Marine Fisheries Service issued rules for the U.S. Bureau of Reclamation to restore access for fish to waters above Nimbus Dam, Folsom Dam, Shasta Dam and new Melones Dam. Fish ladders will be required. Experts aren't sure if they will work. Let's forget the fish ladders and build a large Salmon Hatchery at the Yolo Bypass along the Sacramento River. The additional water storage would help save the Delta ecosystem. The Lakes would be a great habitat for fish, birds and all kinds of wild life. Plus aquatic recreation. The Auburn Dam would generate green power. A half a century ago our for fathers had the foresight to build the Folsom Dam, Oroville Dam, Bidwell Dam, Shasta Dam, American River Project. A canal from the Delta to the south and the freeway system expecting growth for the last half century our law makers have been living in a fantasy world not planning for growth. The State is still growing.	While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, FEIR/EIS, describes the potential for additional water storage. Please see Master Response 4 regarding the development of alternatives. Please see Master Response 6 for information on Demand Management. Please see Master Response 37 regarding water storage.
610	1	I think your definition of The Problem is intentionally misguided. I worked to oppose/defeat Peripheral Canal proposals starting in 1982. We here in California have developed plenty of water - that water is used poorly - ranging from remaining 6 gallon toilets to growing high water consumption crops. Sacramento still does not meter much of its water consumption. BDCP is a 19th century solution to a 21st century problem -- which really is -- poor allocation of the most valuable resource in California - fresh water. Any diversion of water upstream of the Delta is a detriment to riparian habitat upstream and that water could be used for things other than stated in the plan. Downstream users have not been the most careful shepherds and continue to waste water. The solution to the Delta's problems is more natural flow year round through the Delta -- the source of that water being wiser use all over the state.	Although water conservation and "wiser" water use have merit from a statewide water policy standpoint, they are beyond the scope of the proposed project. The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. Please see Master Response 25 regarding Upstream reservoir effects.
611	1	I support the no action alternative. The Bay Delta Conservation Plan is not a good plan. There are numerous impacts none of which are positive with certainty nor do they reasonably improve on any existing conditions. Human sustainability needs to be a priority, water consumption for uses in agro- business that does not promote sustainable crops does not need more, it needs to be adjusted to sustainable crops/livestock.	Discussion of the main environmental attributes affecting individual covered species is provided in Appendix 2.A of the 2013 public draft BDCP. Effects of the proposed water conveyance and associated restoration activities on general resource areas are discussed in Ch. 4 of the RDEIR/SDEIS. Resource areas are addressed separately under sections for each of the new project Alternatives, including surface water, groundwater, water quality, fish and aquatic resources, terrestrial biological resources, agricultural resources, air quality and greenhouse gases, public health, and others. Where impacts are determined to be significant, environmental commitments will be implemented to avoid and/or offset these effects, where possible. The Cumulative Impact Analyses that was written for the 2013 Public Draft BDCP EIR/EIS has been revised to include the impacts associated with the new proposed project alternatives and also updates past analyses. Environmental Commitments are to minimize effects to the Delta and its inhabitants and mitigate for loss of

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			habitat to the ecosystem and its species. For more information please see Section 5 Revisions to Cumulative Impact Analyses, Appendix A Chapter 11 Fish and Aquatic Resources, Appendix A Chapter 12 Terrestrial Biological Resources, and Appendix 3B Environmental Commitments, AMMs, and CMs of the RDEIR/SDEIS. The Lead Agencies acknowledge the comment regarding farm size and subsidized water; however, the proposed project does not prioritize these. The proposed project does not make determinations regarding how water conveyed through the proposed project, California Aqueduct, Delta Mendota Canal, or other water conveyance facilities is put to a beneficial use. Contractors and their customers must make economic decisions about planting in light of the amounts of water they are likely to receive going forward. For more information regarding beneficial use please see Master Response 34.
611	2	Water diverted to possibly be used in fracking or hydraulic fracturing is going to be polluted and poison in order to extract natural gas but water is more valuable. Water Corporations who are owning and controlling water distribution and prices benefit as we need more and more but less is available. Environmentally, it is wrong too! People need the water to survive. The land needs the water. Stop.	State constitutional restrictions require the reasonable and beneficial use of water, and state laws require that water pumped from the Delta be put to stipulated beneficial uses. Beneficial uses include agricultural, municipal, and industrial consumptive uses; power production; and in-stream uses including fish protection flows. Fracking – or "hydraulic fracturing" -- presumably could be an "industrial" use of water. As of the present, hydraulic fracturing is a lawful use of water, as state law generally permits oil and gas operators to engage in "the injection of air, gas, water, or other fluids into the productive strata, the application of pressure heat or other means for the reduction of viscosity of the hydrocarbons, the supplying of additional motive force, or the creating of enlarged or new channels for the underground movement of hydrocarbons into production wells[.]" (Cal. Pub. Resources Code, § 3106[b].) The state Department of Conservation is currently working on fracking regulations and rules passed by the Legislature have been sent to the governor. Through the rule-making process, the state will better understand how much water is actually used for fracking in California. Voluntary reporting indicates that the use of water for fracking is minimal. The Department of Conservation estimates that statewide, about 270 acre-feet of water per year is used for hydraulic fracture stimulation activities. For comparison's sake, roughly 5.2 million acre-feet of water a year have been diverted from the Delta, on average, over the last 20 years by the federal and state water projects for farms and cities. The State Water Resources Control Board could modify water permits to balance and protect beneficial uses of water. If the Legislature declared fracking to be unreasonable, it would potentially trigger the State Water Resources Control Board to revise water right permits in such a way as to restrict Delta water from being used for fracking.
612	1	I support the no action alternative. I am opposed to any peripheral tunnel installed in the Delta as it has the potential to collapse the ecosystem of the biggest estuary in the western hemisphere. Science has no way of predicting the outcome if such an event were to occur until it actually happens. It was voted down (the Peripheral Canal) before and I believe water conservation regulations in the Center Valley and Southern California need to be implemented. I cannot help but think that this plan is linked to fracking due to the fact that it takes millions of gallons of H20 per fracking job. I am opposed to fracking as well. I vote no action.	As a plan prepared to meet the rigorous standards of the federal and state Endangered Species Acts, 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. The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under a fully-implemented Alternative 4A are projected to be about the same as the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline. The Natural Resources Agency and DWR staff will continue seeking improvements and refinements to the current proposal in order to enhance species benefits and to avoid, reduce or mitigate for negative impacts to people, communities, sensitive species and habitats. The California Water Action Plan recognizes that all Californians have a stake in the future of our state's

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			water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species — all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Action Water Plan please follow http://resources.ca.gov/docs/Final_Water_Action_Plan_Press_Release_1-27-14.pdf. Future committees for the Proposed Project implementation may provide future opportunities for innovative input as well. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. Follow the California Water Plan here: http://www.waterplan.water.ca.gov/. Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, EIR/EIS, describes the range of conveyance alternatives considered in the development of the EIR/EIS. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage. More than two-thirds of the residents of the state and more than two million acres of highly productive farm land receive water exported from the Delta watershed. The proposed project aims to provide a more reliable water supply, in a way more protective of fish. However, the project proponents have no authority to designate what water is used for. One of the State Water Resources Control Board's (State Water Board's) charges is to ensure that the State's water is put to the best possible use and that this use is in the best interest of the California public. This charge is reflected in part by the designation of beneficial uses established through the State Water Board's planning process. These beneficial uses are identified in each Water Quality Control Plan (Basin Plan) issued by the State Water Board. The proposed project Lead Agencies have no power to impose penalties on individual water users. DWR and Reclamation have contracts with various entities, some of which sell water to water retailers, who have individual policies and programs to motivate ratepayers to conserve water. Different districts have the right to take different approaches depending on their individual circumstances. For more information regarding beneficial use please see Master Response 34.
613	1	I really enjoy the way your organization, creates ways to transport water using tunnels such as The Big Bertha. You do it while trying to keep the environment and the species that live there safe and clean. As there are good things there are also bad things in this process. Many people do not know or do not care about this organization. Such as many people last year in my 4th grade class did not in the beginning of one day they knew the next. This is because of my father Steve Centerwall. He came into my class one day with	As state agencies, the Department of Water Resources and the California Natural Resources Agencies have an obligation duty to provide the public with educational information that is rooted in fact, based on reasonable assumptions supported by facts and expert opinions substantiated by facts. Doing so for a project of large scale and complexity can be a challenge. The BDCP website, blog, Your Questions Answered, and social media platforms have been the primary vehicle for communicating important project information and correcting misinformation. Brochures, factsheets, webinars and videos are other tools the State has employed to educate the public about the proposed BDCP and the EIR/EIS process. Representatives from the State have also held numerous meetings and briefings around the state to educate stakeholders and provide them with critical information about project developments and the EIR/EIS process. Brochures, factsheets, webinars, reports and other information is kept on the project website,

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		charts and a game planned for us. (Many immature students were included in my class). So as I was writing, my dad came in and taught my class about BDCP for an hours and a half. So, as my story's lesson says or just my story says, my father presented to my class and many people learned from it. Maybe if you did that for more classes more people would know about the organization?	www.BayDeltaConservationPlan.com and is available for review. Historical materials remain available for review and are labeled as achieved or superseded. For more information on the public outreach efforts made during the BDCP and EIR/EIS process, please see Master Response 40.
614	1	I am horrified that this could actually happen - that my government could steal water from our river towns and destroy where we live. We are, on top of it all, in a drought! And you want to steal our water and run our wells dry. I grew up in Clarksburg for 20 years. I am a farmer's daughter. Now my children go to school here, and we go to church here. Our address is West Sac, but this is equally our home. I do not know how you sleep at night. Please stop this cruel crusade!	The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. It is projected that water deliveries from the federal and state water projects under a fully-implemented project would be about the same as the average annual amount diverted in the last 20 years. The EIR/EIS includes a range of alternatives which could result in changes in south of Delta deliveries. The estimated changes in deliveries for each of the alternatives are provided in Chapter 5 "Water Supply".
615	1	Regarding Agricultural Mitigation for the Conservation Measures: Permanent easements will likely be unpopular with farmers because they are too rigid and tend to devalue farmland in general in the surrounding areas. Although such a system may be more cumbersome, I recommend that more flexible measures be considered, such as shorter-term easements that might rotate among suitable lands. It is possible that Farm Bureaus, or some other coalition of like-minded farmers could form themselves under a somewhat formal agreement to work with the Plan to achieve among themselves the targets required.	Mitigation Measure AG-1c (Consideration of an Optional Agricultural Land Stewardship Approach or Conventional Mitigation Approach) represents a mitigation approach that would be implemented to mitigate impacts that cannot be otherwise mitigated by Mitigation Measure AG-1a or Mitigation Measure AG-1b. Mitigation Measure AG-1c requires that either a "Conventional Mitigation Approach" or an "Optional Agricultural Land Stewardship Approach" be implemented. The conventional approach involves the purchase of interests in agricultural land that would require the preservation and/or enhancement of land of similar agricultural quality to the land being lost to agricultural uses under the project actions, which would help maintain agricultural productivity. The proposed Optional Agricultural Land Stewardship Approach does not focus principally on physical effects, but on maintaining agriculture and economic viability in the Delta, taking into consideration the desire of individual Delta farmers to continue working on their land, the long-term viability of regional agricultural economies, the economic health of local governments and special districts, and the Delta as an evolving place. The law concerning CEQA's consideration and protection of agricultural land continues to evolve, and the proposed project carefully considers the impacts of farmland conversion and the options available for responding to those impacts. Please refer to Master Response 18 regarding agricultural mitigation.
616	1	The Bay Delta Conservation Plan says the tunnels will provide not a drop more water than the Delta provides today. Then why are two such massively huge tunnels being built? The plan is for two 30 mile long and 40 foot high tunnels! That size gives Southern California water contractors and the South Central Valley's big agriculture reason to believe there will be more water for them to pump.	By establishing a point of water diversion in the north Delta and establishing new operating criteria to improve water volume, timing, and salinity, the proposed project would improve native fish migratory patterns and allow for greater operational flexibility. The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. It is projected that water deliveries from the federal and state water projects under a fully-implemented project would be about the same as the average annual amount diverted in the last 20 years. Please see Master Response 5 for additional detail on the BDCP and the alternatives involving an HCP component. Please note that the BDCP is no longer the preferred alternative. The preferred alternative is now Alternative 4A and no longer includes an HCP or conservation measures. Alternative 4A has been developed in response to public and agency input. The

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			EIR/EIS analyzes all alternatives, including Alternative 4A.
616	2	The tunnels are all about the money. They are not about providing safe drinking water to Southern California residents. The tunnels are planned to siphon water out for more development of housing and for huge almond farms that are growing in an area where trees will not grow without irrigation. Irrigation with our water. Paramount Farms has the largest almond acreage in the world, some 115,000 acres in Kern County. Stewart and Lynda Resnick, of Beverly Hills, are the owners of Paramount Farms and also gained control of California's Kern Water Bank. They are two of the biggest backers of the tunnels.	More than two-thirds of the residents of the state and more than two million acres of highly productive farm land receive water exported from the Delta watershed. The proposed BDCP aims to provide a more reliable water supply, in a way that is more protective of fish than the current system. Please refer to Master Response 34 regarding the potential uses of water delivered via BDCP proposed conveyance facilities and Master Response 26 for additional discussion regarding exports and water rights.
616	3	The tunnels will drown California in debt. Three years ago, the projected cost of the tunnels was $12 billion. Now, the cost is estimated to be $20 billion. The actual cost in loss of agriculture, fishing, and jobs and to our environment has been estimated to be $67 billion, but is incalculable. California does not have the budget for that kind of debt. California taxpayers cannot afford to fund the BDCP. Neither can the ratepayers.	Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the 2013 Public Draft BDCP EIR/EIS. A Draft BDCP Statewide Economic Impact Report has also been published, which indicates that the BDCP would result in a substantial economic net benefit to the State of California. When required, DWR would provide compensation to property owners for economic losses due to implementation of the proposed project. Construction of water conveyance facilities would be sequenced over approximately 10 years. Construction of individual components (e.g. intakes, tunnels) would range from one to six years. Temporary construction-related impacts include noise, visual, and transportation, among others. The construction-related impacts are disclosed in individual resource area chapters in the Draft BDCP Environmental Impact Report/Environmental Impact Statement (EIR/EIS). All impacts would be minimized and mitigated to the degree feasible and are described under each alternative in the RDEIR/SDEIS individual resource chapters and in the BDCP Appendix 3B, Environmental Commitments, EIR/EIS. An analysis of economic impacts of the proposed project, including impacts related to agriculture, recreation, water rates, and taxes are also evaluated and described in the Bay Delta Conservation Plan Statewide Economic Impact Report (http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Draft_BDCP_Statewide_Economic_Impact_Report_8-5-13.sflb.ashx). Chapter 16, Socioeconomics, of the Draft EIR/EIS was revised based on the revised construction footprint for proposed water conveyance facilities, along with a refined set of construction cost and schedule assumptions developed for Alternative 4. Refer to Chapter 16, Socioeconomics, Section 16.3.3.9, in Appendix A for the revised analysis of Alternative 4. Additionally, one table from Draft EIR/EIS Appendix 16A has been incorporated into Appendix A. For more information regarding funding of the proposed project please see Master Response 5. For more information regarding cost of the proposed project please see Master Response 5.
616	4	We can expect to see social services that help the poor, and are needed in our current bad economy, slashed to pay for the tunnels.	Please see Master Response 5 for additional discussion of public benefits and funding.
616	5	We are in a critical drought. On Friday, Governor Brown issued a drought declaration saying that California is in a state of emergency. The past year had the lowest rainfall in recorded history. We do not have water to export. How this lack of rainfall affects me personally: I have a winegrape vineyard. This is the first January that I have had to irrigate mature vines, because our area only received 3.5 inches of rain. Last week, Jose Monteon, my tenant that leases 43 acres from me had to ditch around the wheat he planted, so that it could be irrigated. Right now, the wheat is only a few inches high. It should be much higher.	Operations of the SWP and CVP under the action alternatives would vary depending upon the water year type. The volume of water supplies for senior water rights holders, including those in the Delta, would not be affected by the action alternatives. The flexibility provided by the action alternatives would result in more water exported in wetter years and less water exported drier water years. As shown in Figure C-10-9 of Appendix 5A, Section C, CALSIM II and DSM2 Model Results, more water would be exported by SWP and CVP in wet years under all alternatives except Alternatives 7 and 8 than under the No Action Alternative. In Critical water year types (as shown in Tables C-10-1-14 through C-10-1-25), less water would be exported by SWP and CVP under all alternatives except Alternatives 1, 3, and 9 which would either result in similar or less

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			than a 2 percent increase as compared to the No Action Alternative.
616	6	Ostensibly, the plan is to protect fish and wildlife. We are in a drought, and there is not enough water for upstream cold-water fishery needs. The American River's low water flows have exposed the eggs of nesting salmon. During dry years, the smelt would be killed at the same rate as today. Sandhill cranes may have less to feed on because there may be less room on Staten Island to grow corn. The cranes always return to that island. They do not know how to do otherwise. The plan would destroy their habitat. These are just a few examples.	Since issuance of the 2013 Draft EIR/EIS , the proposed project has been modified to address concerns of impacts to Sandhill Cranes on Staten Island. Specifically, the project has been modified minimize construction activities on Staten Island by removing: tunnel launch facilities, large reusable tunnel material storage areas, a barge landing site, and high voltage power lines. Furthermore, the avoidance and minimization measures that address sandhill cranes have been substantially modified (see RDEIR/SDEIS, Appendix A, Appendix 3B). For more information regarding sandhill crane mitigation please see Master Response 17. Operation of the new north Delta facilities will be guided by strict regulations that are set by the SWRCB. Adaptive management and collaborative science will aid operators in managing the pumping schedule in the presence of sensitive species. Appendix B of the RDEIR/SDEIS shows supplemental modeling results for the new alternatives. In particular Section B.2.1 Alternative 4A the modeling demonstrates that under the preferred alternative (4A) reservoir levels (e.g., Trinity Lake, Shasta Lake, Folsom Lake, and Lake Oroville) would be similar to the No Action Alternative (ELT). The Proposed Project would enable DWR to construct and operate new conveyance facilities that improve conditions for endangered and threatened aquatic species in the Delta while at the same time improving water supply reliability, consistent with California law (see, e.g., Cal.Wat. Code, § 85001[c]). Implementing the conveyance facilities would help resolve many of the concerns with the current south Delta conveyance system, and would help reduce threats to endangered and threatened species in the Delta, including entrainment eat the south Delta export facilities. For instance, implementing a dual conveyance system would align water operations, and their location, to better reflect natural seasonal flow patterns by creating new water diversions in the north Delta equipped with State-of-the-art fish screens, thus reducing reliance on south Delta exports during times of the year when listed aquatic species are present and most vulnerable. For more information on mitigation measures to minimize contraction and operational-related impacts to fish species, including Delta and longfin smelt, please see Chapter 11, RDEIR/SDEIS.
616	7	The proposal to build the tunnels would disrupt highways and spoil the character of historic, picturesque towns like Clarksburg and Locke. Even though the original plans have been revised to be less disruptive to Highway 160, there will still be a need to build new interchanges on Highways 4 and 12 to accommodate heavier traffic. Construction throughout the Delta would disrupt business and traffic.	Chapter 17 analyzes impacts to visual character under Impact AES-1, scenic vistas under Impact AES-2, and scenic roadways under Impact AES-3 and accounts for impacts to the existing setting that would be seen from local roadways. The visual analysis has come to the finding that a number of proposed project features would result in adverse/significant and unavoidable visual impacts, even with mitigation, due to the scale of proposed facilities, changes to the visual character of affected lands and communities, and impacts to sensitive viewers. This includes impacts to scenic highways. Chapter 19 of the EIR identifies the potential effects of the proposed construction, operations, and maintenance of the water conveyance system on Highways 4, 12, and 160 mentioned in the comment.
616	8	Strengthening the Delta's levees would be much less expensive and much more cost effective than building the tunnels. According to the Army Corps of Engineers that have worked on all aspects of the Delta levees on a daily basis for well over 28 years, strengthening the levees is sustainable.	Please see Chapter 2 FEIR/EIS, for the BDCP/CWF purpose and need, and Sections 2 and 3 for discussion on existing levee improvement programs and funding mechanisms, which would not be affected by the BDCP/CWF.
616	9	Central Valley big agribusiness and Southern California can live more sustainably. They must change their mindset and way of doing things, just as the rest of us do. They can look into implementing desalination and water conservation. Some fields will just need to be fallowed. The almond growing industry is very profitable, but can some growers just strive for sustainability like the rest of us? Or must they grab more than their share?	Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the BDCP. The BDCP/CWF 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. The lead agencies do not have any authority to impose mandatory water rationing on a statewide basis.

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			Rather, there are dozens of independent water agencies and city water departments in California that exercise authority over their own service areas. Only these individual agencies have the authority to impose rationing on their customers.
616	10	A little mentioned fact: Gov. Brown suspended the California Environmental Quality Act (CEQA) in the drought declaration. Is this a subversive way to fast-track the tunnels? The BDCP is supposed to protect the environment. That is why it proposes to convert one-fifth of the Delta to wetlands.	The Governor's drought declaration does not affect the BDCP's requirements to undergo review under CEQA. Rather, the Governor's emergency proclamation dealt with entirely different circumstances. The proclamation suspended CEQA compliance for any actions of the State Water Resources Control Board (SWRCB) "modifying requirements for reservoir releases or diversion limitations, where existing requirements were established to implement a water quality control plan. These changes would enable water to be conserved upstream later in the year to protect cold water pools for salmon and steelhead, maintain water supply, and improve water quality." CEQA compliance was also suspended for the SWRCB's "immediate" consideration of "petitions requesting consolidation of the places of use of the State Water Project and Federal Central Valley Project, which would streamline water transfers and exchanges between water users within the areas of these two major water projects." The proposed project is a joint RDEIR/SDEIS prepared in compliance with the requirements of CEQA and NEPA. Before the selection and approval of an alternative considered, the Lead Agencies must comply with the necessary state and federal environmental review requirements. This document, along with the BDCP Draft EIR/EIS, and expected Final EIR/EIS are intended to provide sufficient CEQA and NEPA support for approval of the proposed project or any of the action alternatives for either compliance strategy. As implementation of the proposed project or any of the action alternatives will require permits and approvals from public agencies other than the Lead Agencies, the CEQA and NEPA documents are prepared to support the various public agency permit approvals and other discretionary decisions. These other public agencies are referred to as responsible agencies and 20 trustee agencies under CEQA (State CEQA Guidelines Sections 15381 and 15386) and cooperating agencies under NEPA (e.g., USACE and EPA). For more information please see 1.1.5 of Section 1 Introduction of the RDEIRI/SDEIS.
616	11	With more time, I can give more reasons to object to the tunnels. Basically, during a drought we do not need to be diverting our precious Delta water to an area with a growing population that will need more and more water. Most everyone agrees we are experiencing climate changes. We do not know what kind of climate changes lie ahead. There is no rain projected for the rest of the month. We do not know when this area will get rainfall. And we definitely do not know how long a drought can last. The diverting of our water will only prolong the death of the Westlands and Kern County almond trees. And if the weather changes in our favor, and we receive the much-needed rainfall we have been praying for, that still does not mean we have extra water to export. If anyone wants to know what will happen to our Delta if the tunnels are built, all they have to do is look at the Owens Valley. Governor Brown wants to provide water for Southern California, but it must not happen at the expense of our most precious resource, our Sacramento-San Joaquin Delta.	Refer to Master Responses: Master Response 3 (Purpose and Need), Master Response 34 (Beneficial Use of Water), Master Response 26 (Changes in Delta Export), and Master Response 35 (Southern California Water Supply) for clarification on the conveyance of water from Northern California. With respect to the drought problem, the proposed intakes would only be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. Flow criteria would be applied month by month and according to water year type. More information on the ranges of water project diversions, based on water year types and specific flow criteria, can be found in BDCP, Chapter 3, Conservation Strategy. The State is addressing climate change through strategies and a decision-making framework as outlined in the California Climate Adaptation Strategy and Adaptation Planning Guide. However, no single project and indeed none of the alternatives would be able to completely counteract all of the impacts of climate change. More information on ways in which the project proposes to improve resiliency and adaptability of the Delta to climate change can be found in Chapter 29, Climate Change, Draft EIR/EIS and Appendix 3E, Potential Seismic and Climate Change Risks to SWP/CVP Water Supplies, Draft EIR/EIS and for the new sub-alternatives in Section 4 of the RDEIR/SDEIS. Additionally, refer to Master Response 19 (Climate Change and GHG). Although some critics of the project have been keen to liken the proposal to the The proposed project does not seek any new water rights nor include any regulatory actions that would affect water rights holders other than DWR, Reclamation, and SWP and CVP contractors. Importantly, all water exported by the SWP and CVP is subject to the existing water rights of those two agencies. Exports do not come at the expense of other water rights holders. The proposed project and its alternatives analyzed in the EIR/EIS only include the use of water from existing SWP and CVP water rights or voluntary water transfers from other water rights holders. The proposed project and its alternatives do

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			not reduce the protections for other water right holders. The proposed project's facilities, including water intakes and pumping plants, would be operated in accordance with permits issued by, U.S. Fish and Wildlife Service, National Marine Fisheries Service, State Department of Fish and Wildlife, and the State Water Resources Control Board, among other agencies. The proposed project would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. Through the Legislature and through executive agencies, California has embraced water conservation on numerous fronts, as have many California water agencies. Many of these efforts are highlighted in Appendix 1C, Demand Management Measures, EIR/EIS, which describes conservation, water use efficiency, and other sources of water supply, including recycled water. While these elements are not proposed as part of the project, the Lead Agencies recognize that they are important tools in managing California's water resources. 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. For more information regarding alternatives development, water demand management, and purpose and need please see Master Response 4, Master Response 6, and Master Response 3.
617	1	Friends of the San Francisco Estuary is concerned that by maintaining the status quo in the amount of water diverted by the State Water Project and the Central Valley Project, BDCP does not address the impacts of inadequate fresh water to the San Francisco Bay. This includes impacts to the food web through reduced nutrient delivery and increased salinity, impacts to water quality through increased residence time of contaminants, and impacts to our sediment supply for wetland restoration and erosion prevention.	RDEIR/SDEIS 4.3.4 (4A) describes whether concentrations of various water quality constituents are expected to increase or decrease with the project, relative to existing conditions and the No Action Alternative. To the extent that concentrations of various water quality constituents are expected to increase, 4.3.4 describes whether these increases are expected to result in impacts to beneficial uses of water in the Delta. For constituents for which adverse impacts were expected, mitigation and other commitments, such as additional evaluation and modeling and consultation with water purveyors to identify additional measures to avoid and minimize or offset these impacts, were introduced to address those impacts. Additionally, adding intakes in the North Delta will allow for operational flexibility that can improve natural flow in the Delta and avoid impacts to migratory fish based on real time data and operations Impacts on Delta outflows (fresh water flowing to the Bay) are not significant. Model simulation results for the proposed project alternative (4A) indicate that long-term average and wet year peak outflows would increase in winter months with a corresponding decrease in spring months because of the shift in system inflows caused by climate change and increased Delta exports as compared to Existing Conditions. In other year types, Alternative 4A would result in higher or similar outflow because of the spring outflow requirements. In summer and fall months, Alternative 4A would result in similar or higher outflow because of changes in export patterns and OMR flow requirements and export reductions in fall months, and also because of the Fall X2 requirements in wet and above normal years. The incremental changes in Delta outflow between Alternative 4A and Existing Conditions would be a function of both the facility and operations assumptions (including north Delta intakes capacity of 9,000 cfs, less negative OMR flow requirements, enhanced spring outflow and/or Fall X2 requirements) and the reduction in water supply availability due to increased north of Delta urban demands, sea level rise and climate change. Results for the range of changes in Delta Outflow under Alternative 4A are presented in more detail in Appendix 5A, BDCP EIR/S Modeling Technical Appendix, of the Draft EIR/EIS. For a more detailed response regarding impacts beneficial uses of water, please see Master Response 34. Salinity in the Delta is a function of the amount and timing of freshwater input from the major tributaries, tidal action from San Francisco Bay, and exports from the Delta. During the late winter and spring months of seasonally elevated flows, and in wet years, seawater intrusion is limited and the Delta has mostly low

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			salinity. During low-flow summer and fall months, and during dry years, lower freshwater flows result in greater amounts of seawater intrusion. Staff from DWR and USBR constantly monitor Delta water quality conditions and adjust operations of the SWP and CVP in real time as necessary to meet water quality objectives set by the State Water Resource Control Board protection of agricultural water supply, municipal and industrial drinking water supply, and fish and wildlife beneficial uses. See section 4.3.4 for a discussion on the proposed projects effects on water quality, salinity and electrical conductivity. Effects of the alternatives on salinity levels are described in Chapter 8, Water Quality, and Appendix 8H, Electrical Conductivity, EIR/EIS and Appendix A of the RDEIR/SDEIS. Modeling results indicate that the implementation of the water conveyance facilities may positively or adversely affect in-Delta water quality, depending on a number of factors including location, time of year, and hydrologic conditions. See tables in Appendices 8E through 8N for specific results related to various water quality constituents (including bromide and chloride). In addition to potential effects associated with the project and alternatives, modeling results for the No Action Alternative indicate that, with or without the proposed project, rising sea levels will bring saline tidal water further into the Delta than occurs at present.
618	1	The Sierra Club put out a white paper last month that outlines alternatives for water supply. California needs 21st-century leadership on water policy that fully considers a wide range of alternatives that address how we can reduce water loss from existing infrastructure, preserve water quality, improve conservation across the state and across sectors of the economy, and restore watersheds to help California meet its essential public health, economic, and environmental goals; leadership that protects and fights for the public trust of surface and groundwater resources, which belong to all Californians.	Please see Master Response 4. The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the BDCP. The BDCP is not the sole project in California tasked with solving California's water supply future. Instead, the BDCP is a proposed Habitat Conservation Plan (HCP) and a Natural Community Conservation Plan (NCCP) developed to comply with the Federal Endangered Species Act (ESA) and the California Natural Community and Conservation Planning Act (NCCPA), and intended to result in long-term permits for the operations of the State Water Project (SWP) and Central Valley Project (CVP). Although the BDCP, if approved, would be a critically important tool for managing California's water resources, it is not a statewide solution to California's water supply reliability problems. The BDCP is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The BDCP is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the BDCP. As an HCP/NCCP, the BDCP cannot impose obligations on third parties that are not applicants under BDCP. It is important to note that the BDCP 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.
618	2	The Sierra Club's white paper outlines these trade-offs based on recent research by water policy groups such as the Pacific Institute. We do not believe that the full range of alternatives for water supply has been sufficiently analyzed in the Environmental Impact Report for the Bay Delta Conservation Plan, and we believe such a package of approaches would be an environmentally superior alternative to conservation measure	Please see Appendix 3A and Master Response 4 for information on alternative development, identification of water conveyance alternatives under the BDCP/CWF, and why the range of alternatives analyzed in the EIR/EIS are legally adequate.

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618	3	Another significant issue that has not been addressed in the Environmental review is establishing science-based adaptive management parameters to provide flows for the environment. The solution should be based on the flow parameters and until all the studies are completed and the Water Quality Control Plan for the Bay Delta is approved, the environmentally superior alternative cannot be determined.	This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative. 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.
618	4	Continuing to take the amount of water we do from the Delta now is not sustainable. We should be working on the difficult sustainable solutions now rather than putting off that work onto the next generation by building an expensive, environmentally damaging project that will not guarantee a sustainable, reliable supply in the future.	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. The EIR/EIS analyzes all alternatives, including Alternative 4A. 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. Alternative 4A is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta.
619	1	Great presentations! Great materials and graphics! Helpful and informative staff! Good luck in future meetings. More statewide general public outreach is warranted. I am a civil engineer and just	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.

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		found out about this project a month ago.	
620	1	Even though we left our phone number and address at the September 2013 meeting (in Brentwood) with your committee, no feedback or answers to our questions have been received! Please comment.	DWR staff has made best efforts to try to maintain contact with interested citizens. In 2013, DWR staff and the public outreach team conducted a series of "Delta Office Hours" in communities throughout the Sacramento-San Joaquin Delta. In many instances, attendees had questions outside the scope of the BDCP that staff committed to following up on. Such comments and questions were recorded and DWR staff attempted to follow up with participants. In some circumstances, such as where DWR staff was being unable to identify whom to follow up with when participants met in small groups, DWR staff was not able to follow-up with all participants. Contact information for the DWR Landowner Liaison was provided to all participants, and was made available online for any Delta Landowners to contact outside of the scheduled office hours. Please see Master Response 42 for additional information on the public comment period.
620	2	We have yet to be told how and who will control the adjustments (that we understand can be made in the future) to the flow charts. For example, the 6,400 cfs, no diversion amount, could be adjusted up or down by who and under what circumstances? Please supply me with an answer.	Adaptive management is part of all alternatives evaluated in the EIR/EIS, as described in Section 3.3.2.2 of Chapter 3, Description of Alternatives. Under adaptive management and monitoring program, monitoring information and research results will be used to assess uncertainties and modify operations to meet the overall project objectives, including water quality objectives. The specific list of participants in adaptive management decisions have not been identified at this time. However, the participants could include entities that participate in real-time operation decisions under Existing Conditions, including DWR, Reclamation, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and National Marine Fisheries Service; plus other interested entities.
620	3	Owens Valley is a good example of how a lake can be drained and die, even though the experts claim they have put in place controls that would never allow this to happen.	Operation of the project water delivery system could not drain the Delta rivers and channels dry, including the Sacramento River. The project facilities, including water intakes and pumping plants would be operated in accordance with permits issued by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife. The project only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. More information on the ranges of project water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Section 3.6.4.2, North Delta and South Delta Water Conveyance Operational Criteria, EIR/EIS. Current limitations and operational criteria for existing facilities can be found in DWR's State Water Resources Control Board Permit D1641 (see http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/decision_1641/index.shtml) and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits (see http://www.usbr.gov/mp/cvo/ocap_page.html). Please see response to comment 620-2 regarding adaptive management.
620	4	A possible solution that would be workable for all is desalinization. With its price going down (while the Tunnel price increases - from $25 billion to its present $60 billion, to whatever when constructed) desalinization could be quite well funded with this amount of capital! Please comment. Desalinization would allow the farmers in the Central Valley to receive all the water needed (not wanted) from the existing Delta flow. At the same time desalinization would allow Southern California to receive the water they need. This would be a win-win as the entire state would be paying for desalinization!	This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative. 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

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			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.
621	1	We are willing to serve on an implementation planning board. Our research has been compiled over a period of six years. The viewpoint we have developed covers the following areas: 1. Water storage in dams and aquifers. "We can't manage what we don't possess." 2. Agricultural water use. Including new technology for water conservation. 3. Food processing water use. 4. Fomestic potable water use. 5. Felta aquatic life. 6. Recreational water use. To handle the treatment and movement of water we have formed a corporation entitled "Absolute Energy Sources, Inc." We have patented a clean/green environmentally safe, renewable electric generation facility. It is a state-of-the-art power generation plant; design to use a flowing stream of water to compress air that drives submerged power wheels, which in turn spin generators/alternator for commercial or private use. The power plants can be installed in remote locations or attached to existing tail water from dams. They operate on a low head of water.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The issue of crops and water use is beyond the scope of the proposed project . For more information please refer to the updated draft 2013 California Water Plan's strategy for agricultural water use efficiency, which describes the use and application of scientific processes to control agricultural water delivery and use. Also, refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and conservation.
622	1	This is my opinion and observations of questions with requests for mutually beneficial solutions long range- by tunnel delay and stoppage. I often made the panoramic hour drive to East Bay. Our family went on poker ski runs on the Delta. I helped my late father in grafting the vineyards, and he said there was increased salt in the soil. This is my critique submitted to delay and stop tunnel drafting by baydeltaconservationplan.com	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
622	2	The glossary does not include desalination and an index would help.	The glossary defines desalinization as the "removal of dissolved salts from water by natural means (leaching) or by specific water treatment processes." The index is in Chapter 36.
622	3	Pacific desalination: Research application can be done for Bakersfield Basin, not Delta destruction of Sacramento-North San Joaquin livelihoods. What is the future legacy of renown California universities in research (like Australia and Kuwait)? (Desalination is known and observed with California coast counties of Orange County, Huntington Beach; Ventura County/cities; etc.)	Please see Master Response 7, which describes why an alternative focused on desalination is not included in the EIR/EIS. Desalination is one strategy used in California to develop new supplies, yet it is not the primary solution for the State's water shortage due to many factors, including limited capacity and technology, high costs and energy demands, and regulatory uncertainty. For more information regarding purpose and need please see Master Response 3.
622	4	California representation: What about concerns from N. San Joaquin growers, fishermen (for prehistoric sturgeon; cranes in wetlands), taxpayers (BDCP.com new map flaws; Supervisor meetings Advisory Water Commission, sjgov.org, 2014.1 ...).	Discussion of the main environmental attributes affecting individual covered species is provided in Appendix 2.A of the 2013 public draft BDCP. Effects of the proposed water conveyance and associated restoration activities on general resource areas are discussed in Ch. 4 of the RDEIR/SDEIS. Resource areas are addressed separately under sections for each of the new project Alternatives, including surface water, groundwater, water quality, fish and aquatic resources, terrestrial biological resources, agricultural resources, air quality and greenhouse gases, public health, and others. Where impacts are determined to be significant, environmental commitments will be implemented to avoid and/or offset these effects, where possible. The Cumulative Impact Analyses that was written for the 2013 Public Draft BDCP EIR/EIS has been revised to include the impacts associated with the new proposed project alternatives and also updates past analyses.

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			Environmental Commitments are to minimize effects to the Delta and its inhabitants and mitigate for loss of habitat to the ecosystem and its species. For more information please see Section 5 Revisions to Cumulative Impact Analyses, Appendix A Chapter 11 Fish and Aquatic Resources, Appendix A Chapter 12 Terrestrial Biological Resources, and Appendix 3B Environmental Commitments, AMMs, and CMs of the RDEIR/SDEIS. The proposed project is costly, but proponents have assessed the benefits as described in the BDCP funding sources. Notably, the water contractors benefitting from the proposed project and their constituents will bear all costs associated with constructing new conveyance facilities and mitigating for the impacts of those facilities. Expenditures of public money from other sources would be limited to restoration activities beyond those needed to mitigate the impacts of facility construction. BDCP Chapter 8, which deals with cost issues, and cost-benefit analysis information are available on the BDCP website. Please see Master response 5 for more information on project costs and funding. For more information regarding public outreach efforts please see Master Response 40.
622	5	Financial estimates/analysis: Where is reconfiguration of larger impact of needless economic losses to locals? Growers, marina owners, citizens, and taxpayers statewide, over 30/50 years (as in Lodi, five billion dollar wine grapes to local economy, lddgga.org research)?	Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the 2013 Public Draft BDCP EIR/EIS. A Draft BDCP Statewide Economic Impact Report has also been published, which indicates that the BDCP would result in a substantial economic net benefit to the State of California. When required, DWR would provide compensation to property owners for economic losses due to implementation of the proposed project. Construction of water conveyance facilities would be sequenced over approximately 10 years. Construction of individual components (e.g. intakes, tunnels) would range from one to six years. Temporary construction-related impacts include noise, visual, and transportation, among others. The construction-related impacts are disclosed in individual resource area chapters in the Draft BDCP Environmental Impact Report/Environmental Impact Statement (EIR/EIS). All impacts would be minimized and mitigated to the degree feasible and are described under each alternative in the RDEIR/SDEIS individual resource chapters and in the BDCP Appendix 3B, Environmental Commitments, EIR/EIS. An analysis of economic impacts of the proposed project, including impacts related to agriculture, recreation, water rates, and taxes are also evaluated and described in the Bay Delta Conservation Plan Statewide Economic Impact Report (http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Draft_BDCP_Statewide_Economic_Impact_Report_8-5-13.sflb.ashx). Chapter 16, Socioeconomics, of the Draft EIR/EIS was revised based on the revised construction footprint for proposed water conveyance facilities, along with a refined set of construction cost and schedule assumptions developed for Alternative 4. Refer to Chapter 16, Socioeconomics, Section 16.3.3.9, in Appendix A for the revised analysis of Alternative 4. Additionally, one table from Draft EIR/EIS Appendix 16A has been incorporated into Appendix A.
622	6	Air pollution and losses would occur from minimum 10 years of pounding, mud slinging, loss of green crops, etc. How much subsequent loss of air quality would impact less healthy air to health costs and tax burdens on all region citizens?	Since localized pollutants generated by a project can directly affect adjacent sensitive receptors, the analysis of project-related impacts to human health focuses only on those localized pollutants with the greatest potential to result in a significant, material impact on human health. This is consistent with the current state of practice, available literature, and limitations in relating project-level criteria pollutant levels to specific health endpoints (e.g., asthma, cardiovascular disease). The pollutants of concern analyzed in the REIR/SDEIS include 1) locally concentrated particulate matter and carbon monoxide, 2) diesel particulate matter, and 3) C. immitis (Valley Fever). Please refer to Impacts AQ-9 through AQ-18. Health costs associated with emissions generated by the project were assessed in the Draft Statewide Economic Impact Analysis. The analysis monetizes emissions based on per-ton health costs of mortality and morbidity published by the United States Environmental Protection Agency (EPA). The Draft Economic Study can be downloaded here:

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			http://baydeltaconservationplan.com/News/News/13-08-05/BDCP_Draft_Statewide_Economic_Analysis_Released.aspx.
622	7	US Army Corps of Engineers: The Corps gave over 50 reports on saving Sac-N.SJ Delta levees by maintenance and/or private dredging, etc. (https//:lodinewsentinel.com, 2013.2). How were California Delta levee funds, sent to Washington State (sacbee.com 2013).	The comment discusses USACE reports on Delta levees. It does not raise any environmental issue related to the EIR/EIS.
622	8	Investigation of alleged corruption: What are patterns in government contracting; escalating costs by water bonds to taxpayers; and stock grower profits? California voters against peripheral canals was ignored, with transfer to a committee that discludes Locals of N. San Joaquin County (water engineers, growers, etc). Why do elected officials call for infrastructure in job creation by contracting appointments (sacbee.com 2014.1.20, A-1; Public references, online)?	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
622	9	Protection of dams (like Shasta Dam): For economic and agribusiness concerns, growers require Sierra water and treatment with the regulations. Delta soils show increased salt in soil and threat of salt backup (sacbee.com sjgov.org and farm bureau member alerts).	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
622	10	Restore Delta beauty: Have drafters driven California's scenic and historic, Highway 165, Sacramento-North San Joaquin Delta? Amidst panoramic Mount Diablo sunsets, many crop foods are grown (pears; asparagus; olives, walnuts, berries; grapes (restorethedelta.org digest)	Please refer to EIR Chapter 17, Section 17.3.1 Methods for Analysis, which discusses direct field observations conducted in January 2012 and July 2013. In addition, please refer to Appendix 17A, which contains locational data for the candidate key observation points (KOPs) and Figure 17D-1 that maps the locations surveyed. Note that these points were accessed via roadways throughout the study area.
622	11	Stoppage or injunction: This literal coverup has premature tunnel costs (2013 news varies as $14 to 67 billion in plans, sac bee.com) Why destroy by a tunnel along the natural Delta River Estuary?	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.
622	12	Notations of Common Sense: How timely would be reconsideration on worse California drought in its history (sacbee.com 2013.1).	Operations of the SWP and CVP under the action alternatives would vary depending upon the water year type. The flexibility provided by the action alternatives would result in more water exported in wetter years and less water exported drier water years. In Critical water year types (as shown in Tables C-10-1-14 through C-10-1-25 of Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS), less water would be exported by SWP and CVP under all alternatives except Alternatives 1, 3, and 9 which would either result in similar or less a 2 percent increase as compared to the No Action Alternative.
622	13	California Archives: (The internet has information on global agendas to tax water and air space, 1992.) Californians and the State warrant ownership. How were 19 easements obtained by Virginia company, Nature Conservancy, again, paying $22 million for land?) Owens Valley, Alps like, was declined to dust for LA water. Hetch Hetchy Dam, Yosemite, was added after the 1906 San Francisco earthquake, which did not affect areas at the heart of the Delta.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
622	14	Human migrations from cities to towns with water: Who are profiteers, both water privateers and bureaucracy (public paper laundering; Roman history). Move to the water, not vice versa.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
622	15	Desalination (To Bakersfield Basin) not Delta destruction by tunnels travesty along North	The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point

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		San Joaquin Delta communities.	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. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as desalination) that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project. However, nothing in the proposed project would prevent other entities from pursuing innovative approaches to desalination or other water supply solutions.
622	16	Livelihoods with representation of NSJC [North San Joaquin County] Growers of crops with California #1 (first) in Agriculture, USA; as well as for prehistoric wildlife (sturgeon & cranes); marinas (family recreation; fishermen; etc.); and historic communities to be represented like Lodi crops).	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
623	1	In asking the staff at the Redding - Plan Disclosure I learned that evaporation loss from water distribution canals has not been critically evaluated. The water savings and energy production would be significant and should be part of the California Water Plan.	The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species — all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Action Water Plan please follow http://resources.ca.gov/docs/Final_Water_Action_Plan_Press_Release_1-27-14.pdf. Future committees for the Proposed Project implementation may provide future opportunities for innovative input as well. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. Follow the California Water Plan here: http://www.waterplan.water.ca.gov/. Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, EIR/EIS, describes the range of conveyance alternatives considered in the development of the EIR/EIS. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage. The BDCP/California Water Fix EIR/EIS analysis is based upon comparison of conditions under the action alternatives and the Existing Conditions and the No Action Alternative. The CALSIM II model is a monthly model that incorporates assumptions about daily operational changes, and the model results should not be used in a predictive manner to determine absolute values. By using the models in a comparative manner, conditions that are the same under the alternatives, Existing Conditions, and No Action Alternative would not affect the comparison of relative results. The evaporative losses would be similar under the No Action Alternative and all other alternatives because the water surface area in the canals would be similar. Therefore, the evaporative losses from the canals were not calculated or evaluated in the BDCP/California Water Fix EIR/EIS analysis. Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, EIR/EIS, describes

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			the range of conveyance alternatives considered in the development of the EIR/EIS. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage. The BDCP/California Water Fix EIR/EIS analysis is based upon comparison of conditions under Alternatives 1 through 9 and the Existing Conditions and the No Action Alternative. The CALSIM II model is a monthly model that incorporates assumptions about daily operational changes, and the model results should not be used in a predictive manner to determine absolute values. By using the models in a comparative manner, conditions that are the same under the alternatives, Existing Conditions, and No Action Alternative would not affect the comparison of relative results. The evaporative losses would be similar under the No Action Alternative and all other alternatives because the water surface area in the canals would be similar. Therefore, the evaporative losses from the canals was not calculated or evaluated in the BDCP/California Water Fix EIR/EIS analysis.
623	2	Covering the water distribution canals could generate significant new water by reducing evaporative water loss. Lucas Merz project manager for the Sacramento River Preservation Trust, 530-345-1865, as a graduate student at Chico State University calculated with the low estimate of 29% water loss taken from the post 9/11 federal report (49% high value) that 2 million acre feet of water per year could be saved if the California water project canals from the Delta to the terminus could be saved and this is only a part of the water distribution canals. This would be more water than new storage projects could provide. This is feasible as India is already doing it to save water to save water and generate electricity.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. .Please see Master Response 4 for discussion of the scope of the proposed project and alternatives that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project.
623	3	Canal covering would improve canal water quality as salts would not become more concentrated with water loss. With less water being lost less storage water would have to be released. This would be helpful in drought years. With less water loss less water would have to be taken from the Delta to achieve the current water delivery.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project.
623	4	Covering the canal covers with photovoltaic cells would provide new clean energy which would reduce carbon dioxide emissions which would help slow global warming and climate change and thus slow down the projected water losses. It would also provide the new electricity to pump water to off-site surface water storage projects or underground water banking projects. It would also provide new water that could be water banked. New electricity could also be used in desalination projects.	Please see Master Response 4 for more information regarding alternatives to the proposed project. The alternatives included in the EIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, FEIR/EIS. Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS. For more information regarding desalination please see Master Response 7. 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 FEIR/EIS.
623	5	The covering of canals is doable without the passage of a water bond by following the method presented at the Redding hearing. The legislature could pass the necessary legislation to institute canal covering with minimal up front costs and these would be recovered by the sale of educational institution generated modules and canal space leases. Generated money could also be used to pay for future new water storage	While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of

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		projects alone or with bond money.	CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of the FEIR/EIS, describes the potential for additional water storage. Please see Master Response 4 regarding the development of alternatives. Please see Master Response 6 for information on Demand Management. Please see Master Response 37 regarding water storage.
623	6	Covering water distribution canals should be added as a component to the California Water Plan. The covering of canals was submitted to CALFED in the scoping process and to the last five governors.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species — all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Action Water Plan please follow http://resources.ca.gov/docs/Final_Water_Action_Plan_Press_Release_1-27-14.pdf. Future committees for the Proposed Project implementation may provide future opportunities for innovative input as well. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. Follow the California Water Plan here: http://www.waterplan.water.ca.gov/.
623	7	California canals have approximately 1000 miles of canals with a 20ft width, which is 100,000 acres (estimate of a water engineer at a water forum in Redding) in the state. All or most held by government agencies. This area and the lateral non canal land could be utilized to generate electricity, thus substantially meet the states clean energy commitments, conserve water by preventing evaporation and provide new money for these agencies. This can be accomplished by using solar, solar thermal and hydrogen to produce electricity. The canal would be covered with movable covers that are covered with photovoltaic solar cells that would provide day time power and reduce water loss from evaporation. Banks of linear solar thermally heating liquid sodium or some other medium would be stored and run conventional turbines via heat exchangers to extend power production into or through the night. Some electricity could be used to split water into hydrogen and oxygen, which would be burned to either boost the sodium temperature or directly burned to produce steam to drive the turbines. The colleges and universities of California could be challenged as the Defense Department DARPA does to provide a modular design, business plan and the amount of water saved annually. This would generate multiple designs at low cost. Participating students could receive a year of paid college as an incentive. The state would own the modular designs and business plans and we would know how much water would be saved. These modules would be sold to private enterprise which would lease canal sections and in five years have built the module-s or lose the lease. Sections that are not leased could have modules placed of them by governments, paid for by bonds or lease money. Lease money could also be used to pay for the Williamson Act agriculture lands which would broaden the support base for any legislation. Money from modular sales could be used for the installation of state modules and/or a grant pool for college grants.	Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. For more information regarding alternatives to the proposed project please see Master Response 4.

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		This system would have these advantages: Increased power output because of the cooling of the bottom side of the solar cell, which enhances cash return, design costs are minimized because contest module designs could be used, each project would have lower costs for environmental review as the canals are already industrialized, transmission lines would be available by using lines crossing the canal and needed new lines have a built in power line corridor. This would be a win win for everyone. Desert federally owned land and private land are being leased for solar energy production. India is covering canals at this time to both produce electricity and save water. This is a viable plan and should be seriously considered by the State and Bureau of Reclamation in all water analysis and environmental documents. Water savings would be significant with estimates of between 29 and 49% for open canal systems. This could mean water savings in the millions of acre feet.	
624	1	On December 4, 2013 I attended the informational hearing held by the State Assembly Committee on Water, Parks, and Wildlife at the Shasta County Supervisors Cambers in Redding. The subject was the 2014 Water Bond, and the Committee was looking for local input from residents of this part of the State, where a significant portion of our State's water supply originates. During the hearing, a few residents posed the desalinization of seawater as a possible option for relieving the increased pressure of future water shortages in the State. Upon returning home after the hearing, I retrieved the attached documents and photos of my uncle James K. Carr, then Undersecretary of Interior in the Kennedy Administration. They indicated that desalinization of water was being researched and developed in California as far back as the early 1960's. Attached is a photo of (Redding native) James K. Carr turning a valve to turn the first fresh water converted from the Pacific Ocean into the municipal water supply system of San Diego - the date of the photo was March 8, 1962, the location as the "West Coast saline water conversion demonstration plant" (with a 1,000,000 gal/day capacity) at Point Loma. In April, 1962, Uncle Jim sent my father a vial of "some of the first purified sea water" which was diverted into San Diego's water system. His accompanying note said "..IIn years ahead I am sure that this procedure for providing fresh water is going to be gaining national and international importance...". On February 11, 1963, James Carr appeared before the Committee on Interior and Insular Affairs of the U.S. House of Representatives to provide a "Summary Statement...of the Program for Desalinization of Water." I am enclosing a copy of the press release for your edification. It indicates quite a bit of work that had been done, and posed strategic considerations for implementation in the future. He further noted "...Southern California has received only about three-fourths of an inch of precipitation in the past year and local water supplies are falling seriously below normal. In some areas of the Pacific Southwest, there just isn't any more water to be developed..." He also suggested that "...construction of stand-by saline water plants should not slow down the (federal) program where (states and local agencies) are building conservation and flood control projects." A second, attached picture shows James Carr offering a glass of the San Diego desalinated water to California Governor Edmund G. "Pat" Brown during a Washington	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as desalination and water storage) that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project. However, nothing in the proposed project would prevent other entities from pursuing innovative approaches to desalination or other water supply solutions. See Master Response 7 for a more detailed discussion of various desalination projects under consideration and in development at this time.

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		D.C. visit in July 1963. With all of our recent concerns about water shortages and droughts, it is ironic and curious that desalinization is not playing a more prominent role in the discussions about solving present and future water shortage challenges and solutions.	
624	2	The San Diego County Water Authority, is incorporating seawater desalination into its water supply system, projected to supply about 50 million gallons/day and serve about 7% of San Diego region's water demand. The Carlsbad Desalination Project is the first seawater desalination facility in San Diego County and a "typical household of four people can expect to pay approximately $5 to $7 more per month by 2016 if the plant produces desalinated seawater as planned (according to their "sdcwa.org/seawater-desalination" website). A second Camp Pendleton Desalination Project ("that could produce 100-150 million gallons per day") is currently under study by the San Diego Water Authority. A December 27th article in the Record Searchlight ("Interest payments boost Delta restoration plan cost") indicated that long-term financing costs more than double the going-in estimate of $25 billion attendant to the building of the two underground tunnels in the Sacramento Delta. No mention has been made of perhaps siphoning Bay Delta seawater to a nearby desalination plant and linking it to local water supply systems and the existing (Gov. Edmund G. Brown) aqueduct infrastructure feeding San Joaquin agriculture and the potable water needs of downstream residents. Such a solution might prove more cost-effective to construct and maintain - it would at least be worth assessing the desalination option. Further, if you're taking seawater out of a potentially rising ocean vs. wrestling with questionable reliability of finite (and possibly diminishing) snowpack freshwater resources (with attendant construction and maintenance of storage and distribution infrastructure), the ultimate social cost-benefit result might prove more cost-favorable in the long-term. I am not an engineer, hydrologist, or resource economist. However, if costs and saline waste treatment and storage issues have been concerns of expanding desalination options in the past, it appears we've had almost 50 years to focus research and development on working out the bugs and using our potentially rising ocean water to state our future, collective thirst in California. I hope my intuitive observations are of some value as you, your legislative colleagues, and our gubernatorial branch study near-term, and long-term solutions.	Although conservation components and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the BDCP or California WaterFix. 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, water recycling, etc. For more information regarding water demand management and desalination please see Master Response 6 and 7, respectively. For more information regarding purpose and need please see Master Response 45. For more information regarding cost and funding sources please see Master Response 5.
624	3	[ATT 1: Sacramento Bee Sunday, July 28, 1963: "Prior to leaving on European vacation, Governor Edmund G. Brown, left, paid a call on (Undersecretary) of the Interior James K. Carr (Redding native) in Washington, DC. Carr treated the governor to a drink of fresh water which has been converted from sea water in the San Diego Water Demonstration Plant." The demonstration plant Point Loma, designed to produce 1,000,000 of fresh water daily to the San Diego Water.]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
624	4	[ATT 2: Statement by Under Secretary of the Interior James K. Carr before the Committee on Interior and Insular Affairs House of Representatives Washington, D.C., February 11, 1963. Regarding Desalinization]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
625	1	Bay Delta Conservation Plan (The Plan) calls for two giant water diversion tunnels served by three new North Delta intakes, besides the existing intakes at the South Delta along	The BDCP proposes the construction of dual bore 40-foot internal diameter tunnels, along with three 3,000-cfs intakes on the Sacramento River. Water diversions, including the existing State Water

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		the Sacramento River. Construction of the tunnels and the three intake facilities will alter the landscape of Delta along Highway 160 hugely, adding miles of detours to the Highway and converting thousands of acres of Sacramento -- San Joaquin Valley's prime farmland -- to industrial purposes.	Project/Central Valley Project diversions in the southern Delta, can impact water flows and quality. 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. While the BDCP would create visual effects in the Delta, these effects would be limited to specific areas in proximity to conveyance features and would affect fewer areas than other alternatives relying primarily on surface canals. The Plan also includes more than 80,000 acres of habitat restoration, which could benefit the scenic landscape of the Delta. Additionally, effects associated with construction of conveyance facilities would be subject to mitigation measures to avoid or minimize effects where feasible. Effects on visual resources in the Delta, along with associated mitigation measures, are described in Chapter 17, Aesthetics and Visual Resources, EIR/EIS. SR160 would be realigned around intake and pumping plant construction sites during construction. The realigned roadway would be in place prior to the closure of the existing SR160 right-of-way, minimizing delays associated with construction activities. Following construction, SR160 would be moved to its permanent alignment (which would be very close to the current alignment). Effects on transportation in the Delta, along with associated mitigation measures, are described in Chapter 19, Transportation, of the EIR/EIS. While the construction of new physical facilities in the Delta and the restoration of habitat will lead to the conversion of some amounts of agricultural land in the Delta, these effects will be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. Effects on farmland in the Delta, along with associated mitigation measures, are described in Chapter 14, Agricultural Resources, of the EIR/EIS. See Master Response 18 for more information regarding agricultural impact mitigation.
625	2	The excavation of two massive tunnels, each 44 feet wide and 35 miles long, would generate tens of millions of cubic yards of muck mixed with excavation chemicals, and disposal of which can cause an environmental disaster in the Delta region.	Under Alternative 4 and 4a (the proposed project), the revised estimates of Reusable Tunnel Material (RTM) can be found in the recirculated documents in Table 3C-1 "Construction Assumptions for Water Conveyance Facilities" starting on page 3C-40 of Appendix 3C in Appendix A, which details the revised estimates for RTM storage acreage, volume, and potential reuses. Mapbook figures M3-4 and M14-7 show potential RTM storage locations. Final locations for storage of RTM would be selected based on guidelines presented in Appendix 3B Environmental Commitments, section 3B.2.18 "Disposal and Reuse of Spoils, Reusable Tunnel Material (RTM), and Dredged Material" starting on page 3B-50, also in Appendix A.
625	3	Exporting water from the Sacramento River poses a grave threat to the life of the river itself, and continuous diversion of water over the years will reduce the flow drastically and it will eventually make the Delta unfriendly to both farmers and fish due to the looming reverse flow of sea water into the Delta. Agencies engaged in the planning and proponents of the water export have no definite answers to the above concerns. Therefore be it resolved: That the Placer County Democratic Party urges Governor Jerry Brown and State Water Resources Board to stop the plan in order to save the Sacramento River, the Delta and thousands of acres of prime farmland in the Bay-Delta region.	Chapter 2, Project Objectives and Purpose and Need, of the Draft EIR/EIS, describes the challenges that led to the creation of the project. The project has been developed based on sound science, data gathered from agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. Fifteen alternatives and three new sub-alternatives were analyzed extensively in the Draft EIR/EIS and the RDEIR/SDEIS (to analyze the now preferred California WaterFix Project), respectively. Other proposals have also been evaluated and described in Chapter 3 of the Draft EIR/EIS and Appendix 3A of the RDEIR/SDEIS. For a description of the process the Lead Agencies followed to develop and screen alternatives, refer to the following Master Responses: Master Response 4 (Alternatives Development). The project was developed to meet the rigorous standards of the federal and state ESAs, and as such the project is intended to be environmentally beneficial. 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.
626	1	The BDCP's purpose is not to promise new water, but to make the current supply more reliable and resistant to catastrophes. How does the BDCP add to the sustainability of	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

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		the supply?	input. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project.
626	2	It seems as though this plan disincentivize regional self-reliance. Scientists expect with climate change, our state's natural reservoir will diminish into the next century. If there is less water to transport, or no legal amount to transport, how useful can this investment really be through time? Reliability only matters when there is water to move.	The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures).
627	1	I am concerned for the water levels and salmon population in Sacramento. The plan sounds like it should improve this population but I am skeptical because of the politics.	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. Alternative 4A includes operational criteria to minimize and avoid impacts to fish. The effects are disclosed in detail in RDEIR/DEIS Section 2.1 and Appendix A (Draft EIR/EIS Chapter 11).
627	2	I think in general Southern California should be on their own with their water supply. If they currently only truly get 4% of our water supply why not cut them off entirely so they rely on their snowpack and Colorado River water? They have Diamond Valley Reservoir and others to store it. We say we like diversity, yet we constantly equalize things. Maybe Southern California is more of a desert . . .	The comment does not raise any issues with the environmental analysis provided in the EIR/ EIS. The proposed improvements to the SWP and CVP described in the RDEIR/DEIS are designed to restore and protect ecosystem health, water supplies of the SWP and CVP south of the Delta, and water quality within a stable regulatory framework, consistent with statutory and contractual obligations. For clarification regarding the conveyance of water from Northern California to Southern California, please refer to Master Response 3 (Purpose and Need), Master Response 34 (Beneficial Use of Water), Master Response 26 (Area of Origin), and Master Response 35 (MWD Water Supply).
627	3	I would like a guarantee made of actual fish counts to be maintained in the river (not counts killed) along with the river cubic feet a second.	Alternative 4A, the proposed project, will maintain compliance with Delta outflow regulatory requirements for all water years with the use of the North Delta intakes, as described in Chapter 5, Water Supplies, and Chapter 6, Surface Water of the Final EIR/EIS. A detailed discussion of the specific Delta outflows under a range of seasons and water year types is contained in Appendix 5A of the Final EIR/EIS. As discussed in Master Response 29, Timing of ESA Compliance, under Section 7 of the Endangered Species Act federal agencies must engage in formal consultation with the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) for any proposed actions that are likely to adversely affect listed species. Federal agencies must ensure that any actions authorized, funded, or carried out by the agency (in this case the U.S. Bureau of Reclamation) are not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of areas

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			determined to be critical habitat. While the USFWS and NMFS have not yet authorized incidental take of federally listed species, the ESA permit (granting authorization of take) would measure take by various monitoring activities, which could be based on the proportion of population or other metrics, as determined by the USFWS and/or NMFS. Please also refer to Master Response 28 for a discussion of the proposed project's Operational Criteria.
627	4	Sacramento is a beautiful place and the reason why I live here. I bring in friends from across the states to see it (and spend money). Let us keep it beautiful and healthy.	The EIR/EIS evaluates impacts to recreation, aesthetics, and visual resources. Draft EIR/EIS Chapter 15 addresses water dependent recreational activities that occur in the Delta, and describes mitigation measures and environmental commitments designed to reduce effects on these resources. Chapter 17 addresses aesthetic and visual resources, and mitigation measures and environmental commitments designed to reduce effects.
628	1	As the largest member agency of the largest State Water Contractor, the Metropolitan Water District of Southern California (MWD), the Water Authority and its ratepayers are being counted upon to pay the second-largest share of BDCP costs in the state (among MWD member agencies, and second only to the Kern County Water Agency). Accordingly, we have requested -- on multiple occasions -- the opportunity to directly engage in the BDCP cost allocation discussions and negotiations process. Those requests have gone unanswered. We renew that request with this letter. The stakes are so high for the San Diego region that the Water Authority should clearly be afforded the opportunity to directly participate in the cost allocation negotiations and be provided the information we need to assess whether the preferred alternative advocated by the BDCP program will provide water supply benefits commensurate with the billions of dollars our ratepayers are being counted upon to pay. We also must ensure that our ratepayers are not at risk of paying costs for BDCP water supplies of other MWD member agencies or other state or federal water contractors, and that costs are allocated to the participants based on proportion of benefits received. To date, we have received no assurances to allay these concerns. Over the past several years, I have sent several letters to officials with the California Natural Resources Agency raising a number of questions regarding the proposed project. To date, the Water Authority has received no responses to those questions.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. 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. The EIR/EIS analyzes all alternatives, including Alternative 4A. Please see Master Response 5, in particular the section entitled "BDCP Chapter 8, Implementation Costs and Funding Sources", for discussion of project funding.
628	2	We [San Diego County Water Authority] strongly believe that each participant in the BDCP must have clearly delineated capital and operations and maintenance cost responsibility identified, and be provided sufficiently detailed information to evaluate the cost-benefit (or feasibility) of participating in the project The Water Authority has previously heard Dr. David Sunding report to the Metropolitan Water District Board of Directors that cost-benefit analyses have been produced by BDCP for all urban and agricultural water contractors, and that include cost-benefit analyses for each MWD member agency, including the Water Authority. The Water Authority has made multiple requests for this information. These requests have been ignored. We renew that request with this letter.	Please see response to comment 628-1
628	3	As we have consistently stated in a variety of public venues, the Water Authority believes that any BDCP financing plan must include enforceable agreements to pay for the project, not only from state water contractors directly, but also from the member agencies or units that provide revenues to their respective state water contractor. The stakes are far too high to simply rely on the hope that the contractors' variable water	Please see response to comment 628-1.

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		sales revenues will be adequate over the long-term to pay the project's costs.	
628	4	Equally important, the San Diego County Water Authority is also concerned that future progress of the BDCP and efforts to resolve seemingly intractable conflicts in the Delta will falter, especially if the cost allocation for those expected to be participants in the BDCP is not expected to be resolved before the BDCP environmental review process concludes. Without the cost allocation explicitly agreed upon, how does BDCP expect water agencies to evaluate the cost-benefit of the various alternatives or reasonably limit the risk that their ratepayers will be expected to assume? The attachment to this letter outlines a series of issues and questions that the Water Authority believes should be thoroughly resolved in the context of the BDCP public review process. We are requesting formal, written responses to each of these items. We are concerned that the Public Review Draft BDCP does not comprehensively or adequately conduct due diligence on all of the facts and circumstances highlighted in the attachment. We remain concerned that a potential cascading collapse of funding could occur if information that should be included in a proper due diligence analysis is not provided, in a timely manner, to those who are expected to fund the program.	Please see response to comment 628-1.
628	5	Take-or-pay contracts/enforceable commitments: As the San Diego CountyWater Authority has pointed out during discussions and written correspondence over the past two years, the Metropolitan Water District -- which, as the largest state water contracting agency, is the foundation for financing the BDCP project -- relies on a financial rate structure that is not sustainable to pay its long-term financial obligations. While more than 80 percent of MWD's costs are fixed, less than 20 percent of MWD's revenues are paid from fixed charges. MWD's heavy reliance -- more than 80 percent -- on variable water sales to meet its financial obligations causes its water rates to be highly volatile. Since 2007, water rates at MWD have increased by more than 86 percent while sales have declined by 31 percent. Although MWD sales have increased this year due to dry conditions, they are nowhere near the historically high water sales level. Region-wide, MWD's per-capita water use in 2012 reduced by about 15.5 percent from its 2005 10-year average baseline. MWD's member agencies are not required to purchase any water from MWD. The variability of water sales -- and thus uncertain future water sales revenues -- coupled with Southern California water agencies' current and future planned actions to implement the State's policy to improve water use efficiency and invest in local water resource development, raises significant question regarding MWD's capability to provide the financial backing needed to fund long-term BDCP obligations. This should be a major concern for the State of California, whose full faith and credit will be expected to back up the financing of the project. And yet, Chapter 8 makes no mention of this material, foundational risk to BDCP financing. The Water Authority believes that, at a minimum, state water contractors that are wholesale water agencies must demonstrate that their customers have take-or-pay contracts or other enforceable long-term financial commitments to pay the fixed costs of the BDCP program corresponding to the term of the contractor's BDCP obligation. The Water Authority continues to be prepared to make such a commitment to MWD, as long as the Water Authority gets the water supplies in return for its payments. We also believe that the willingness to make such a firm financial commitment to a Delta	Please see Response to Comment N0. 628-1.For information regarding the current status of the draft BDCP Effects Analysis, please see Master Response 5.

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		solution will determine the true demand for Delta water supply, and therefore help inform the best sizing for the conveyance facility. It would not be in the state's best interest to construct a facility only to have it stranded because no one is willing or able to pay for it, or hoped-for water sales necessary to pay for it do not materialize.	
628	6	Step-Up Provisions: Existing State Water Project contracts contain provisions under which non-defaulting contractors can be assessed to cover payments not made by defaulting contractors, up to 25 percent of the defaulting contractors' obligations. Additionally, the East Branch Extension of Metropolitan Water District's State Water Project contract has a provision obligating MWD to cover default by any and all other participants. These State Water Project contract stipulations are known as step-up provisions. We are informed that bond underwriters for the BDCP project are expected to require a step-up provision by which each BDCP participant in BDCP-related bonds pledges to assume the obligations of defaulting participants. In fact, the Public Review Draft BDCP Chapter 8, at Section 8.3.3 (page 8-71) suggests amending the existing contracts as a potential funding source: "Existing water contracts would need to be amended to include the new costs of the BDCP assigned to the state water contractors and the repayment schedule." Since step-up provisions are already embodied within, and apply to, MWD's existing State Water Project contract, it would appear that such provisions would apply to the "new costs of the BDCP assigned to the state water contractors." Given those "step-up" provision obligations, we remain concerned that the Public Review Draft BDCP does not fully analyze the possible financial effects of the "step up" provisions on MWD and the other participants in the BDCP.	Please see Response to Comment 628-1.
628	7	Property Taxes: The Public Review Draft BDCP suggests that property taxes may be used as back-up security for BDCP payment obligations of individual state water contractors. However, there are very clear and significant limitations in MWD's existing taxing authority under the provisions of the MWD Act: * The Act limits MWD's ability to levy taxes to pay its State Water Project obligations. MWD is limited to levying taxes for "the composite amount required to pay (1) the principal and interest on general obligation bonded indebtedness of the district and (2) that portion of the district's payment obligation under [the SWP contract] which is reasonably allocable, as determined by the district, to the repayment by the state of principal and interest on [SWP bonds] as of [January 1, 1985] and used to finance construction of facilities for the benefit of the district." * Although the Act contains override ability in the event of a fiscal crisis, as determined by the MWD board, the override is limited to only one year at a time. In such an event, the State of California and bondholders would be relying upon an annual vote of MWD's Board of Directors in which it "… finds that a tax in excess of these restrictions is essential to the fiscal integrity of the district …" * It is unclear whether, or to what extent the MWD board would override this taxing limitation to back its BDCP obligation. The Public Review Draft BDCP should address and	Please see Response to Comment 628-1.

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		answer these questions. Given these limitations and uncertainties, it is difficult to consider MWD's or other contractors' existing taxing authority as a meaningful back-up security for BDCP payment obligations. It is also highly questionable whether the financing of BDCP can be -- or should be -- backed by taxing authority that was authorized by voters decades ago, when the program was much different than is being discussed today. A careful legal analysis of MWD taxing authority should be included in the BDCP due diligence process if taxes are going to be relied upon as additional back-up security for BDCP project debt. The Public Review Draft BDCP is silent on this issue.	
628	8	Funding Sources: Both state and federal regulations are clear in terms of their requirement for funding assurance before issuance of permit under the habitat conservation plan. The federal Endangered Species Act requires that a habitat conservation plan applicant ensure that adequate funding for the plan will be provided. The case law under ESA provides that: * The plan must ensure funding over the lifetime of the permit * The HCP cannot rely on federal funding to ensure funding of the plan in light of the Anti-Deficiency Act and the availability of appropriated funds * The HCP must provide remedies for failure to meet funding obligations by signatory measures * The HCP cannot rely on speculative funding actions of others for funding * The HCP effectively must be backed by a guarantee by applicant to ensure funding for all plan element Yet, the BDCP appears to rely on federal funding that has yet to be appropriated and voter passage of future state water bonds to finance the habitat restoration costs. In fact, footnote a in Table 8-37 of the Public Review Draft states: "In most cases, funding amounts are estimates only based on funding history … Funding estimates from state and federal agencies do not represent commitments and are subject to grant awards, annual appropriations from Congress, and passage of water bonds by voters of California …" The BDCP must address whether the regulatory agencies will accept BDCP's reliance on public funding sources yet to be approved as sufficient funding assurance before issuance of permits. While the Public Review Draft BDCP goes to great lengths to explain the various funding sources and the responsibilities of the parties to fund components of BDCP implementation, Section 8.4.2 discusses the actions that will be taken or required in the event of a shortfall in state or federal funding. Specifically, the Public Review Draft BDCP states that: "The Authorized Entities will not be required to provide land, water, or monetary resources beyond their commitments in this Plan in the event of a shortfall in state or federal funding." This statement appears to directly conflict with "step-up" provisions in existing State Water Project contracts, and which will likely be included in	Please see Response to Comment 628-1.

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		amended contracts. This statement found in Section 8.4.2 also appears inconsistent with the BDCP public messaging regarding what will occur in the event of a shortfall in state or federal funding. The graphic below -- taken directly from a BDCP presentation -- demonstrates the reliance on water contractors to also provide some or, potentially all funding for BDCP program components beyond implementation of Conservation Measure 1.	
628	9	[ATT1: Pie chart showing distribution of costs and the funding source for each.]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
628	10	Cost Allocation: Even though the bulk of the BDCP will be paid by the federal and state water contractors, we are disappointed to learn that the actual funding share between the federal and state contractors will not be determined until it is "near the time that permits are issued for BDCP." If this timeline, as described in the Public Review Draft, holds true, each contractor's share of BDCP's cost obligation will not be known until many months after the closing of the public comment period. How would water agency policy makers be in a position to assess whether BDCP is cost effective for their own unique jurisdictions? Relying on an overarching declarative statement that "the costs of CM1 and associated mitigation and construction are affordable by ratepayers of the urban and agricultural agencies …" is simply insufficient, and is certainly no guarantee that funding will materialize. Even assuming that the BDCP, as a whole, would provide a statewide net positive benefit, how the costs are allocated and benefits apportioned could impact individual water agencies differently. Without a clear description of how costs are allocated, it is simply impossible to assess the cost-benefit of BDCP to individual water agencies and their ratepayers. Without this important piece being concluded or disclosed, what is the assurance that individual contractors will all find the BDCP cost effective when it is finally disclosed? And if not all contractors sign up to pay for the BDCP, how would that impact the costs that the remaining contractors must bear? Postponing the cost allocation discussion to after the public commenting period is concluded is not acceptable. The BDCP must address this issue and keep the public commenting period open until this issue is resolved to afford the public an opportunity to comment on this critically important element.	Please see Response to comment 628-1. DWR and Reclamation are continuing to determine the cost allocation among the participating state and federal water contractors. This cost allocation was not described in the 2013 public draft BDCP or in the 2015 RDEIR/SDEIS because final determinations have not yet been made.
628	11	[From ATT2:] We look forward to working with you to help develop a BDCP project that achieves the co-equal goals and is affordable. As the largest member agency of the largest State Water Contractor, the Metropolitan Water District, the Water Authority and its ratepayers are being counted upon to pay the second-largest share of BDCP costs. [Footnote 1: Among MWD's member agencies, and second only to the Kern County Water Agency.] Yet, we have been relegated to the status of an outside observer who may have no financial stake in the BDCP. Accordingly, we request the opportunity to become more directly engaged in the BDCP cost allocation discussions and negotiations process -- and be part of the solution. The stakes are sufficiently high for the San Diego	Please see Response to Comment 628-1.

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		region to be afforded the opportunity to be at the cost allocation negotiating table.	
628	12	[From ATT2:] As you know, the San Diego County Water Authority has not endorsed any alternative that has been considered by the BDCP program or advanced by others, including the Natural Resources Defense Council's Portfolio Alternative and the Delta Vision Foundation's BDCP-Plus. However, we firmly believe that a thorough and comprehensive analysis of Delta fix alternatives is critical to help inform the ultimate selection of an implementable plan for achieving the co-equal goals. The San Diego Water Authority is committed to helping find a Delta solution, and to that end, is continuing its multi-year effort to inform our Board of Directors and civic and business leaders in our region on a variety of issues associated with the Delta. In addition, over the past several months, the Water Authority Board and staff have been engaged in an intensive, comprehensive review of BDCP-related alternatives to assess how various options may improve the San Diego region's water supply reliability along with risks associated with each. This review process is ongoing, and is scheduled to continue into 2014.	Please see Response to Comment 628-1. Please see Appendix 3A, Identification of Water Conveyance Alternatives, EIR/EIS, and Master Response 4 "Alternatives Development" regarding selection of the alternatives analyzed in the EIR/EIS.
628	13	[From ATT2:] We were disappointed to learn from Natural Resources Agency Deputy Secretary Jerry Meral at our September 12 Board workshop that determinations regarding the cost allocation among contractors will not be concluded when the BDCP and its environmental documents are released for public review next month. Although we plan to submit a formal comment letter during the BDCP environmental review process, the allocation of BDCP costs and the resultant rate impacts on San Diegans will remain a central element in our Board's consideration of which option to support.	No issues related to the adequacy of the environmental impact analysis in the 2013 DEIR/EIS or the 2015 RDEIR/SDEIS were raised.
628	14	[From ATT2:] While the San Diego Water Authority had hoped that your Agency's evaluation of the Portfolio Alternative would be helpful to the Water Authority's ongoing review and analysis, some of the information contained in your September 11 letter raises more questions than it answers. The letter states that a single-tunnel, 3,000 cfs conveyance facility (which is proposed in the Portfolio Alternative) would cost $6 billion less than the BDCP preferred alternative (9,000 cfs twin tunnels) -- $8.5 billion compared to $14.5 billion. However, on September 16, a corrected version of the evaluation was posted on the BDCP website, which indicates that the 3,000 cfs single-tunnel conveyance facility would only cost $3 billion less than the BDCP preferred alternative. Further, none of these numbers match Dr. David Sunding's economic benefit analysis, which he shared with us at our September 12 Board of Directors workshop, which identified the cost at $10 billion. Many entities that are undertaking review and analysis of the Delta fix options, like the Water Authority, would benefit from reliable cost estimates for the conveyance features of the Portfolio Alternative. The lack of clarity in the cost estimate has made it challenging to have a meaningful cost comparison of the various conveyance feature sizes. Could you please provide an apples-to-apples cost comparison of the 3,000 (single	Please note that the Statewide Economic Impact Report is not a part of this EIR/EIS. Please see the Socioeconomics chapter of the RDEIR/SDEIS for a discussion of the socioeconomic impacts of the proposed project (Alternative 4A) and alternatives as required by CEQA and NEPA. The 2014 Statewide Economic Impact Report released to the public provided the most recent estimates of the economic costs and benefits of the 2014 BDCP and proposed take alternatives described in Chapter 9. These alternatives included a 3,000 cfs facility (Take Alternative D), a 6,000 cfs facility (Take Alternative B) and several options for a 9,000 cfs facility (Take Alternatives G, H, and I, as well as the 2014 proposed action). For additional information regarding alternatives, please see Master Response 4 and Appendix 3A, Identification of Water Conveyance Alternatives, EIR/EIS.

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		tunnel), 6,000 and 9,000 cfs conveyance project sizes?	
628	15	[From ATT2:] In terms of the benefit cost ratio of alternatives, your evaluation indicates that "the 3,000-cfs tunnel has a negative benefit cost ratio, largely because the cost of the 3,000-cfs tunnel is approximately two thirds of building the proposed 9,000-cfs twin tunnels but the water yield is much smaller." The evaluation may be accurate; we are not attempting to dispute or refute the calculations and findings. However, with the numerous cost estimates for the conveyance features included in your own evaluations it is difficult to definitively understand the benefit cost ratio at which the evaluation arrives. A more comprehensive evaluation and identification of the appropriate assumptions would be valuable for those seeking to undertake independent analysis of cost-related information.	For more detailed analysis of the cost and economic benefit of the 2013 public draft BDCP, please see BDCP Appendix 9A, Economic Benefits of the BDCP and Take Alternatives. Also please see the 2014 draft Statewide Economic Impact Report, which quantifies a wider range of economic benefits of BDCP than found in Chapter 9. Please note that the BDCP and large-scale habitat restoration is no longer included in the preferred alternative, Alternative 4A. 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. The EIR/EIS analyzes all alternatives, including Alternative 4A. For additional information regarding alternatives, please see Master Response 4.
628	16	[From ATT2:] The evaluation regarding the potential water supply yield in water recycling and water use efficiency projects that could be achieved from a $3 billion investment in local and regional water supply projects requires additional analysis. Your evaluation indicates, that with respect to investments in local and regional water recycling projects and water conservation projects, ''it is doubtful that a $3 billion investment would produce even 100,000 acre-feet of reliable new water supply in urban areas, and would do nothing for agricultural users." This evaluation appears at odds with the Department of Water Resources' California Water Plan Update, which provides an analysis from which it may be concluded that a $3 billion investment in water recycling projects could actually produce approximately 400,000 acre-feet of new water supplies (2009 Water Plan Update, Page 11-10). In addition, data developed by the Water Authority on local project costs and implementation also indicates that BDCP's estimate is very low. We believe this warrants additional analysis to better understand how your evaluation arrived at a potential yield of 100,000 acre-feet or less. We would be happy to share the Water Authority's data and our observations on local supply development with your staff.	Please see Response to Comment 628-1. Additionally, please note that the Statewide Economic Impact Report is not a part of this EIR/EIS. Additionally, DWR is revising the Socioeconomic Impact Analysis for the project based on changes included in the RD EIR/SDEIR/S and FEIR/EIS.
628	17	[From ATT2:] The evaluation with respect to the ability to export water from the south Delta following a significant seismic event stated that, "It may take from one to 10 years to rebuild enough Delta levees to once again allow substantial exports from the south Delta." While certainly more work remains to be completed in terms of the efforts that have been undertaken through the Delta Emergency Rock and Transfer Facilities Project and the Delta Emergency Response Program to secure water supply reliability following a significant seismic event, it is our understanding that significant progress has been made to reduce the worst-case export outage. A more comprehensive analysis on this issue would be beneficial.	Although many actions have been initiated to respond to levee failures; many future actions are currently being evaluated by the federal, state, and local agencies. The extent of interruption of the SWP and CVP water supplies in the Delta would depend upon the number of levee failures. As described in Section 3E.2.6.2.1 of Appendix 3E, Potential Seismic and Climate Change Risks to SWP/CVP Water Supplies, of the EIR/EIS. The extended period of time for levee repairs would include dewatering activities at the repair sites, if necessary; repair actions; dewatering of the islands; and flushing brackish water from the Delta which could require several years depending upon the extent of seawater intrusion towards the flooded Delta islands, and available water in the upstream reservoirs for the flushing actions. Please also see FEIR, Appendix 6A BDCP/California WaterFix Coordination with Flood Management Requirements.
628	18	[From ATT2:] We look forward to working with you to consider a BDCP project that is implementable, achieves the co-equal goals, and improves water supply reliability and is affordable within the San Diego region and the rest of the state. In addition, we look forward to arranging a meeting with you in the near-term to explore avenues for additional	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.

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		information sharing and the San Diego County Water Authority's participation in the cost allocation negotiation process.	
628	19	[From ATT3:] Thank you for the efforts that you, your state and federal agency colleagues, and the Administration have made to bring the BDCP to the point where it stands today. We appreciate the opportunity that the release of an administrative draft of the BDCP affords us to provide comments and questions that should be addressed in the next draft. This letter is a follow-up to the Water Authority's previous correspondence on BDCP Chapter 8, and conversations we have had with you over the past year. Like many other stakeholders, the San Diego County Water Authority anticipated the May 29 release of the final chapters of the administrative draft of the BDCP document and believed, based upon earlier representations, it would address the questions and concerns the Water Authority has raised over the past several years over project financing. In particular, we were anxious to review the new draft of Chapter 8 in light of the correspondence we sent you 11 months ago (attached), in which we raised a series of BDCP financing issues and concerns. Our subsequent conversations led us to believe these concerns would be addressed in the most current iteration of Chapter 8. Instead, and disappointingly, Chapter 8 begins with this jarring admission: "Details of the financing ... are still being determined through on-going discussion between the state and federal governments and between the government, the state and federal water contractors and other interests." After reviewing the newly-revised Chapter 8 of the BDCP administrative draft, seven years into the BDCP planning process, and nearly a year after commenting on the prior draft, the most critical financing issues confronting the BDCP have yet to be addressed. As we shared with you previously, potential participants in the BDCP must have sufficiently detailed information to evaluate the cost-benefit (or feasibility) of participating in the project recently heard David Sunding report to the Metropolitan Water District of Southern California's (MWD) Board of Directors that a cost-benefit analysis has been produced for all urban and agricultural water contractors, and that it includes an urban cost-benefit analysis for an MWD member agencies. Would you please send a copy of the complete report to me in advance of Dr. Sunding's Sept. 12 appearance before our Board's Imported Water Committee? As we have consistently stated, the Water Authority believes that any BDCP financing plan must include enforceable agreements to pay for the project, not only from state water contractors directly, but also from the member agencies or units that provide their revenues. The costs are far too high to simply rely on the hope that the contractors' water sales will be adequate over the long-term to pay the project's costs. As the largest customer of the largest state water contractor -- MWD -- the Water Authority's member agency ratepayers have a great deal at stake in the BDCP process and its financing plan, its risks and contingencies. The Water Authority must be able to assess that the preferred alternative advocated by the BDCP program will provide sufficient benefits to be affordable for our member agency ratepayers. We also must ensure that our ratepayers are not at risk of paying BDCP costs associated with the water supplies of other MWD member agencies or other state or federal water	Please see Master Response 5 for a discussion of project funding and for additional detail on the 2013 BDCP and the alternatives involving an HCP component. For additional information regarding alternatives, please see Master Response 4 and Appendix 3A.

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		contractors. The Water Authority is already in litigation with MWD over how it allocates its current State Water Project costs. The Water Authority is concerned that future progress of the BDCP and efforts to resolve seemingly intractable conflicts in the Delta will falter if those expected to be participants in the BDCP are not able to evaluate the cost-benefit of the various alternatives or reasonably limit the risk that their ratepayers will be expected to assume. In this context, we renew our request that our comments and concerns raised in our August 28, 2012 correspondence regarding Chapter 8 of the BDCP administrative draft -- Implementation Costs and Funding Sources -- be addressed in the next draft.	
628	20	[From ATT3:] State water contractors that are wholesale water agencies should demonstrate that their customers -- the member agencies or units that purchase their water and provide their revenue -- have take-or-pay contracts or other enforceable, long-term commitments to pay the fixed costs of the project commensurate with the term of the BDCP obligation.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
628	21	[From ATT3:] It is important to analyze the possible effects of step up provisions -- those bond pledges that may require other BDCP participants to assume the obligations of defaulting participants -- on Metropolitan Water District and other participants in the BDCP.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
628	22	[From ATT3:] A careful legal analysis should be undertaken of Metropolitan Water District taxing authority within the BDCP due diligence process, to examine the feasibility and appropriateness of relying upon property taxes as additional back-up security for project debt.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
628	23	[From ATT3:] Take-Or-Pay contracts/enforceable commitments: As we have previously pointed out in discussions with you, Metropolitan Water District -- which, as the largest state water contracting agency, is the foundation for financing the BDCP project -- has been struggling over the past several years to pay its current fixed costs, let alone a substantially larger new cost associated with the BDCP. More than 80 percent of MWD's costs are fixed -- however, less than 20 percent of MWD's revenues are paid from fixed charges. Conversely, more than 80 percent of MWD's revenues are from water sales -- a variable revenue source -- and those sales have declined by 30 percent since 2007. Furthermore, MWD's member agencies are not required to purchase any water from MWD. The variability of water sales -- and thus uncertain future water sales revenues -- coupled with Southern California water agencies' current and future planned actions to implement the State's policy to reduce reliance on water supplies imported from the Delta, creates significant uncertainty regarding long-term financing of BDCP obligations. This should be a major concern for the State of California, whose full faith and credit will be expected to back up the financing of the project. And yet, Chapter 8 makes no mention of this material,	For detailed responses 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.

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		foundational risk to BDCP financing. The San Diego County Water Authority believes that, at a minimum, state water contractors that are wholesale water agencies must demonstrate that their customers have take-or-pay contracts or other enforceable long-term commitments to pay the fixed costs of the BDCP project corresponding to the term of the BDCP obligation. The Water Authority continues to be prepared to make such a commitment to MWD as long as the Water Authority gets the water supplies in return for its payments. We also believe that the willingness to make a financial commitment to a Delta solution will largely determine the demand for Delta water supply, and therefore help inform the best sizing for the conveyance facility. It would not be in the state's best interest to construct a facility only to have it stranded because no one is willing to pay for it, or hoped-for water sales necessary to pay for it do not materialize.	
628	24	[From ATT3:] Step-Up Provisions: Existing State Water Project contracts contain provisions under which non-defaulting contractors can be assessed to cover payments not made by defaulting contractors, up to 25 percent of the defaulting contractors' obligations. Additionally, the East Branch Extension of the Metropolitan Water District State Water Project contract has a provision obligating MWD to cover default by any and all other participants. These State Water Project contract stipulations are known as step-up provisions. We are informed that bond underwriters for the BDCP project are expected to require a step-up provision by which each BDCP participant in BDCP-related bonds pledges to assume the obligations of defaulting participants. In fact, the newly-released Chapter 8, at Section 8.10.1.1.1 (page 8-81) provides that: "Existing water contracts would need to be amended to include the new costs of the BDCP assigned to the state water contractors and the repayment schedule." Since step-up provisions are already embodied within, and apply to, MWD's State Water Project contract, it would appear that such provisions would apply to the new costs of the BDCP assigned to the state water contractors. Given those step-up provision obligations, we renew our request that Chapter 8 fully analyze the possible financial and economic effects of the step- up provisions on MWD and the other participants in the BDCP.	Please see Response to Comment 628-23.
628	25	[From ATT3:] Property Taxes: Some have suggested that property taxes may be contemplated as back-up security for BDCP payment obligations of individual state water contractors. There are very clear and significant limitations in the Metropolitan Water District's existing taxing authority under the provisions of the MWD Act: * The Act limits MWD's ability to levy taxes to pay its State Water Project obligations. MWD is limited to levying taxes for "the composite amount required to pay (1) the principal and interest on general obligation bonded indebtedness of the district and (2)	No issues related to the adequacy of the environmental impact analysis in the 2013 DEIR/EIS or the 2015 RDEIR/SDEIS were raised.

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		that portion of the district's payment obligation under [the SWP contract] which is reasonably allocable, as determined by the district, to the repayment by the state of principal and interest on [SWP bonds] as of [January 1, 1985] and used to finance construction of facilities for the benefit of the district." * Although the Act contains override ability in the event of a fiscal crisis, as determined by the MWD board, the override is limited to only one year at a time. In such an event, the State of California and bondholders would be relying upon an annual vote of MWD's Board of Directors in which it "… finds that a tax in excess of these restrictions is essential to the fiscal integrity of the district …" * It is unclear whether changes to the limitations provided under the MWD Act would require voter approval and/or new legislation. Chapter 8 should address and answer these questions. Given these limitations and uncertainties, it is difficult to consider MWD's existing taxing authority as a meaningful back-up security for BDCP payment obligations. It is also highly questionable whether the financing of BDCP can be -- or should be -- backed by taxing authority that was authorized by voters decades ago, when the program was much different than is being discussed today. A careful legal analysis of MWD taxing authority should be included in the BDCP due diligence process if taxes are going to be relied upon as additional back-up security for BDCP project debt. The newly-released version of Chapter 8 is silent on this issue. Based on the assurances that you previously provided to the Water Authority, we expected that the full consideration and analysis of the issues we have raised would be integrated in to the Chapter 8 analysis and conclusions. And yet, the current version of Chapter 8 of the BDCP administrative draft does not comprehensively or adequately conduct due diligence on all of the facts and circumstances described in this letter and our previous correspondence. We remain concerned that a potential cascading collapse of funding could occur if the proper due diligence is not undertaken in a timely manner.	
628	26	[From ATT4:] The San Diego County Water Authority is a wholesale water agency providing a safe and reliable water supply to 24 public agencies in San Diego County, supporting our region's $186 billion economy and the quality of life of 3.1 million Californians. Highly dependent on imported water supplies, the Water Authority has historically and consistently been a strong advocate for the Delta and for the co-equal goals of providing a more reliable water supply for California, while protecting, restoring and enhancing the Delta ecosystem. The Water Authority's board of directors reaffirmed this longstanding support at its February 2012 board meeting. The board also adopted an updated set of policy principles relating to the Bay-Delta outlining the critical issues that must be resolved in the BDCP process; a copy of these Policy Principles is enclosed. Chief among the Water Authority's concerns is the need to define the various components of the financing plan for the BDCP and the recently announced decision-tree concept in a manner that allows potential participants to evaluate the cost-benefit (or feasibility) of participating in the project. We believe the financing plan must include enforceable agreements to pay for the project, not only from state water contractors directly, but from the member agencies or units that provide their revenues. The costs are simply too great to rely on the hope that there will be enough water	Please see Response to Comment 628-23.

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		purchasers over the long-term to pay the project's costs. As the largest customer of the largest state water contractor -- the Metropolitan Water District of Southern California (MWD) -- the Water Authority's ratepayers have a great deal at stake in the BDCP process and its financing plan. The Water Authority must be able to assess not only that the project will provide sufficient benefits to be affordable by our ratepayers, but also that they are not at risk of paying BDCP costs associated with the water supplies of other MWD member agencies or state contractors. The Water Authority is already in litigation with MWD over how it allocates its current State Water Project costs. The Water Authority is concerned that all of the progress that has been made in bringing the BDCP to this point will be stymied, and that the BDCP will fail if participants are not able to evaluate the cost-benefit of the project or reasonably limit the risk their ratepayers are being asked to assume.	
628	27	[From ATT4:] As the largest state water contractor, Metropolitan Water District is the foundation for financing the project. And yet, MWD itself has been struggling over the past several years to pay its current fixed costs -- let alone a substantially larger cost associated with the BDCP. The reason is simple: more than 80 percent of MWD's costs are fixed while less than 20 percent of its revenues are paid from fixed charges. More than 80 percent of MWD's revenues come from water sales. Yet, MWD's member agencies are not required to purchase any water from MWD. With its member agencies unwilling to sign take-or-pay contracts or make any other firm financial commitments to MWD to cover its fixed obligations, the agency remains heavily dependent on revenues from variable water sales. MWD's water sales have declined approximately 30 percent since 2008, with its firm sales declining to less than 1.3 million acre-feet in fiscal year 2012. MWD's member agencies- including the Water Authority -- have also experienced significant reductions in sales. A direct consequence of these declining sales is sharply higher imported water rates that have made additional local water supply investments economically competitive. As a consequence, MWD's member agencies -- and their sub-agencies -- are doing what they have been asked to do over the past 20 years: reducing reliance on water supplies imported from the Delta. We are concerned that the BDCP will become the kind of "big ticket project" that MWD board members vocally and enthusiastically support -- at the same time their agencies are unwilling to make enforceable commitments to pay for the project.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
628	28	[From ATT4:] A final note on the subject of risk: because the project is anticipated to be financed through project revenues, we are informed that bond underwriters are expected to require a step up provision by which each BDCP participant in BDCP-related bonds pledges to assume the obligations of defaulting participants. [Footnote 2: Under Section 50(h) of MWD's current State Water Project contract, non-defaulting contractors can be assessed to cover payments not made by defaulting contractors, up to 25 percent of the payment not made. Under Section 49(i) of Its East Branch Extension of the State Water Project contract, MWD Is obligated to cover a default by any and all other participants.] The current draft of Chapter 8 is silent on this issue, yet it is conceivable that some of the BDCP participants may default, which would cause remaining participants, including	Please see Response to Comment 628-23.

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		the Metropolitan Water District, to assume a greater portion of the debt It is important that Chapter 8 analyze the possible effects of the step up provisions on MWD and the other participants in the BDCP. Some have suggested that property taxes may provide the ultimate security for BDCP payment obligations of individual contractors. Putting aside the question whether property taxes levied under the authorization of the Burns-Porter Act may be used to pay for new projects contemplated by the BDCP, it is Important to remember that MWD's taxing authority is further limited by the provisions of the MWD Act. [Footnote 3: Section 124.5 of the Metropolitan Water District Act limits MWD's property tax levy to "the composite amount required to pay (1) the principal and Interest on general obligation bonded indebtedness of the district and (2) that portion of the district's payment obligation under [the SWP contract] which Is reasonably allocable, as determined by the district, to the repayment by the state of principal and interest on [SWP bonds] as of [January 1, 1985] and used to finance construction of facilities for the benefit of the district."] Although the Act contains override ability in the event of a fiscal crisis as determined by the MWD board (one year at a time), it effectively limits MWD's ability to levy taxes to pay its SWP obligations. It is also unclear whether changes to this limit would require voter approval. Thus, a careful legal analysis of MWD taxing authority should be included in the BDCP due diligence process if taxes are contemplated as additional back-up security for project debt.	
628	29	[From ATT4:] To effectively evaluate the finances available for the BDCP, the drafters of Chapter 8 need to conduct comprehensive due diligence on all of the facts and circumstances described in this letter. Without such due diligence, the BDCP faces a potential cascading collapse of funding. At a minimum, state water contractors that are wholesale water agencies must demonstrate that their customers -- the member agencies or units that buy their water and provide their revenues -- have take-or-pay contracts or other enforceable commitments to pay the fixed costs of the project commensurate with the term of the BDCP obligation. The Water Authority continues to stand ready to make such a commitment to MWD that provides benefits commensurate with its payments. Ultimately, the full faith and credit of the State of California will back up the bonds issued to build the conveyance project. Failure to secure enforceable financial commitments from the member agencies or units of water wholesale contractors could place all of California at significant risk of having tens of billions of dollars of new outstanding debt without sufficient water contractor payments to cover the debt service. This is why all California taxpayers have a stake in ensuring that there is a solid foundation and financing plan for the BDCP going forward.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
629	1	Because Delta islands have subsided up to 25 feet below sea level due to increased Delta inflow, the 100+ year old foundations are seismically unsafe. Exporting water under or around the Delta could reduce the risk of catastrophic levee failure, assuring the continuation of clean water for our agricultural and urban areas. But solving the problem with cross-Delta water transfers creates even bigger ones, which are mitigated only partially in the Draft EIR/EIS:	Please see Master Response 43 regarding water transfers and Master Response 16 regarding seismic issues.
629	2	The Department of Water Resources has been unable to gain access to all private properties within the Delta on which it would like to conduct ground surveys (despite	This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative; however, a modified proposed project

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		resorting to the eminent domain process), limiting its findings on the impacts of all the BDCP alternatives (p. 4A-11).	(Alternative 4A/California WaterFix) is the preferred alternative. 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.
629	3	The EIR/EIS chapter on Fish and Aquatic Resources shows how fragile the food chain is. There are few mitigation recommendations to ensure the continuing protection of Delta and long fin smelt, who are found in abundance in our Suisun Bay and Marsh area and have been endangered species for the past 5 years- possibly correlated with the decades-long out-of- compliance inflow-export gap.	The mitigation measures proposed for the alternatives are based on the impacts identified in the EIR/EIS. In addition to mitigation measures, the alternatives include conservation measures such as operational criteria that are intended to be protective of the smelts and other covered fishes. The commenter does not provides specific details in this comment related to the inadequacy of the analysis that results in the conclusions related to mitigation measures, i.e., no issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. For more information regarding impacts to aquatic resources and its associated mitigation measures please see Chapter 11 of the FEIR/EIS.
629	4	The Delta ecosystem is the healthiest when fresh water flows in its natural direction, westward toward the San Francisco Bay. We have been redirecting the flow in a reverse direction, southward, jeopardizing the Delta.	The proposed project aims to allow the federal and state water projects to deliver more reliable water supplies, in a way less harmful to fish. By establishing a point of water diversion in the north Delta and establishing new operating criteria to improve water volume, timing, and salinity, the proposed project would improve native fish migratory patterns and allow for greater operational flexibility.
629	5	It has been clear for some time that the Westlands Water District and Kern County Water Agency, powerful and well-funded groups representing the interests of the San Joaquin Valley farmers, has squandered much of the Delta export they receive on land not conducive to water efficiency. As long as the contracts for delivering 70% of the Delta export to this and other agencies to the south remains binding, all Californians will be expected to make unnecessary sacrifices.	State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 34 regarding the potential uses of water delivered via BDCP proposed conveyance facilities and Master Response 26 for additional discussion regarding exports and water rights.
629	6	Here is the fundamental flaw in the Plan: the legislated co-equal goals of water supply reliability and Delta system restoration are incongruent, because the term reliability is not clearly defined and is assumed to mean exporting water from the Delta, to the exclusion of alternatives. The real solutions to our water problem lie in those which Southern California has already implemented: recycling and groundwater cleanup. We in Northern and Central California could learn from our neighbors to the south how better to manage our water. That would be a win for all of us!	The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures).
630	1	The comment period should be extended to 365 days. Too much info to read in 120 days.	The public comment period for the 2013 Public Draft BDCP and EIR/EIS was extended to July 29, 2014. Please see Master Response 39 for more information about the public review period.
631	1	This is not a good project; the alleged environmental impact is a sham. Once again political clout of Southern California politicians and big industrial agriculture take priority. We might instead look at regulating ground water usage.	Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 6 regarding water demand management.
632	1	I am a concerned citizen. I was raised in Fresno County on a farm and know how vital water is to the farm. I live in Nevada County where most people are on wells. The State must protect our water for the human consumption and the farmer. Please research and evaluate what changes you are planning regard the piped water way on the Delta.	The BDCP/California WaterFix EIR/EIS alternatives were developed to provide water supplies to municipalities, agriculture, and environmental beneficial uses that use water from the Delta, as described in Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1. The EIR/EIS thoroughly evaluates potential impacts of the action alternatives on water supplies. Please refer to Chapters 5, 6, 7, and 8 of the EIR/EIS for more information on potential impacts to water supplies, groundwater and

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			water quality.
633	1	We are writing on behalf of the Natural Resources Defense Council, Defenders of Wildlife, American Rivers, The Nature Conservancy, and The Bay Institute and our hundreds of thousands of members and activists in California to request an extension of at least 60 days for submitting comments on the tens of thousands of pages of materials comprising the draft proposed Bay Delta Conservation Plan ("BDCP") and draft EIS/EIR on BDCP. This request would extend the deadline for public comment on those documents from June 13, 2014, to at least August 12, 2014. This extension is requested and merited for three primary reasons. First, as you know, California is in the midst of an extraordinary drought, causing water management challenges unlike any we have experienced in several decades. These extraordinary conditions have demanded near constant vigilance and participation in water management decisions this year by many stakeholders in the water community, including our organizations. The State has acknowledged that the work involved in responding to drought has necessarily resulted in the delay of many workplans and schedules. For instance, as the State announced on its BDCP website on May 5, 2014, when explaining that an anticipated draft Implementation Agreement for BDCP was still not available: the past weeks have required significant time commitments from key water management and regulatory principals. Understand that this is the worst drought California has faced in nearly 40 years, and operations and regulatory decisions need to be made in real time to address water needs for the rest of 2014. Similarly, the California Department of Justice, on behalf of the Department of Water Resources, recently sought an extension of time for a filing deadline in the Ninth Circuit Court of Appeals. The filing by the State Water Contractors, joined by DWR, based that request for delay on the grounds that, among other things: Water year 2014 has produced one of the driest years on record in the State of California. Indeed, on January 17, 2014, Governor Edmund G. Brown proclaimed a State of Emergency, directing agency officials to take all necessary actions to prepare for the expected drought conditions ....The drought conditions in 2014 have exacerbated the already-limited resources of State Contractor Appellees. State Contractor Appellees are consequently involved in managing the water needs of their constituents and stakeholders, and this drought period has required legal and technical resources that might otherwise have been applied to evaluating the panel's decision and determining whether to seek rehearing en banc. San Luis Delta-Mendota Water Authority v. Salazar, lead case no. 11-15871, Appellees' Unopposed Motion for Extension of Time to Petition for Rehearing En Bane and For Leave to File Oversized Petition (9th Cir., April 15, 2014) (citations omitted). Agencies affected by the drought include many BDCP responsible agencies that are bound by the current comment deadline, such as the State Water Resources Control Board. The SWRCB recently announced that because of the time and staffing required to	The public comment period for the 2013 Public Draft BDCP and EIR/EIS was extended to July 29, 2014. Please see Master Response 39 for more information about the public review period. Additionally, please note that the BDCP 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.

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		respond to drought, they have further delayed the release of the draft Substitute Environmental Document for Phase I of the update of the Bay Delta Water Quality Control Plan. Of course, non-governmental stakeholders and the public also are deeply affected by the drought and also have committed significant time and effort to tracking and responding to the drought, and attempting to reduce or mitigate the drought's harmful impacts on people and California's environment. The unanticipated demands of the drought have limited the amount of time that we and many other stakeholders and members of the public engaged in water issues have been able to devote to the important task of reviewing and analyzing the draft BDCP and draft EIS/EIR. For instance, the state and federal agencies have filed numerous temporary urgency change petitions to the SWRCB, which have necessitated our review and, where appropriate, filing of protests and requests for reconsideration. We have also been involved in numerous meetings with the state and federal agencies regarding drought response, allocations, water project operations, and related actions. All stakeholders have had to dedicate significant, unplanned resources to address the drought, and that has impacted our ability to review and comment on BDCP.	
633	2	Key information has not yet been made available to the public that is critical to developing informed comments on the potential impacts of the proposed BDCP. That information includes the draft Implementation Agreement, which is likely to substantially affect the environmental impacts of the proposed project and the adequacy of the analysis in the draft EIS/EIR. For example, a recurring topic in discussions of the Implementation Agreement has been the level of water supply assurances, if any, that will be provided to contractors, and the level of assurances, if any, that biological goals and objectives of the draft BDCP will be met. The attached document prepared by several of BDCP's proponents in January, 2014, seeks "a level of water supply reliability of approximately 75% for both the SWP and CVP water service contractors and the SWP post-construction." See attached Critical Issues document, edited by J. Maher (Jan. 27, 2014). Such a commitment, if made in the draft Implementation Agreement, would represent a marked departure from previous commitments by federal and state agencies to not provide water supply assurances and would significantly worsen the impacts associated with the operation of a proposed BDCP as analyzed in the draft EIS/EIR. The public should be made aware of the full range of commitments proposed in the draft Implementation Agreement prior to requiring public comment on the draft EIS/EIR.	On May 30, 2014 the U.S. Department of the Interior and the California Natural Resources Agency released the "Draft Implementing Agreement for the Bay Delta Conservation Plan (IA)" for a 60-day public review and comment period consistent with state and federal requirements. The Draft Implementing Agreement was posted to the website and available in hard copy at the NFMS and DWR document repositories. As described in the May 5, 2014, posting to the BDCP website, the delayed publication of the draft Implementing Agreement was related to availability of key individuals whose drought response duties required significant time commitments, resulting in delays in finalizing the draft Implementing Agreement. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project (Alternative 4A) is no longer a NCCP or HCP, an implementing agreement was not released with the RDEIR/SDEIS or final EIR for the project. DWR's fundamental purpose of the proposed project is to make physical and operational improvements to the SWP system in the Delta necessary to restore and protect ecosystem health, water supplies of the SWP and CVP south of the Delta, and water quality within a stable regulatory framework, consistent with statutory and contractual obligations. The project would help to address the resilience and adaptability of the Delta to climate change through water delivery facilities combined with a range of operational flexibility. In addition to the added water management flexibility created by new water diversions and operational scenarios, the project would improve habitat, increase food supplies and reduce the effects of other stressors on the Delta ecosystem. For more information on the project's purpose and need, please see Master Response 3.
633	3	The Implementation Agreement will directly affect commitments, responsibilities, implementation roles and financial responsibilities contained in the BDCP. Indeed, the Natural Community Conservation Planning Act requires public review and comment on the draft Plan (including all associated documents like the draft Implementation Agreement), and encourages that the draft Plan and CEQA document be circulated for review and comment at the same time. California Public Resource Code [Section] 2815. Because the draft Implementation Agreement is likely to substantially affect the environmental effects of the BDCP, the agencies should extend the comment period on	See Response to Comment 633-2 for information on the Draft Implementing Agreement.

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		the draft EIS/EIR to be coterminous with the comment period on the draft Implementation Agreement and draft plan.	
633	4	As numerous independent reviewers and agency representatives have acknowledged on many occasions, the proposed BDCP and draft EIS/EIR comprise "the most complex HCP/NCCP permit application ever attempted." See Saracino and Mount, "Panel Review of the Draft Bay Delta Conservation Plan" (September 20 13) at 6, available at https://watershed.ucdavis.edu/files/biblio/FINAL-BDCP-REVIEW-for-TNC-and-AR-Sept-2013.pdf. The proposed project is immensely complicated, the analysis exceedingly lengthy, and the topic vitally important to every Califomian. By this request, we seek the time needed to review it carefully and provide thoughtful input.	With regard to the public comment period, please see response to comment 633-1. For a discussion on the length and complexity of the document please see Master Response 38. Also see Master Response 40 for information on public outreach.
633	5	[ATT 1: Critical Issues document, edited by J. Maher, January 27, 2014.]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
634	1	Despite releasing of the Draft Bay Delta Conservation Plan (BDCP) and its Draft Environmental Impact Report-Environmental Impact Statement (EIR/EIS) in December, 2013, the government has not released a draft Implementing Agreement (IA). The Natural Community Conservation Planning Act requires each conservation plan to include an Implementing Agreement which contains, among other things, "provisions for establishing the long-term protection of any habitat," "provisions ensuring implementation of the monitoring program and adaptive management program," and "mechanisms to ensure adequate funding to carry out the conservation actions " Cal. Fish & G. Code [Section] 2820(b). For purposes of the BDCP, the IA is a commitment from each party under the BDCP specifying its contribution to the cost, construction, and operation of the proposed project. The IA is an integral and indispensable necessity to the development and function of the BDCP. However, the parties to the BDCP, water contractors who expect to benefit from the BDCP, have failed to enter an IA which establishes each party's contribution to the cost, construction, and operation of the BDCP. Without the draft IA, it is not possible for the public to meaningfully review the draft BDCP and EIR/EIS. Accordingly, the absence of the draft IA has resulted in a violation of the National Environmental Policy Act (NEPA), NEPA regulation 40 C.F.R. [Section] 1502.25, Endangered Species Act (ESA) regulations 50 CFR [Section] 17.22(b)(1)(i); [Section] 222.307(b)(4), the California Environmental Quality Act (CEQA), and the Natural Communities Conservation Planning Act (NCCPA).	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. See Master Response 5 for more information on the transition from a HCP to Alternative 4A. The Draft Implementing Agreement for the proposed project was made available for public review on May 30, 2014 and the public review period was extended by 46 days until July 29, 2014, in order to accommodate a 60-day review period consistent with the California Natural Community Conservation Planning Act. As described in the May 5 2014 posting to the BDCP website, the delayed publication of the draft Implementing Agreement was related to availability of key individuals whose drought response duties required significant time commitments, resulting in delays in finalizing the draft Implementing Agreement. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project is no longer a NCCP or HCP, an implementing agreement was not released with the 2015 RDEIR/SDEIS or Final EIR/EIS for the project.
634	2	Critical information is missing from the review process. For example, the BDCP proponents have been internally admitting the obvious to the state, that "The cost of the BDCP is high, and there is significant concern that it will increase. Recent experience shows that the cost of large public works projects tends to increase during construction. The cost of the BDCP is so high there is no room for any increase in cost."	This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative. See Master Response 5 for the discussion related to the transition to Alternative 4A. The comment does not raise any issues related to the adequacy of the environmental review documents.
634	3	We [Friends of the River] attach a copy of the May 13, 2014 letter to BDCP agency directors from the Natural Resources Defense Council, Defenders of Wildlife, American Rivers, The Nature Conservancy, and The Bay Institute requesting a 60 day extension of time for public comments based on several factors including the absence of the draft Implementation Agreement.	The public comment period for the 2013 Public Draft BDCP and EIR/EIS was extended to July 29, 2014. Please also see response to 634-9 regarding extended review period. Please see Master Response 39 for more information about the public review period. The comment does not raise any issues related to the adequacy of the environmental review documents.

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634	4	The BDCP proponents seek a level of water supply assurances of water supply reliability of approximately 75% for both SWP and CVP water service contractors. (Critical Issues document). The water contractors also seek "Strong regulatory assurances [to] increase the willingness of local public agencies to fund the BDCP and construction of the new conveyance facilities [tunnels]." (Critical Issues document). Any commitments like those would significantly worsen the already horrendous impacts on endangered fish species, the Sacramento River, and the San Francisco Bay-Delta resulting from operations of the massive BDCP water tunnels.	Please note that the preferred alternative is now Alternative 4A. Please see MR 5 regarding this transition. The comment does not raise any issues related to the adequacy of the environmental review documents.
634	5	It is not possible for the public to meaningfully review the draft BDCP and EIR/EIS because of the failures, violating both the ESA and NEPA, of the federal agencies to have prepared the Biological Assessments and Biological Opinions required by the ESA. These violations have been pointed out to you previously in our comment letters of June 4, August 13, September 25, and November 18, 2013, our comment letters of January 14, and March 6, 2014, and at our meeting with federal agency representatives in Sacramento on November 7, 2013. This absence of the critical information for public review and review by the decision-makers that would be found in the missing Implementing Agreement, Biological Assessments, and Biological Opinions makes a mockery of the environmentally informed public and decision-maker review provisions and purposes of NEPA, CEQA, and the ESA. In addition, the absence of the essential information that would be furnished by the draft Implementing Agreement, Biological Assessments, and Biological Opinions unlawfully segments and postpones the review of those documents from the current review of the Draft BDCP Plan and Draft EIR/EIS.	Please note that the preferred alternative is now Alternative 4A. Please see MR 5 regarding this transition. The proposed project was developed to meet the rigorous standards of the Clean Water Act and federal and state Endangered Species Acts, 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 , the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. See MR 45 regarding the timing of the Biological Assessment and Biological Opinion.
634	6	Under NEPA, each EIS must contain a discussion of the "environmental impacts of the proposed action ... " 42 U.S.C. [Section] 4332(C)(i). An EIS "shall provide full and fair discussion of significant environmental impacts and shall inform decision-makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts ... " 40 C.F.R. [Section] 1502.1. The Draft BDCP Chapters 6, 7, and 8 frequently refer to the Implementing Agreement as a regulatory force of the BDCP operations, ensuring that the project will operate in accordance with law. Nowhere does the Draft BDCP or EIR/EIS list the terms or specific provisions that the IA will contain. Thus, the IA's terms and requirements are not available for the public or decision makers to review. Because the IA will contain information concerning impacts and mitigation, it is a critically important component of the environmental review mandated by NEPA. Without the IA, it is impossible for the EIS to provide a "full and fair discussion" of the impacts and mitigation measures. Consequently, the EIS is incomplete and insufficient to provide meaningful public review of BDCP impacts and mitigation measures.	See response to comment 634-1.
634	7	Violation of NEPA Regulation 40 C.F.R. [Section] 1502.25 Under NEPA regulations, "To the fullest extent possible, agencies shall prepare draft environmental impact statements concurrently with and integrated with environmental impact analyses and related surveys and studies required by the ... Endangered Species Act ... " 40 C.F.R. [Section] 1502.25. Thus, agencies must prepare environmental impact review documents concurrently. Because the BDCP is expected to result in the take of endangered and threatened	See response to comment 634-1 regarding the IA. The Draft EIR/EIS and RDEIR/SEIS addressed the beneficial and adverse effects to the endangered and threatened species. The issues related to the mitigation measures are discussed in Master Response 22 as well as Master Response 5 regarding governance and responsibility for financing.

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		species, the parties must acquire an Incidental Take Permit (ITP) before implementing the BDCP. 16 U.S.C. [Section] 1539(a)(1). A party applying for an ITP must submit a conservation plan that specifies, among other things, "what steps the applicant will take to minimize and mitigate such impacts, and the funding that will be available to implement such steps ... " 16 U.S.C. [Section] 1539(a)(2)(A)(ii) (emphasis added). The Draft BDCP and EIR/EIS lack this information and suggest that it will appear in the IA. Accordingly, the BDCP is incomplete without the IA because the BDCP does not specify any commitments the parties have made to fund and promote mitigation measures. As an impact analysis, the IA was required to have been prepared concurrently with the EIS. Nevertheless, the parties to the BDCP have failed to produce even a draft IA specifying their individual commitments to ensuring the integrity of the project. This has resulted in the staggered or piecemeal environmental review that NEPA Regulation 40 C.F.R. [Section] 1502.25 prohibits.	
634	8	Violation of ESA Regulations The BDCP is the heart of an application for an ITP. All applications for Incidental Take Permits must include a "complete description of the activity sought to be authorized ... " 50 C.F.R. [Section] 17.22(b)(1)(i). Further, all conservation plans must include "steps ... that will be taken to monitor, minimize, and mitigate [the] impacts, and the funding available to implement such measures ... " 50 C.F.R. [Section] 222.307(b)(5)(iii). Before approving a conservation plan, the government must provide notice of the application and an opportunity for the public to review the application. 16 U.S.C. [Section] 1539(c). The Draft BDCP fails to provide a complete description of the project because it does not specify the steps that will be taken to mitigate impacts and fund such mitigation. Instead, it insists that the Implementing Agreement will clarify details concerning mitigation measures and funding. Consequently, the Draft BDCP and EIR/EIS lack critical information concerning how the conservation plan will address mitigation and funding requirements, rendering the review period inadequate under ESA Regulations.	See Response to comment 634-1.
634	9	Violation of CEQA: Under CEQA, California agencies must make draft EIRs available for public review and comment. 14 CCR [Section] 15087. An EIR "shall include a detailed statement setting forth ... [a]ll significant effects on the environment of the proposed project" and "[m]itigation measures proposed to minimize significant effects of the environment ... " Cal. Pub. Res. Code [Section] 21100(b). Regulations define project to mean "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment ... " 14 CCR [Section] 15378(a) (italics added). Before approving a proposed project, the "lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record." Cal. Pub. Res. Code [Section] 21082.2(a) (italics added). Substantial evidence does not include "speculation" or "unsubstantiated opinion"; on the contrary, substantial evidence includes "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." Cal. Pub. Res. Code [Section] 21082.2(c). Courts applying CEQA have held over and over that: An accurate, stable and finite project description is the sine qua non [absolutely indispensable requirement] of an informative and legally sufficient EIR. [Citation].	Regarding public review: The federal lead agencies concurred that a longer review period was advisable. Therefore, the state and federal lead agencies initially released the Draft BDCP and Draft EIR/EIS on December 13, 2014, for a 120-day review period. Thereafter, on February 21, 2014, the lead state and federal agencies extended the public comment period by an additional 60 days to allow the public more time to review and provide comments. Again, on May 30, 2014 the lead state and federal agencies extended the public comment period by an additional 46 days, for a total review period of 226 days. This review period is nearly four times the maximum 60-day review period that the CEQA Guidelines recommend except for in "unusual circumstances," and over four times the typical 45-day period required by CEQA and NEPA. See Master Response 39 for more detail regarding the duration of the public review period of the draft EIR/EIS. Regarding identification of all significant impacts resulting from implementation of proposed project: Table ES-9 (EIR/EIS) summarizes, by resource area, the environmental impacts/effects of implementing the project alternatives, any mitigation to reduce significant impacts, and their level of significance after mitigation. For more information regarding Environmental Commitments please see Appendix 3B of the Final EIR/EIS. Regarding the project description: See Master Response 2 regarding why the EIR/EIS has addressed some components at a project level and some at a programmatic level.

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		However, a curtailed, and enigmatic or unstable project description draws a red herring across the path of public input. [Citation] Only through an accurate view of the project may the public and interested parties balance the proposed project's benefits against its environmental cost, consider appropriate mitigation measures, assess the advantages of terminating the proposal and properly weigh other alternatives. (San Joaquin Raptor Rescue Center v. County of Merced, 149 Cal.App.4th 645, 672 (2007) (internal citations omitted).)	
634	10	The Implementing Agreement is part of the project but has not even been placed before the public for review during the Draft EIR/EIS public review period. Because the IA will contain critical project information that is not in the Draft EIR/EIS, the Draft EIR/EIS does not describe the whole of the action. Consequently, the EIR/EIS fails to provide an "accurate view of the project" and the public is incapable of understanding how the proposed project will operate. Further, this missing information demonstrates that the incomplete EIR/EIS fails to support its conclusions as to the impacts of the project. Whereas CEQA requires environmentally informed agency decisions, the absence of the IA prevents the agencies from forming valid decisions. Instead, the agencies rely on speculation as to what the terms of the IA might include.	See Response to Comment 634-1. Commenter has alluded that the DEIR/EIS did not support the conclusions. Comment did not provide specifics. It is the lead agencies contention that the conclusions were adequately supported in the DEIR/EIS and supporting appendices.
634	11	Violation of NCCPA The NCCPA requires that any draft documents associated with an NCCP are made available for public review and comment. Cal. Fish & G. Code [Section] 2815. As mentioned above, the NCCPA requires the NCCP to include an Implementing Agreement. Cal. Fish & G. Code [Section] 2820(b). The Act further imposes a "requirement to make available in a reasonable and timely manner ... planning documents associated with a natural community conservation plan that are subject to public review." Cal. Fish & G. Code [Section] 2815 (italics added). Because the impact and mitigation analyses in the EIR/EIS rely on the IA, the government agencies needed to make the draft IA available at the same time as the draft EIR/EIS in order to meet the reasonable and timely manner requirement. Releasing the draft IA months after the Draft EIR/EIS is neither reasonable nor timely because the government could have waited for completion of the draft IA before releasing the draft EIR/EIS.	See Response to Comment 634-1.
634	12	The government's plans to hold a 60-day public comment period for the draft Implementing Agreement after the Draft BDCP and Draft EIR/EIS comment period closes will not cure these defects. Staggering the release and comment periods for BDCP documents deprives the public of adequate review opportunities in two ways. First, once the government releases the Draft IA containing specific details concerning BDCP operation, interested parties' understanding of the project will change. It is likely that new information released in the IA will supersede comments received during the Draft BDCP and EIR/EIS comment period, undermining the integrity of the comment period. To ensure that interested parties have an adequate opportunity to review and comment on the project, all documents relating the BDCP need to be available for comment at the same time. Second, a 60-day comment period is drastically insufficient to provide interested parties enough time to review the IA and its effects on BDCP operations. Interested parties will need to both review the draft IA and determine how it alters 40,000+ pages of BDCP	The public comment period for the 2013 Public Draft BDCP and EIR/EIS was extended to July 29, 2014. Please see Master Response 39 for more information about the public review period. The Draft Implementing Agreement for the BDCP was made available for public review on May 30, 2014 and the public review period was extended by 46 days until July 29, 2014, in order to accommodate a 60-day review period consistent with the California Natural Community Conservation Planning Act. See Response to comment 634-1.

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		documents. Accomplishing this type of review in a mere 60 days is impossible. Limiting the draft IA comment period to 60 days will effectively ensure that interested parties are incapable of meaningfully reviewing the totality of the BDCP. In order to provide meaningful public review, the BDCP federal and State agencies need to hold a new Draft BDCP comment period with every BDCP document -- Implementing Agreement, Biological Assessments and Biological Opinions, and Draft BDCP Plan and Draft BDCP EIR/EIS-- available for public review and comment during the same time period. Additionally, the new comment period must remain open for at least four months. NEPA regulation 40 C.F.R. 1502.7 declares that the text of an EIS for "proposals of unusual scope or complexity shall normally be less than 300 pages." Here, there are already 40,214 pages of released documents which represent 20% more pages than the 32 volumes of the last printed edition of the Encyclopedia Britannica. The government's original four month comment period and subsequent two-month extension tacitly conceded that extended public review periods are necessary for a project as massive as the BDCP.	
634	13	The absence of the Draft Implementing Agreement during the Draft BDCP and Draft EIR/EIS comment period has violated NEPA, CEQA, ESA, and NCCPA. These violations have rendered the comment period inadequate to support meaningful public review and comments. In order to remedy these violations, the government must release the Draft IA and open a new, four-month Draft BDCP comment period with every BDCP document available for public review and comment. Beyond these violations of law, the government must open a new public comment period to restore any public confidence in the integrity of the BDCP. It is absurd to expect the public to trust the BDCP process without full disclosure of the project's impacts, costs, and who will pay those costs. For these reasons, Friends of the River urges you to open a new public comment period on all BDCP documents, including the IA when it is released, for at least four months.	See Response to Comment 634-1.
634	14	[ATT1: Duplicate of BDCP633]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
635	1	I am familiar with SoCal's water needs but I am also aware of their water wasting habits from personal experience. There are many other things that need to be done before we even consider anything like these tunnels. There needs to be more water storage in SoCal.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and water conservation. 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 FEIR/EIS.
635	2	I am familiar with SoCal's water needs but I am also aware of their water wasting habits from personal experience. There are many other things that need to be done before we	State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 6 and Appendix 1C for

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		even consider anything like these tunnels. Every home needs to have low-flow showers, faucets and toilets.	further information on demand management measures, including increasing agricultural water use efficiency and water conservation. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project. For more information regarding MWD Water Supply please see Master Response 35.
635	3	I am familiar with SoCal's water needs but I am also aware of their water wasting habits from personal experience. There are many other things that need to be done before we even consider anything like these tunnels. There needs to be huge improvements in reclaiming gray water to use in watering plants, cars, etc.	State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and water conservation. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project. For more information regarding MWD Water Supply please see Master Response 35.
635	4	I am familiar with SoCal's water needs but I am also aware of their water wasting habits from personal experience. There are many other things that need to be done before we even consider anything like these tunnels. There needs to be moratorium on anyone making it illegal to not have a lawn or to stop watering your lawn, cut it short and paint it green. Home Owner's Associations have been a huge obstacle here. Gov. Brown covered the watering part with HOA's but not the painting them green part, and never put in AstroTurf because it reflects more heat than even dead painted grass.	State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and water conservation. For more information regarding MWD Water Supply please see Master Response 35.
635	5	I am familiar with SoCal's water needs but I am also aware of their water wasting habits from personal experience. There are many other things that need to be done before we even consider anything like these tunnels. Instead of harming the San Joaquin River we need to be replacing beavers throughout the waterways and let them create macro-environments that not only store water, filter it, but also create the deeper water habitats for many species that are also suffering a loss of habitat that effects the entire ecosystem down to frogs and insects.	By adding an additional point of diversion located on the Sacramento River, the proposed project aims to improve ecological conditions in the Delta and reduce stressors to listed fish species, including entrainment effects at the existing south Delta export facilities and reverse flows in the central Delta due to existing SWP and CVP pumping operations, among other things. Potential project impacts (and mitigation) to fish species in the San Joaquin River are described in Chapter 11, FEIR/EIS. In addition, the proposed project would not interfere with potential future beaver reintroduction programs in the San Joaquin River. Refer to Master Response 34 (Beneficial Use of Water) and Master Response 35 (MWD Water Supply).
635	6	I am familiar with SoCal's water needs but I am also aware of their water wasting habits from personal experience. There are many other things that need to be done before we even consider anything like these tunnels. Recent National Aeronautics and Space Administration (NASA)/National Oceanic and Atmospheric Administration(NOAA) testing has already proven that we need to stop taking more groundwater because it is already causing California's Central Valley to sink and the Sierra Nevada Mountains to rise as the usual equal and opposite reaction that Mother Nature always exacts.	As described in Chapter 7, Groundwater, of the EIR/EIS, groundwater pumping would increase under the No Action Alternative and Alternatives 2, 4H2, 4H3, 4H4, 5, 6, 7, 8, and 9 as compared to the Existing Conditions. However, this would occur in most of these comparisons due to climate change and sea level rise as compared to implementation of the alternatives (see Impact GW-8 for each of the alternatives in Chapter 8). To understand the effects of the alternatives, the model results for each of the alternatives are compared to the No Action Alternative because all alternatives would include identical climate change and sea level rise assumptions. As described in Chapter 7, groundwater pumping would only increase under Alternatives 4H4, 6, 7, 8, and 9 as compared to the No Action Alternative. As described for Impact GW-8 for Alternative 4, the impacts would be significant and unavoidable under the CEQA analysis.
636	1	With the high probability that drought conditions will continue and worsen in coming	State constitutional restrictions require the reasonable and beneficial use of water and state law requires

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		years in California, I do not support the construction of water conveyance tunnels to move massive amounts of water around the Delta. I do support implementation of mandatory water conservation for all levels of government, for homes, farms and businesses and imposing severe limits to water use on both public and private golf courses and swimming pools and other non essential facilities and services. I support state regulations to mandate more efficient water use on farms. The state also needs to implement statewide groundwater monitoring and regulation of underground aquifer resources.	that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and water conservation. State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. The issue of crops and water use is beyond the scope of the proposed project . For more information please refer to the updated draft 2013 California Water Plan's strategy for agricultural water use efficiency, which describes the use and application of scientific processes to control agricultural water delivery and use. Also, refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and conservation. For more information regarding purpose and need please see Master Response 3.
636	2	Rather than building massive tunnels to move water south (which leaves the delta without sufficient water), the state should help fund or provide financial incentives for - -city and county underground water storage facilities for storing any excess water generated in water surplus years…every city and county should be doing this and capturing water off roofs in all their facilities; -city/county/business/farm/residential use of treated sewage water; -city/county/business/farm/residential water conservation efforts. These conservation and efficiency measures, if fully implemented, will ensure a sustainable economy (no massive tunnel construction measures), a sustainable use of existing water supplies, even as they deteriorate with drought over many years, and a sustainable food supply for the state (i.e. with continuing drought and even more severe water restrictions, California's food products may need to be directed toward feeding its own and neighboring state residents).	State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and water conservation. The proposed project is one part of a diverse portfolio of strategies needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including recycling, desalination, water conservation and storage. While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of the 2013 Public Draft EIR/EIS, describes the potential for additional water storage. Please see Master Response 4 regarding the development of alternatives. Please see Master Response 6 for information on Demand Management. Please see Master Response 37 regarding water storage.
636	3	Sufficient water conveyance canals already exist to move water around the state. The BDCP guarantees water, which is already in short supply, to a particular group of Californians who have organized as a unit and thus can afford to buy this resource, providing a guarantee for themselves and leaving the rest of the state wanting. Water is already so limited that this group of farmers is not receiving the allotment of water they have received in past years to grow their crops. . .but since 1) water will continue to be limited and 2) they have no more right to this water than their neighbors to the north, mandatory conservation and efficiency efforts at all levels (shared grief if you will) will prove to be the more equitable and financially sustainable solution.	The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management.
638	1	That is a bummer... $6000.00 to read a document that will directly impact your daily life?	While the estimated cost of a printed version of the Draft EIR/EIS was $6,000, the entire EIR/EIS and individual chapters have been available free of charge on the BDCP website. In addition, lead agencies have provided a free DVD of the document upon request. Please see Chapter 31 for information on the various ways in which the documents were made available and accessible to the public for review. For additional

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		That appears to be unfair. How many pages is the EIR/EIS? How many pages is the plan? What if we only printed the 4th alternative info? What would be the fee? I believe people who are directly affected by this plan have a right to read it. Who can I appeal this to? It is unfair to expect the public to pay to publicly comment on a plan that has negative impacts on their daily lives.	information, please see Master Response 38, Length of Environmental Document.
638	2	When can I expect an answer about the comment cards?? I have used up the last amount you gave me and I need about 500 more at least.	The public comment period for the RDEIR/SDEIS began on July 10, 2015 and continued through October 30, 2015. The Partially Recirculated Draft EIR/Supplemental Draft EIS on the Bay Delta Conservation Plan/California Water Fix was open from July 10, 2015 to August 31, 2015. Public comments submitted during the official public comment periods, as well as the previous comment period for the 2013 Public Draft, will be made available to the public upon the release of the Final EIR/EIS. The Final EIR/EIS includes all comments received during the official comment periods and responses to substantive comments. For additional information on Public Comments, please see Master Response 42.
639	1	Please do not build these tunnels. They will be obscenely expensive, ecologically devastating and technically pointless in the long run (since the aqueducts are settling and going to be useless within the life of the tunnel, even if a quake does not destroy the system before they are even complete). This is a naked water grab, which will detach the demand for water from any connection to the saltwater intrusion that the tunnels will enable and worsen. It is time for us to start helping Southern California kick its water addiction. The days of wasting tremendous energy to ship water over a mountain range are over. I know Governor Brown is looking for legacy projects, but perhaps he should focus on the high speed rail to nowhere.	The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. It is projected that water deliveries from the federal and state water projects under a fully-implemented project would be about the same as the average annual amount diverted in the last 20 years. For more information regarding purpose and need of the proposed project please see Master Response 3. For more information regarding cost of the proposed project please see Master Response 5.
640	1	I speak as a taxpaying, Southern California citizen who believes building the tunnel(s) would be a waste of time, money, resources. If there is no water to send (and it looks grim from here), why build? The gamble that there will be water is too great for me to consider it.	The main comment does not raise any issues with the environmental analysis provided in the EIR/ EIS. Refer to Master Responses: Master Response 3 (Purpose and Need), Master Response 34 (Beneficial Use of Water), Master Response 26 (Changes in Delta Export), and Master Response 35 (Southern California Water Supply) for clarification on the conveyance of water from Northern California. The project would make water deliveries more predictable and reliable, while restoring an ecosystem in steep decline.
640	2	Instead of squandering resources on the tunnel(s), the state (collectively) must put money, energy and brain power into the use of direct and indirect potable reuse - and let nature take its course in the Delta. I say no to the tunnel(s) and yes to indirect potable reuse and direct potable reuse!	Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. For more information regarding alternatives to the proposed project please see Master Response 4.
641	1	There are so many valid points to be made in enumerating the shortcomings of the Bay Delta Conservation Plan, but as someone who has been involved in California water policy since my days as the press spokesman for the proposed Peripheral Canal, I must	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.

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		at least try to hit the most important objections. As a longtime Southern Californian, I must object to a plan which in effect sharply limits the potential water deliveries to the population-heavy cities south of the Tehachapis, while guaranteeing that users there will be forced to pay more for what water they receive.	
641	2	Turning the planning process over to the very water agencies which seek to enrich themselves in this manner amounts to dereliction of duty by the state.	The Proposed Project is the result of more than seven years' collaboration and consultation with numerous stakeholders, agencies, public water agencies and environmental organizations. The organizations that have participated in the Steering Committee, public meetings or written letters to provide input on the Plan include: American Rivers, Bay Institute, Defenders of Wildlife, The Endangered Species Coalition, Environmental Defense Fund, The Golden Gate Salmon Association, National Audubon Society, Natural Resources Defense Council, the Nature Conservancy, and Planning and Conservation League. The feedback was used to guide the development and subsequent revisions of the Proposed Project and its associated EIR/EIS to reflect concerns addressed from the various groups. All of the documents, studies, administrative drafts, and meeting materials have been posted online since 2010 in an unprecedented commitment to provide public access and government transparency. Although the RDEIR/SDEIS, EIR/EIS and much of the proposed project has been drafted by scientists working for a private consulting firm (ICF) working for the Lead Agencies, the Agencies' scientists have been intimately involved, and their judgments are reflected throughout the EIR/EIS and the proposed project itself. The State is most interested in putting forth the best project that meets the goals of ecosystem improvement and water supply reliability. To the degree that the current Plan is endorsed by some environmental organizations serves as confirmation that the proposed Plan protects species, habitats and the Delta ecosystem in a way that is compatible with their goals. The website includes correspondence from agencies and NGOs received prior to the start of the formal comment period. Comments received during the comment period are to be included in the Final EIR/EIS.
641	3	As an environmentalist, I cannot in silence see the Delta put at risk of saltwater intrusion by the diversions, which is every bit as real a threat to the flora and fauna as it is to the farmers…those who must attempt to irrigate even as the salinity increases…or those who will completely lose their land and livelihood due to massive condemnations.	The effects of less Sacramento River water flowing through the Delta on salinity-related parameters under certain project alternatives is fully addressed in Chapter 8, Water Quality. The water quality assessment addresses effects of changes in salinity on agricultural and fish and wildlife resources due to the project alternatives via the EC assessment (Impact WQ-11) through evaluation of compliance with agricultural and fish and wildlife objectives in the Bay-Delta Water Quality Control Plan and degradation relative to existing conditions and the No Action Alternative. In addition, the assessment of bromide (Impact WQ-5), another salinity-related parameter, addresses effects to agricultural uses via assessing concentrations relative to relevant thresholds and degradation. Where significant impacts to beneficial uses would occur due to the alternative, as opposed to other forces including climate change and sea level rise, mitigation to lessen those impacts is provided.
641	4	As a former legislative consultant, I am shocked that a plan of this magnitude is being shoved through a makeshift bureaucracy without going through a legislative hearing and approval process. At least, with the Peripheral Canal, it was extensively debated and voted on, before being subjected to a statewide referendum and roundly defeated. I think it is safe to predict a very substantial backlash if this shortsighted, risky, and expensive proposal is jammed through without a true public process, including legislative hearings and a public vote.	Prior to construction of the proposed project, the EIR/EIS must be certified and adopted by the implementing agencies, and permits must be obtained. However, a public vote is not required to move forward. California Water Code section 12934, subdivision (d)(3), of the Burns-Porter Act and Water Code section 11260 of the Central Valley Project Act authorize DWR to build water facilities in the Delta, as part of the State Water Project, and give DWR broad discretion as to what those facilities may involve. Thus, DWR has the authority to build the proposed project without a public vote. Even so, the proposed project is the result of more than seven years' collaboration and consultation with numerous stakeholders, agencies, public water agencies and environmental organizations. The organizations that have participated in the Steering Committee, public meetings or written letters to provide input on the Plan include: American Rivers, Bay Institute, Defenders of Wildlife, The Endangered Species Coalition, Environmental Defense Fund, The Golden Gate Salmon Association, National Audubon Society, Natural Resources Defense Council, the Nature Conservancy, and Planning and Conservation League. The feedback was used to guide the development and subsequent revisions of the Proposed Project and its associated

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			EIR/EIS to reflect concerns addressed from the various groups. All of the documents, studies, administrative drafts, and meeting materials have been posted online since 2010 in an unprecedented commitment to provide public access and government transparency. Although the RDEIR/SDEIS, EIR/EIS and much of the proposed project has been drafted by scientists working for a private consulting firm (ICF) working for the Lead Agencies, the Agencies' scientists have been intimately involved, and their judgments are reflected throughout the EIR/EIS and the proposed project itself. The State is most interested in putting forth the best project that meets the goals of ecosystem improvement and water supply reliability. To the degree that the current Plan is endorsed by some environmental organizations serves as confirmation that the proposed plan protects species, habitats and the Delta ecosystem in a way that is compatible with their goals. The website includes correspondence from agencies and NGOs received prior to the start of the formal comment period. Comments received during the comment period are to be included in the Final EIR/EIS. Please refer to Chapter 32 in the 2013 EIR/EIS and Master Responses 40 and 41 for information related to outreach, transparency of the planning process and stakeholder engagement.
642	1	I am deeply troubled by the way the Delta Tunnel Plan is not being presented to the public. The largest tunnel project in the world with no committee hearing, no floor discussions and, of course, no public discussions.	Prior to construction of the proposed project, the EIR/EIS must be certified and adopted by the implementing agencies, and permits must be obtained. However, a public vote is not required to move forward. California Water Code section 12934, subdivision (d)(3), of the Burns-Porter Act and Water Code section 11260 of the Central Valley Project Act authorize DWR to build water facilities in the Delta, as part of the State Water Project, and give DWR broad discretion as to what those facilities may involve. Thus, DWR has the authority to build the proposed project without a public vote. Even so, the proposed project is the result of more than seven years' collaboration and consultation with numerous stakeholders, agencies, public water agencies and environmental organizations. The organizations that have participated in the Steering Committee, public meetings or written letters to provide input on the Plan include: American Rivers, Bay Institute, Defenders of Wildlife, The Endangered Species Coalition, Environmental Defense Fund, The Golden Gate Salmon Association, National Audubon Society, Natural Resources Defense Council, the Nature Conservancy, and Planning and Conservation League. The feedback was used to guide the development and subsequent revisions of the Proposed Project and its associated EIR/EIS to reflect concerns addressed from the various groups. All of the documents, studies, administrative drafts, and meeting materials have been posted online since 2010 in an unprecedented commitment to provide public access and government transparency. Although the RDEIR/SDEIS, EIR/EIS and much of the proposed project has been drafted by scientists working for a private consulting firm (ICF) working for the Lead Agencies, the Agencies' scientists have been intimately involved, and their judgments are reflected throughout the EIR/EIS and the proposed project itself. The State is most interested in putting forth the best project that meets the goals of ecosystem improvement and water supply reliability. To the degree that the current Plan is endorsed by some environmental organizations serves as confirmation that the proposed plan protects species, habitats and the Delta ecosystem in a way that is compatible with their goals. The website includes correspondence from agencies and NGOs received prior to the start of the formal comment period. Comments received during the comment period are to be included in the Final EIR/EIS. For information pertaining to outreach and public involvement during the planning process, please refer to Chapter 32 in the Final EIR/EIS and Master Response 40.
642	2	I am tired of seeing government caving to corporate modeling at the taxpayers' expense.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.

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		No Delta tunnel!	
643	1	As a property owner on the Delta, I think this is a very bad idea. Farmers losing their land so folks further south can have lots more water in an area that should have never been used for agriculture to begin with. Leave the farming to the areas that already have the water!	The commenter's opposition to the project is acknowledged. Although both the construction of new physical facilities in the Delta and the restoration of habitat will lead to the conversion of some amounts of agricultural land in the Delta, these effects will be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. Effects of the BDCP will be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. See Master Response 18 for more information regarding agricultural impact mitigation. Please refer to Master Response 34 regarding the potential uses of water delivered via BDCP proposed conveyance facilities.
643	2	Fixing the water diversion pumps that already exist makes more sense to protect the fish. Habitat restoration also is a good idea and both these items would make financial sense. Please, do not ruin the Delta.	The comment does not raise any environmental issue related to the EIR/EIS. 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. 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.
644	1	I heard that the people of California will not have a vote on the Twin Tunnels. . . I cannot believe that is true. We have a vote on the SWP bonds, and other water related issues. When will we see it on the ballot? This fall of 2014?	Prior to construction of the proposed project, the EIR/EIS must be certified and adopted by the implementing agencies, and permits must be obtained. However, a public vote is not required to move forward. California Water Code section 12934, subdivision (d)(3), of the Burns-Porter Act and Water Code section 11260 of the Central Valley Project Act authorize DWR to build water facilities in the Delta, as part of the State Water Project, and give DWR broad discretion as to what those facilities may involve. Thus, DWR has the authority to build the proposed project without a public vote. Even so, the proposed project is the result of more than seven years' collaboration and consultation with numerous stakeholders, agencies, public water agencies and environmental organizations. The organizations that have participated in the Steering Committee, public meetings or written letters to provide input on the Plan include: American Rivers, Bay Institute, Defenders of Wildlife, The Endangered Species Coalition, Environmental Defense Fund, The Golden Gate Salmon Association, National Audubon Society, Natural Resources Defense Council, the Nature Conservancy, and Planning and Conservation League. The feedback was used to guide the development and subsequent revisions of the Proposed Project and its associated EIR/EIS to reflect concerns addressed from the various groups. All of the documents, studies, administrative drafts, and meeting materials have been posted online since 2010 in an unprecedented commitment to provide public access and government transparency. Although the RDEIR/SDEIS, EIR/EIS and much of the proposed project has been drafted by scientists working for a private consulting firm (ICF) working for the Lead Agencies, the Agencies' scientists have been intimately involved, and their judgments are reflected throughout the EIR/EIS and the proposed project itself. The State is most interested in putting forth the best project that meets the goals of ecosystem improvement and water supply reliability. To the degree that the current Plan is endorsed by some environmental organizations serves as confirmation that the proposed plan protects species, habitats and the Delta ecosystem in a way that is compatible with their goals. The website includes correspondence from agencies and NGOs received prior to the start of the formal comment period. Comments received during the comment period are to be included in the Final EIR/EIS. Please see Master Response 40 for additional detail on public outreach efforts that have been made on this project.

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645	1	I would like to comment on this insane plan. It is bad enough you want to take the water from Northern California and send it south, you let the chickens in the hen house proverbially. The Metropolitan Water Agency in charge of engineering the project, with little to no thought of what happens to the environment of Northern California water eco-systems. I have no problem sharing the water in wet years. I truly hope they tie this project up in court until it becomes so expensive they can build de-salination plants cheaper. Besides, why as taxpayers do we have to pay for making our region a giant salt pit and desert?	Since 2006, the project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. The project proposes to secure California water supplies and improve the Delta ecosystem by implementing a 9,000 cfs water diversion point in the north Delta, where its operations will provide for improved flows. Constructing new water diversion points in the north Delta with state-of-the-art fish screens and providing a means to transport water supplies under the Delta, rather than through sensitive natural channels, would help maintain reliable water deliveries for two-thirds of California's population while balancing the needs of the Delta ecosystem. The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. It is projected that water deliveries from the federal and state water projects under a fully-implemented project would be about the same as the average annual amount diverted in the last 20 years. As described in Appendix 3A, Section 3A.7, Results of Initial Screening of Conveyance Alternatives, EIR/EIS, desalination was included as part of Alternative B7. Issues related to desalination include land use impacts, costs, and substantial energy use requirements. Please see Master Response 4 regarding the development of alternatives, and Master Response 7 for further information regarding desalination.
646	1	I am a landowner with water rights north of the Delta. We are concerned that the full intentions of where the exporters intend to get the water from is being obfuscated in this process. Owens Valley comes to mind. I speak for many in the north part of the state: if the exporters think that they can take it, then there will be tremendously passionate resistance. If, on the other hand, they would like to procure the water in a fashion similar to the way that they worked with Palo Verde Irrigation District, then I think that they would find a suitable number of larger diverters to partner with.	Water supplies evaluated under Existing Conditions, No Action Alternative, and all alternatives only include water rights issued to the SWP and CVP over the past 80 years, as described in Chapter 5, Water Supply. No changes would occur to other water rights holders (see Section 5.3.1 of Chapter 5 of the EIR/EIS).
646	2	As it is now, there has been far too little mention of surface storage, namely Sites, as a tool for enabling more flexible operation of the system for the benefit of all, including wildlife, diverters, and exporters. There has been almost eerie avoidance of the question of where the water will come from, and there has been no progress in reaffirming basic water and area of origin rights for northern rights owners. Until these issues are out in the open and publicly addressed, those of us in the north are going to be skeptical and distrustful. Let us work together on this and do things the nice way rather than the not nice way.	While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of the FEIR/EIS, describes the potential for additional water storage. Please see Master Response 4 regarding the development of alternatives. Please see Master Response 6 for information on Demand Management. Please see Master Response 37 regarding water storage. Finally, please see Master Response 26 regarding upstream water rights.
647	1	Implementing Agreement will not be completed during the Public comment Period. Public comment will be made on a plan for which there is no financial commitment. If the Public is expected to comment on the plan it can't effectively since no commitment has been made.	The Draft Implementing Agreement for the BDCP was made available for public review on May 30, 2014 and the public review period was extended by 46 days until July 29, 2014, in order to accommodate a 60-day review period consistent with the California Natural Community Conservation Planning Act. As described in the May 5 2014 posting to the BDCP website, the delayed publication of the draft Implementing Agreement was related to availability of key individuals whose drought response duties required significant time commitments, resulting in delays in finalizing the draft BDCP Implementing Agreement. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project is no longer a NCCP or HCP, an implementing agreement was not released with the RDEIR/SDEIS or final EIR for the project. For more information regarding the Implementation Agreement please see Master Response 5.

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647	2	Water Code Section 85020 (b) The BDCP does not meet the intention of the water code. Corporate Agriculture continues to take more water instead of using effective water saving measures. Continued planting of permanent crops on unsuitable arid land does not conform to the water code.	The Water Code cited by the commenter is to achieving the coequal goals for managing the Delta: "(b) Protect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place." That is precisely what the BDCP was designed to do and now is the intent of the newly preferred alternative, the California WaterFix Project. Additionally, the Lead Agencies do not have local land use/zoning authority concerning what crops to plant. Appendix 1C, Demand Management Measures, of the Draft EIR/EIS, describes conservation, water use efficiency, and other sources of water supply, including recycled water. While these elements are not proposed as part of the project, the Lead Agencies recognize that they are important tools in managing California's water resources.
647	3	2009 Delta Reform Legislation: the BDCP has over 50 Significant and Unavoidable adverse impacts, BDCP violates the intent of the 2009 Delta Reform Legislation to protect the Delta as a place.	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. DWR notes that, to be implemented, the proposed project needs to address both habitat and water supply issues in order to comply with the Sacramento-San Joaquin Delta Reform Act, which made it state policy to manage the Delta in support of the coequal goals of water supply reliability and ecosystem restoration. For more information regarding the proposed project's compliance with the Delta Reform Act please see Master Response 31. For more information regarding significant and unavoidable impacts please see Master Response 10.
647	4	Chapter 31 table 31-1 of the Draft EIR/EIS. The total losses to the Delta region outweighs the benefit for the contractors that may receive the same water even in wetter years. The loss of more productive farm land in the Delta for a project that is controlled by water contractors only and the lack of inclusion of the 4 million people of the Delta region in the project is very questionable. Especially when independent studies show that cities of Southern California will not receive any more water.	The comment does not raise any environmental issue related to the 2013 DEIR/EIS.
647	5	California Advisory Committee on salmon and steelhead trout letter to the CA Department of Fish and Wildlife: Surveys show that since the Central Valley Project started that there has been a steady decline in both fish species. Also surveys of other fish species has shown a decline of 90 percent.	The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
647	6	The state did not do a cost benefit analysis. An independent analysis showed that the cost outweighed the benefit. Considering that the water contractors that started funding and are now backing off because of cost the taxpayers and regular water payers should not be saddled with the extremely high costs that will mainly benefit the corporate farms and now possibly oil companies to frack for oil.	Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the 2013 Public Draft BDCP EIR/EIS. A Draft BDCP Statewide Economic Impact Report has also been published, which indicates that the BDCP would result in a substantial economic net benefit to the State of California. When required, DWR would provide compensation to property owners for economic losses due to implementation of the proposed project. Construction of water conveyance facilities would be sequenced over approximately 10 years. Construction of individual components (e.g. intakes, tunnels) would range from one to six years. Temporary construction-related impacts include noise, visual, and transportation, among others. The construction-related impacts are disclosed in individual resource area chapters in the Draft BDCP Environmental Impact Report/Environmental Impact Statement (EIR/EIS). All impacts would be minimized and mitigated to the degree feasible and are described under each alternative in the RDEIR/SDEIS individual resource chapters and in the BDCP Appendix 3B, Environmental Commitments, EIR/EIS. An analysis of economic impacts of the proposed project, including impacts related to agriculture, recreation, water rates, and taxes are also evaluated and described in the Bay Delta Conservation Plan Statewide Economic Impact Report

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			(http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Draft_BDCP_Statewide_Economic_Impact_Report_8-5-13.sflb.ashx). Chapter 16, Socioeconomics, of the Draft EIR/EIS was revised based on the revised construction footprint for proposed water conveyance facilities, along with a refined set of construction cost and schedule assumptions developed for Alternative 4. Refer to Chapter 16, Socioeconomics, Section 16.3.3.9, in Appendix A for the revised analysis of Alternative 4. Additionally, one table from Draft EIR/EIS Appendix 16A has been incorporated into Appendix A.
647	7	The Environmental Water Caucus's Reduced Exports Plan proposes to retain cold water for fish in reservoirs. Salmon, steelhead, and trout need cold water for their existence. As California has grown in size, the dams that have been built on virtually every major river have significantly changed both upstream and downstream river flows; high downstream water temperatures are one of the damaging results. Temperatures of 57-67 degrees Fahrenheit (F) are typically ideal for upstream fish migration and 42-56 degrees (F) are ideal for spawning. Water temperatures over 70 degrees (F) can be lethal to anadromous fish but are common on major rivers in the summer. Some fish populations have been able to adapt and carry on spawning and rearing below these major barriers, though in much smaller numbers than previously. Because farms need the most water in the summer, water behind reservoirs is low by the fall when many of the remaining populations of migrating fish return to the rivers. At that point the lack of cold water is a clear threat to their survival. Many of these fish species are now listed under the federal Endangered Species Act (ESA), and maintaining water temperatures suitable for survival has become a critical part of the actions required under the ESA. This plan supports, as a conservation measure, the NMFS Biological Opinion recommendations for cold water releases on rivers connected to the Delta, such as the Sacramento, American, and Stanislaus rivers, as well as supporting regulations and legislation to retain sufficient water in other major reservoirs to support fish populations in Delta-connected rivers below dams. The latter would include the Trinity River, so long as the current management plan protections for the Trinity are complied.	For more information regarding alternatives to the proposed project please see Master Response 4. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
647	8	The Environmental Water Caucus's Reduced Exports Plan proposes to fund agencies with user fees. Agencies that benefit from any new or existing conveyance facilities should pay the full cost of the facilities, including mitigation costs. Costs of fixing the Delta and Estuary that are related to existing and planned water delivery systems, including related costs of environmental mitigation and restoration, should be financed by the agencies that deliver water and ultimately should be passed on to their retail customers. Cost responsibilities for land acquisition and restoration of river and Delta floodplains should be distributed 75 percent through a broad-based water use fee (applied to all agencies whose supplies are diverted from a river or the Delta watershed.) and 25 percent through public funds.	The proposed project is costly, but proponents have assessed the benefits as described in the funding sources. Notably, the water contractors benefitting from the proposed project and their constituents will bear all costs associated with constructing new conveyance facilities and mitigating for the impacts of those facilities. For more information regarding funding of the proposed project please see Master Response 5.

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		Agencies that divert water from the Delta should pay their fair share of maintaining and replacing the Delta levees on which they depend and for protecting water conveyance facilities. The share of Delta levee repair costs assigned to these agencies should reflect the extent to which the levee repairs are essential to ensuring uninterrupted diversions. In developing funding sources, special care should be taken that low income communities not be impacted by new fees and second, that appropriate set-asides be created to ensure that these communities can access funding needed to comply with new regulations and policies.	
648	1	Attached is a request for additional time to respond to the draft BDCP and draft EIR/EIS for BDCP, due to the delay in releasing an Implementation Agreement.	The Draft Implementing Agreement for the BDCP was made available for public review on May 30, 2014 and the public review period was extended by 46 days until July 29, 2014, in order to accommodate a 60-day review period consistent with the California Natural Community Conservation Planning Act. As described in the May 5 2014 posting to the BDCP website, the delayed publication of the draft Implementing Agreement was related to availability of key individuals whose drought response duties required significant time commitments, resulting in delays in finalizing the draft BDCP Implementing Agreement. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project is no longer a NCCP or HCP, an implementing agreement was not released with the RDEIR/SDEIS or final EIR for the project. For more information regarding the Implementation Agreement please see Master Response 5.
648	2	We are writing on behalf of the member organizations which are shown with this letter to request an extension for responding to the draft BDCP and draft EIR/EIS for BDCP. We request a minimum extension of 60 days which would extend the deadline into August, 2014. We are requesting this extension primarily so that the Implementation Agreement (IA) can be analyzed and commented on as an integral part of the plan, and coterminous with the EIR/EIS.	Please see response to Comment 648-1.
648	3	The Implementation Agreement is one of the foundational elements of this project and should succinctly describe the project's purpose; the project's financing plan; the project's biological goals; the project's operations; and the project's adherence to existing laws. Each of these elements is a mandatory requirement of a permissible project plan. The lack of the Implementation Agreement as an integral component of the project plan and the project's environmental documents is a clear indication to us of a fundamentally flawed project. It is the Implementation Agreement that defines obligations, provides assurances, ensures adequate funding, specifies responsibility for implementing measures, provides for enforcement and remedies for failure, and establishes the process for changes, among numerous other things. And these details reach into critical sections throughout the documents, from governance to finance to adaptive management to assurances to the very project description.	The Draft Implementing Agreement for the BDCP was made available for public review on May 30, 2014 and the public review period was extended by 46 days until July 29, 2014, in order to accommodate a 60-day review period consistent with the California Natural Community Conservation Planning Act. As described in the May 5 2014 posting to the BDCP website, the delayed publication of the draft Implementing Agreement was related to availability of key individuals whose drought response duties required significant time commitments, resulting in delays in finalizing the draft BDCP Implementing Agreement. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project is no longer a NCCP or HCP, an implementing agreement was not released with the RDEIR/SDEIS or final EIR for the project. For more information regarding the Implementation Agreement please see Master Response 5.
648	4	BDCP is incomplete without the IA because it does not specify any commitments the parties have made to fund and promote mitigation measures. As an impact analysis, the IA is required to be prepared concurrently with the EIS. Nevertheless, the parties to the	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. This comment addresses the 2014 Draft Implementing Agreement (IA), a document detailing the roles

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		BDCP have failed to produce even a draft IA specifying their individual commitments to ensuring the integrity of the project. This has resulted in the staggered or piecemeal environmental review that NEPA prohibits.	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.. The Draft BDCP and Draft EIR/EIS were made available to the public for a 228-day review period. The public review and comment period was effective December 13, 2013 through July 29, 2014. Additionally, the Draft Implementing Agreement (IA) was made available for a 60-day public review and comment period, effective May 30, 2014 through July 29, 2014. In response to public comments on the 2013 draft EIR/EIS, The Department of Water Resources and the Bureau of Reclamation published a partially Recirculated Draft EIR/EIS in 2015. The RDEIR/SDEIS included 3 new sub-alternatives that identified a new approach for ESA/CESA compliance. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project is no longer a NCCP or HCP, an implementing agreement was not released with the RDEIR/SDEIS or final EIR for the project, however if an HCP alternative is chosen the IA would be revised at a future date.
648	5	The BDCP has been described as the most complex HCP/NCCP permit application ever attempted. The integration of the IA with the EIR/EIS is essential, as is the time extension to adequately review and comment on the combined documents.	The Draft Implementing Agreement for the BDCP was made available for public review on May 30, 2014 and the public review period was extended by 46 days until July 29, 2014, in order to accommodate a 60-day review period consistent with the California Natural Community Conservation Planning Act. As described in the May 5 2014 posting to the BDCP website, the delayed publication of the draft Implementing Agreement was related to availability of key individuals whose drought response duties required significant time commitments, resulting in delays in finalizing the draft BDCP Implementing Agreement. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project is no longer a NCCP or HCP, an implementing agreement was not released with the RDEIR/SDEIS or final EIR for the project. For more information regarding the Implementation Agreement please see Master Response 5.
648	6	[ATT 1: Signatures and seals of supporting organizations.]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
649	1	The unavoidable and unmitigated damage to those of us in the impacted area should be reason to abandon this project.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
649	2	Regarding impacts of the proposed "dual tunnel project" As a Clarksburg rural resident, I have attended meetings and discussions with BDCP staff and representatives without assurances that our home, farm, and lifestyles will not be sacrificed to the unplanned consequences of the unmitigated effects of this undertaking.	Chapter 16 of the EIR/EIS and RDEIR/SDEIS Appendix A (Socioeconomics) identifies the unique features of the Delta and describes the potential effects on Delta communities. Please see chapter 15 for a discussion on impacts to recreation. Impacts to agriculture are identified and discussed in Chapter 14; lead agencies have proposed measures that would support and protect agricultural production in the Delta by securing agricultural easements and/or by seeking opportunities to protect and enhance agriculture with a focus on maintaining economic activity on agricultural lands. Please see Master Response 18 for more information on agricultural mitigation.
649	3	As listed in Chapter 17: Visual * An intake structure is mapped directly across the river from my home. A 3-6 story cement construction, even camouflaged by landscaping, will be an insult to the	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.

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		peaceful vista of the countryside and scenic highway.	
649	4	As listed in Chapter 23: Noise and Vibration Level *During construction it is planned to use pile drivers to secure the foundation during 6 days a week, up to 14 hours a day. The resonance of every impact will send shock waves through our buildings-shop, garage, barn, and house-not to mention the river levee protecting Merritt Island. There seems to be no avenue established to claim payment for damages inflicted by this process. A mitigation point suggested that prior to construction a complaint/response tracking program be initiated; however, no such system has been confirmed. *We cannot be protected from the construction sounds, nor from the eventually roar of pumps diverting the river flow. It should be noted that such dangerous sound levels exceed the county general plan restrictions on agricultural equipment.	From Appendix 3B, Section3B.5.5: DWR and contractors hired to construct any conveyance components of the project will implement a site-specific noise abatement plan to avoid or reduce potential construction-, maintenance-, and operation-related noise impacts. This section also includes environmental commitments to reduce noise levels where exceedances are anticipated to occur.
649	5	As listed in Chapter 7 (also noted in Chapters 5 & 8): Ground water: as ground water is tapped for the construction and maintenance of the tunnels, the aquifer which supplies our wells will unavoidably be degraded in volume and quality. The suggestion (made by staff at public meetings) that each homeowner could deepen and/or re drill their well was fiscally and practically impossible and dismissive. I believe that there are solutions to the water dilemma that would not destroy one productive area of the state to benefit another area that has embarked on industry without proper resources.	As described in Section 7.3.3 of Chapter 7, Groundwater, of the EIR/EIS, groundwater wells in the Delta could be adversely affected during construction due to groundwater dewatering at the construction sites. Groundwater during operations of alternatives with the Intermediate and Byron Tract forebays could rise and affect groundwater drainage processes due to seepage from the forebays. These impacts could be reduced by implementation of mitigation measures identified in Chapter 7 by the project proponents (including deepening of wells under Mitigation Measures GW-1); however, impacts may remain because pre-construction conditions may not be achievable.
650	1	The League of Women Voters of California (LWVC) appreciates the opportunity to comment on the Bay Delta Conservation Plan (BDCP, or plan) and its draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). We have analyzed the BDCP from the perspective of our state and national League consensus positions on water resources, agriculture, energy, and land use. Our positions are the result of League studies and long-time member involvement in these issues. Although we acknowledge the considerable financial and technical resources expended on the draft EIR/EIS, we believe the draft EIR/EIS is inadequate because it has resulted in a preferred alternative that is unlikely to meet the coequal goals of ecosystem restoration and water supply reliability. We ask that you not certify the draft EIR/EIS because of the likelihood that the plan will fail to meet both coequal goals, and because of inadequate disclosure of impacts arising from critical issues.	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 2009 Delta Reform Act requires that the Sacramento-San Joaquin Delta be managed in a way that balances human needs with those of the Delta ecosystem. The proposed project has been developed over more than seven years in collaboration with agencies, independent scientists and stakeholders to ensure that the conservation strategy meets the requirements of the Delta Reform Act, and ensure that the future management of the Delta meets ecosystem and water supply needs for the Delta and the 25 million Californians who rely on water supplies that flow through the Delta. For more information about compliance with the Delta Reform Act, see Master Response 31 and Final EIR/EIS Appendices 3I and 3J. Please see Master Response 4 for more information on the development of alternatives.

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650	2	Over-allocation of waters/water rights within the watersheds feeding into the Delta, plus the maximum contracted flows planned for export to contractors, exceed the long-term hydrologic capacity of this water resource, and the BDCP compounds these mistakes. We find the stated project objective of meeting the full contract amounts of the State Water Project and Central Valley Project unrealistic, given the hydrologic history of California: Restore and protect the ability of the SWP and CVP to deliver up to full contract amounts, when hydrologic conditions result in the availability of sufficient water, consistent with the requirements of State and federal law and the terms and conditions of water delivery contracts and other existing applicable agreements. (Public draft BDCP EIR/EIS, Chapter 2, p. 3). So long as this remains a stated objective, reducing reliance on the Delta will not be achieved. The statement from the Executive Summary of the plan, "The geographic scope of the Plan Area encompasses the Sacramento-San Joaquin Delta, as defined in California Water Code Section 12220 . . .," implies that this plan is designed to ignore the actual watersheds of the Sacramento River. The assumption that there will always be water to move through the tunnels is problematic, considering the DWR climate change models that project the greatest loss of the snowpack will occur in the watershed of the Feather River, source of the water stored behind Oroville Dam.	The proposed project does not seek any new water rights nor include any regulatory actions that would affect water rights holders other than DWR, Reclamation, and SWP and CVP contractors. Please see Master Response 32 for additional information regarding effects on water rights. The proposed project only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. More information on the ranges of BDCP water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Conservation Strategy, 2013 Public Draft BDCP (on page 3.4-17). Detailed limitations and operational criteria can be found in DWR's State Water Resources Control Board Permit D1641 and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits. Please see Master Response 35 regarding water supply and water conservation efforts in areas receiving exports from the Delta. California Waterfix would help to address the resilience and adaptability of the Delta to climate change through water delivery facilities combined with a range of operational scenarios. The project does not propose to fix all of California's water issues. The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species - all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Water Action Plan please follow http://resources.ca.gov/california_water_action_plan/. Future committees for project implementation may provide future opportunities for innovative input as well. Comparison of conditions under the No Action Alternative and Existing Conditions in the impact analysis indicates that water supply availability would change due to the effects of climate change and population growth in the upstream Delta watershed, including reduction in SWP and CVP water supplies south of the Delta. As shown in Tables C-11-2 through C-11-12 in Appendix 5A, Section C, of the Final EIR/EIS, there are multiple months under Alternatives 1 through 5, 7, and 8 in which very little water is diverted at the north Delta intakes.
650	3	Failure to Meet the Delta Vision Strategic Plan and the Delta Reform Act of 2009- The BDCP is not consistent with the "coequal goals" of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The Delta Vision Strategic Plan ("Delta Vision Strategic Plan," prepared by the Blue Ribbon Task Force created by Governor Schwarzenegger's Executive Order S-17-06, and released by the State of California Resources Agency, October 2008.) calls for the state to "Legally acknowledge the co-equal goals of restoring the Delta ecosystem and creating a more reliable water supply for California" and sets forth the following strategy and actions, among others: Strategy 1.1: Make the co-equal goals the foundation of Delta and water policy making. Action 1.1.1: Write the co-equal goals into the California Constitution or into statute. Action 1.1.2: Incorporate the co-equal goals into the mandated duties and responsibilities of all state agencies with significant involvement in the Delta. Action 1.1.3: Require the achievement or advancement of the co-equal goals in all water, environmental, and other bonds, and operational agreements and water	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. See Master Response 31 and Final EIR/EIS Appendices 3I and 3J for information about compliance with the Delta Reform Act. Please see Master Response 4 regarding the range of alternatives analyzed in the EIR/EIS The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Final EIR/EIS Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. The proposed project is not the sole project in California tasked with solving California's water supply future. The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species

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		contracts or water rights permits, that directly or indirectly fund activities in the Delta. The subsequent Delta Reform Act of 2009 (Added by Stats. 2009, 7th Ex. Sess., Ch. 5, Sec. 39. Effective February 3, 2010, as codified in the California Water Code (CWC), Division 35, starting at section 85000.) defines "coequal goals" (CWC, section 85054.) as: "two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place." The Delta Reform Act of 2009 also calls for reduced reliance on the Delta through investments in improved regional supplies, conservation, and water use efficiency. (CWC, sections 85021 and 85004(b). We believe that large public investments in interbasin water transfers must be informed by a recognition that California's water resources have been over-allocated (see above) by as much as five times. Additional options for water supply reliability should include groundwater management, watershed and forest management for water capture, conjunctive use of surface and groundwater, and more conservation and improved water use efficiencies.	that depend on the Delta. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project.
650	4	We believe that the BDCP is not consistent with the Delta Vision Strategic Plan and the Delta Reform Act of 2009, in that it is not a realistic plan that will meet the coequal goal of restoring the Delta ecosystem. In addition to their relying on unrealistic flows of water, we believe that the plan and associated draft EIR/EIS are inadequate for the reasons given in the subsequent sections: Ecosystem Restoration -- The plan is missing updated flow objectives, a key factor in the success of habitat restoration. Water Supply Reliability -- More encouragement is needed for the state, local governments, and urban and agricultural end-users to conserve and improve efficiencies before resorting to dual tunnels under the Delta. Finances -- The BDCP does not demonstrate that funding all elements - in particular, habitat restoration - will be realistically achieved. Governance -- Agencies and advocates for natural resources need to be elevated in the proposed governance structure to ensure that ecosystem restoration actually has coequal status under the BDCP.	Please see Master Response 31 and Final EIR/EIS Appendices 3I and 3J for information about compliance with the Delta Reform Act, and Master Response 5 regarding BDCP funding, governance structure and implementation.
650	5	Ecosystem restoration -- the plan is missing updated flow objectives, a key factor in the success of habitat restoration. The current proposal is to begin construction of a facility with a 9,000 cubic feet per second capacity before an updated determination is made of flows necessary to protect fisheries. The Delta Reform Act mandated completion some years ago of the new flow criteria. While recognizing that these flow criteria may not be considered pre-decisional with regard to consideration of permits, we stress that without them certain important decisions would be left to permittees-permittees whose primary goal is to deliver up to full contract amounts of export water, not to operate the facility to benefit habitat. As long-time advocates of placing limits on water that is exported through and around	As described in Section 3A.9.4.2 of Final EIR/EIS Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, a potential alternative based upon the State Water Resources Control Board 2010 Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem was considered during development of the range of alternatives to be evaluated in detail in the EIR/EIS. This potential alternative was not evaluated in detail because the flow recommendations in the 2010 report could not be achieved without adverse impacts to cold water management for fisheries in the Sacramento, Feather, and American rivers, and without reductions in non-SWP and non-CVP water rights diversions. The purpose and need of this EIR/EIS would not allow changes to these water rights users. In addition, the 2010 report stated that "Any process with regulatory or adjudicative effects must take place through the State Water Board's water quality control planning, water rights processes, or public trust proceedings in conformance with applicable law. In the State Water Board's development of Delta flow

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		the Delta, we believe that proceeding with the preferred alternative before updated flow objectives are established and implemented will not protect the Bay-Delta ecosystem.	objectives with regulatory effect, it must ensure the reasonable protection of beneficial uses, which may entail balancing of competing beneficial uses of water, including municipal and industrial uses, agricultural uses, and other environmental uses." The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. 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, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Final EIR/EIS Appendix 1C, Water Demand Management). These projects would also be considered for SWP and CVP water users under the alternatives that provide water supply reductions as compared to the Existing Conditions and the No Action Alternative due climate change/sea level rise and/or the preferred alternative.
650	6	Water supply reliability -- more encouragement is needed for the state, local governments, and urban and agricultural end-users to conserve and improve efficiencies before resorting to dual tunnels under the Delta. We are concerned that construction of the dual tunnels, which represents a substantial investment by beneficiaries, will drastically reduce incentives for urban, agricultural, and other users to do all they can-through conservation, recycling, and development of regional water sources-to reduce reliance on the Bay-Delta freshwater flows. We acknowledge that both urban and agricultural districts have made strides in these areas. However, as long as it is easy to move water under the Delta, we see no discernible incentive for the permittees to put the same financial resources into conservation and recycling that they have invested in the BDCP preferred alternative. In acknowledging progress over the past two decades by the urban sector to recycle treated wastewaters, we understand that government leadership-including financial support from the federal, state and local levels-has been important in realizing accomplishments such as the Edward C. Little Water Recycling Facility in the south bay of Los Angeles County. We believe that there is significant additional potential to conserve water and improve water use efficiencies, and that state and local governments must take more action to achieve this potential. For example, in the urban sector, ramped-up efforts to establish a new landscape norm can significantly cut consumption. To reiterate, should efforts be concentrated on the large structural twin tunnels in the preferred alternative, we expect that valuable incentives to maximize conservation and opportunities to develop integrated regional water management planning for efficient water use will be lost.	The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species — all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Action Water Plan please follow http://resources.ca.gov/california_water_action_plan/. Future committees for the Proposed Project implementation may provide future opportunities for innovative input as well. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. Follow the California Water Plan here: http://www.waterplan.water.ca.gov/. Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, Final EIR/EIS, describes the range of conveyance alternatives considered in the development of the EIR/EIS. Appendix 1B, Water Storage, Final EIR/EIS, describes the potential for additional water storage and Appendix 1C, Water Demand Management, Final EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage.
650	7	Finances -- the BDCP does not demonstrate that funding all elements - in particular, habitat restoration - will be realistically achieved. We have concerns about the proposed funding for ecosystem restoration over the 50-year life of the preferred alternative. A Habitat Conservation Plan (HCP) is required to identify funding for its implementation; funding must be sufficient for all proposed activities, and all financial contributors and planned allocation of funds must be identified. As we prepare these documents, there is no Implementing Agreement specifying these funding matters, and we will not see one in time for adequate public review before the close of the BDCP and draft EIR/EIS comment period.	Please see Master Response 5 regarding BDCP project funding. The preferred alternative, Alternative 4A, does not include an HCP/NCCP and has significantly less habitat restoration proposed. All costs of the proposed project will be paid for by the state and federal water contractors who rely on Delta exports.

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		Initial state funding will largely come from two new water bonds, the first proposed for the 2014 statewide ballot. Federal funding is expected to come mostly from the same sources and authorizations used in the past to support Delta restoration efforts. New federal funding authorizations will also likely be needed to support the BDCP. (BDCP Executive Summary, p. 26) In raising our concerns regarding inadequate financing, we asked the Department of Water Resources (December 6, 2013) if construction of the preferred alternative could begin if voters do not approve the anticipated water bonds. The answer was that full funding for habitat restoration is not required before the water conveyance facility can be built and operated. Again, we find this aspect of the BCDP to be inadequate to ensure that the required goal of habitat restoration can be met.	
650	8	Governance -- agencies and advocates for natural resources need to be elevated in the proposed governance structure to ensure that ecosystem restoration actually has coequal status under the BDCP. Successful governance and the very best science are central to pursuit of the coequal goals of ecosystem restoration and water supply reliability. We believe the proposed governance system needs to be improved. The fishery agencies, other resource agencies, and non-agency parties impacted by the projects need to be elevated so that they have an equal voice in the top tier of the decision makers and the decision-making process regarding how the state and federal projects are operated and how habitat restoration projects are implemented. The adaptive management strategy needs to be more fully described. Experiments in tidal marsh and in-delta restoration, alternative fish screen designs, and other elements of any BDCP plan should have a proven record of success before any BDCP alternative goes forward. We do not believe these documents are adequate as a basis for issuing permits. The Endangered Species Act requires that a Habitat Conservation Plan contribute to the recovery of endangered and threatened species, and the California Fish and Game Code requires that a Natural Communities Conservation Plan assist in providing for the conservation of covered species. We are not persuaded that the BDCP can meet those requirements because of problems with the adaptive management strategy and governance.	Please see Master Response 5 for a discussion of the governance structure proposed in the 2013 public draft BDCP and a discussion of the feasibility of restoration targets. Note that the regulatory standard for the federal ESA authorizations is not recovery of the covered species. Please also see Master Response 33 for a discussion of the adequacy of the adaptive management program. The federal ESA standard is to "minimize and mitigate the impacts of the taking [of the covered species] to the maximum extent practicable." Only the state NCCP Act requires that applicants contribute to the recovery of the covered species. The preferred alternative, Alternative 4A, no longer includes an HCP. A detailed description of the Collaborative Science and Adaptive Management Program is included in Chapter 3, Description of Alternatives, of the Final EIR/EIS.
650	9	The League of Women Voters of California believes that, before construction of any large-scale infrastructure for the Bay-Delta, technical and financial resources must be made available to maximize statewide efforts for conservation, recycling, watershed management, regional water supply development, completion of delta habitat restoration already underway, and for any other measure that will reduce reliance on Bay-Delta exports now and in the future. Further, we recommend that the information generated by the current BDCP planning process be utilized by the Department of Water Resources to develop a Bay-Delta management regime that will fairly balance all the needs and uses of water resources in the state, without a bias toward the contractors for the State Water Project and the Central Valley Project.	See Response to Comment 650-6.

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652	1	Please oppose the Delta Tunnels. I do not live in the Delta region but I attended one of the presentations by the state here in Sacramento. I understand that there is a better solution in a proposal by Robert Pyke to take Delta water at Sherman Island instead of the Peripheral Canals.	The Western Delta Intake Concept proposal is discussed in Appendix 3A, Section 3A.11.4, Pyke Proposal, EIR/EIS. The project is not the Peripheral Canal (refer to Master Response 36). Refer to Master Response 4 regarding selection of the alternatives analyzed. The environmental documentation and project approval will be acted upon by the decision makers from each lead agency at the conclusion of the CEQA and NEPA processes.
652	2	All the proposals seem pretty bad. Davis will be taking more water out of the Sacramento. East Bay Municipal Utility District has started drawing water out around Freeport or someplace nearby. Dickinson's AB 134 has committed to giving Southern California and the various water merchants in the Central Valley more water rights in exchange for their helping pay for an improved sewage plant in Sacramento… so that developers can get cheaper permits in Sacramento.	Please see Master Response 4 regarding alternatives development and the range of alternatives analyzed in the EIR/EIS. The BDCP/CWF is not the sole project in California tasked with solving California's water supply future. The BDCP/CWF is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The BDCP/CWF is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and improving the Delta ecosystem.
652	3	Salinization is getting worse and worse in the Delta. No one has identified how much water will go to fracking out the oil in the Monterey Shale since the oil mining companies can probably outbid the farmers. If the Delta tunnels go ahead, salinization will just get worse and worse. Water depth and quality will get worse and worse for salmon. The only reason the central valley and Southern California wants these is because the water is getting pretty salty where it is currently being pulled out... not because they want to save the smelt.	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.
653	1	While the BDCP proposes expansive restoration (BDCP Chapter 3), it is overly optimistic about its ability to accurately predict the initial and long-term consequences of restoration (BDCP 3.1.3.3). Ecosystem restoration does not always proceed along a predictable trajectory (Zedler and Callaway 1999). Temporal variation can often influence the outcome of restoration work, making the results of any one study difficult to generalize (Vaughn and Young 2010). The BDCP should do more to acknowledge this uncertainty inherent in all restoration work. As a specific example, the BDCP assumes that restoring tidal marsh will produce food inputs to open waters where the Delta and long-fin smelts reside (BDCP 3.4.4). However, whether food originating in the tidal marsh will adequately supplement open water resources remains an unanswered question. Other organisms in the tidal marsh, such as native microzooplankton and clams, may eat much of the additional food (e.g., Lopez et al. 2006). The BDCP in fact acknowledges that invasive clams may eat phytoplankton in the tidal marshes, but then does not discuss how this will affect restoration results. While such uncertainties do not guarantee that the proposed restoration will not benefit the smelts and other species, these unanswered questions do demonstrate unequivocally that the BDCP should better prepare for unexpected restoration outcomes. The BDCP needs to more thoroughly incorporate both uncertainty and the best available scientific information into its restoration programs. In its development of an adaptive management plan, the BDCP has recognized some uncertainty in its restoration practices (BDCP 3.1.3). However, further steps can be taken to increase the flexibility of the adaptive management plan and mitigate the potential for failing to reach restoration goals by including back-up restoration plans from the beginning.	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 (known as the BDCP) 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. As discussed in RDEIR/DEIS Section 4, habitat restoration amounts have been greatly reduced under Alternative 4A and are primarily intended to serve as mitigation under CEQA and state and federal Endangered Species Acts . RDEIR/DEIS Section 4.1.2.4 describes the Collaborative Science and Adaptive Management Program developed to address scientific uncertainty regarding the Delta ecosystem, including the effects of CVP and SWP operations and the related operational criteria. DWR, Reclamation, DFW, USFWS, NMFS, and the public water agencies would establish a robust program of collaborative science, monitoring, and adaptive management under this program. For additional information regarding the use of adaptive management to address scientific uncertainties and adverse effects, please refer to Master Response 33 (Adaptive Management and Monitoring). For more information regarding BDCP-related issues please refer to Master Response 5.
653	2	While we [the Society for Conservation Biology, Davis Chapter] applaud inclusion of	RDEIR/DEIS Section 4 discusses the Collaborative Science and Adaptive Management Program (described

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		adaptive management in the BDCP (BDCP 3.1.3, 7.1.6), adaptive management is seldom used effectively due to poor understanding of the uncertainty involved, leadership problems, bureaucratic hurdles, and lack of resources (Walters 2007). In the Delta, the multitude of agencies with overlapping jurisdictions, strict control of water flows, and slow processes involved in enacting change (Mount et al 2013) mean that appropriate responses to adaptive management experiments may be impossible. No management action should be undertaken without scientific support. However, lengthy studies are often extended simply because they are cheaper and more politically feasible than action (Lund 2012). The planned Adaptive Management Team should have greater power to act independently with the same level of authority as the Authorized Entity Group (BDCP 7.1.3). It should also coordinate the sharing of existing resources and scientific data between agencies .	above in response to comment 653-1) proposed as part of Alternative 4A, including the Collaborative Adaptive Management Team. As described in the RDEIR/DEIS, results from the collaborative science produced under the program would inform policy makers from the agencies implementing or overseeing the proposed project. These policy makers would determine whether and how to act on the information within the regulatory contexts of the biological opinions, 2081b permits, and other relevant authorizations (e.g., Corps permits, State Board authorizations). The collaborative science effort would build on the progress being made by the existing Collaborative Science and Adaptive Management Program (CSAMP) that was established to make recommendations on the science needed to inform implementation of or potential changes to the existing BiOps for the SWP and CVP operations, and proposed alternative management actions. The CSAMP process and its Collaborative Adaptive Management Team rely on the Delta Science Program to provide independent peer review of both science proposals and products.
653	3	Adaptive management is generally a mechanism for dealing with uncertainty in management outcomes. However, in Chapter 6.4 of BDCP, the plan specifies that in the event of unforeseen circumstances U.S. Fish and Wildlife Service and National Marine Fisheries Service cannot place any new restrictions on land or water use. While the no surprises rule and associated financial assurances are understandable incentives for stakeholder agreement (BDCP 6.4.1), water restrictions may be the only mechanism to protect endangered species in the event of extreme drought (Moyle et al 2012). To maximize the chances that the plan meets its restoration goals, a mechanism will be needed to re-negotiate water contracts should unforeseen circumstances jeopardize success.	Operations for the proposed project would be consistent with the criteria set by the FWS (2008) and NMFS (2009) Biological Opinions (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 (RDEIR/SDEIS Executive Summary ES.2.2). The proposed intakes would only be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. Flow criteria will be applied month by month and according to water year type. More information on the ranges of water project diversions, based on water year types and specific flow criteria, can be found in Draft EIR/EIS Chapter 3, Conservation Strategy. Monitoring for compliance with D-1641 requirements or any future requirements for SWP/CVP water supply operations would be conducted year-round in the future under the proposed project. The State Water Resources Control Board, not DWR, is responsible for decisions relating to water rights. DWR holds water rights approved by the State Water Resources Control Board but does not have the power or authority to issue water rights to others. Additionally, the proposed project does not seek any new water rights nor include any regulatory actions that would affect water rights holders other than DWR, Reclamation, and SWP and CVP contractors.
653	4	Flow regime is considered the primary determinant of the structure and function of aquatic ecosystems (Bun and Arthington 2002, Poff et al 2010). While the BDCP discusses the difference between the historical and current hydrograph (see BDCP 2.2.1 and 2.3.3.3), it does not focus on the restoration of the natural hydrograph or increasing outflows from the Delta (see BDCP 5.3.1). Delta water exports and diversions have increased dramatically since the 1950s and 1960s when export facilities were constructed (Healey et al. 2008). A north Delta pumping station will reduce the flow reversal and saltwater intrusion caused by the south Delta station location (BDCP 5C.5.3.8). Currently, in times of low flow, saltwater from the estuary gets pulled back towards the south Delta pumps due to proximity and lack of freshwater outflow. Despite this benefit of a north station, the BDCP has not addressed the potential issue that a north Delta station could reduce the outflow of water entering the central Delta from the Sacramento River (see discussion of Delta Outflow requirements in BDCP 5C.A.4.1.2, North Delta Intake Diversions in 5C.A.4.4, Simulated North Delta Intake Diversions in 5C.A.6.3.1, and Delta Outflow and X2 in 5C.A.4.16). The south Delta pumping station allows for all-of-the Sacramento River outflow to enter and pass through the Delta. Sufficient outflows are necessary to maintain water quality and to prevent saltwater intrusion (Herbold and Moyle 1989). Native fish communities are also associated with high river flows in the Delta, while nonnative species are more likely to thrive in low flow and warm water conditions (Feyrer and Healey 2003). A north Delta station will reduce	Alternative 4A does not include changes to upstream operations. It proposes to maintain spring and fall outflows consistent with the No Action Alternative, and to implement a Collaborative Science and Adaptive Management Program (described in RDEIR/DEIS Section 4), which would be used to investigate the outflow needs of fish among other topics. Additionally, the EIR/EIS relies on available scientific relationships between flow and fish to assess the effects of the proposed changes in hydrodynamics. For additional description of upstream reservoir effects under Alternative 4A, please refer to Master Response 25. It should be noted that outflow is not specifically linked to CVP and SWP operations, as there are other users that affect outflow and other system-wide operations. The State Water Resources Control Board (SWRCB), not DWR, is responsible for decisions relating to water rights. DWR holds water rights approved by the SWRCB but does not have the power or authority to issue water rights to others. As part of the SWRCB's ongoing update of the Bay-Delta Plan, the outflow needs for beneficial uses will be reviewed. Alternative 4A would comply with the outcome of this update.

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		Sacramento River outflows into the central Delta and potentially affect Delta water quality and fish communities. In the Delta, the natural flow regime varies dramatically intra- and inter-annually. Increased outflow during the winter flooding and spring snowmelt pulse is an especially important cue for migratory fishes (del Rosario et al. 2013), which the BDCP minimally addresses in sections 5.5.4.2.2 and 5.5.3.2.1-2. Alteration of pulse flows will affect the outmigration ability of salmon smolts and the homing ability of spawning adult migrants. The BDCP addresses the issue of the location of the export diversions affecting migratory cues, but it does not address the overall reduction of spring pulses. By storing water upstream from winter rains and spring snowmelt and releasing it throughout the summer and early fall, the natural annual pattern of variation in flow, temperature, and salinity throughout the system is disrupted (Herbold and Moyle 1989). Mimicking the natural flow regime through changing timing of dam releases, even with a minimal increase in water export, has been shown to dramatically improve conditions for native species in California (Marchetti and Moyle 2001), and the same principle could be applied here. The BDCP does not sufficiently address the need to manage upstream dam releases to follow a natural hydrograph.	
653	5	The BDCP claims that ecosystem enhancement actions will contribute to the recovery of state and federally protected species in the region (i.e. BDCP Executive Summary pp. 10, 36; 3.3-39; 3.3-58; 3.3-60). However, restoration and enhancement activities that benefit some species may have neutral, or even negative effects on others. For example, planned tidal restoration in the Suisun Marsh will most certainly benefit fish, but may or may not benefit the state and federally endangered salt marsh harvest mouse (Reithrodontomys raviventris) as stated in the BDCP. While they are listed under "community" headings, many of the goals in the BDCP come down to "creating acres," with little specification as to how that links to the community (i.e. Conservation Measures 3 and 11; .3.3-9). With a "if you build it, they will come' outlook, the BDCP requires that adaptive management takes place during implementation, but does not outline alternatives to restoring tidal wetlands if this restoration does not have the desired effect. Furthermore, almost 50% of the tidal restoration proposed within the plan is slated to occur in Suisun Marsh. Most of the Suisun Marsh is already serving as suitable habitat for many species, so resources might be better used to improve poor quality habitat (Sustaita et al. 2011). A more logical conservation strategy for salt marsh harvest mice is to restore poor quality habitat such as old salt ponds, where there are clearly no mice present, than to restore diked wetlands that already support large populations of mice. The BDCP proposes about 150,000 acres of habitat restoration and enhancement. Approximately 6,968 acres, 23% of all remaining potential salt marsh harvest mouse habitat, will be affected (Josselyn 1983, BDCP Executive Summary pp. 64). The BDCP acknowledges that restored tidal wetlands "could take decades" to mature and become suitable habitat for salt marsh harvest mice (BDCP 3.3-218). This means that almost 1/4 of the salt marsh harvest mouse habitat could be unusable by mice for dozens of generations. Additionally, almost 1,000 acres, more than 3% of remaining salt marsh harvest mouse habitat, will become subtidal and will be lost completely (BDCP Executive Summary pp. 64). Despite these drastic effects on salt marsh harvest mouse habitat, the monitoring requirements on salt marsh harvest mice are weak. The BDCP stipulates that monitoring take place within 6 months of enhancement actions (i.e. BDCP 3.D-23, -31). Six months could be up to 6 generations of mice or other species with short generation	Under Alternative 4A, habitat restoration and preservation would be limited to what is needed to mitigate the impacts of the construction and operation of the proposed water conveyance facility. RDEIR/DEIS Section 4.1.2 describes the project components of Alternative 4A, which includes Environmental Commitment 4 (Tidal Natural Communities Restoration). This action would entail restoration of up to 59 acres of tidal natural communities (including transitional uplands), none of which are assumed to occur in the Suisun Marsh area. Tidal habitat restoration would mitigate for the physical loss of aquatic habitat associated with construction of the north Delta intake facilities. RDEIR/DEIS Section 4.3.8 evaluates the effects of Alternative 4A on terrestrial biological resources, including the salt marsh harvest mouse. As discussed in detail in Section 4.3.8, water conveyance facilities and Environmental Commitment 4 activities would not be implemented within or adjacent to Suisun Marsh, avoiding the only portion of the study area where the species is known to occur.

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		times (i.e. ADW 2014). If monitoring does not occur directly following activities it may be unclear whether negative effects, such as population bottlenecks, are taking place. Additionally, there is no pre-monitoring required, so there is no baseline to compare post-restoration monitoring to determine efficacy of restoration. Small mammal monitoring is time intensive, and it is important that is it undertaken correctly to evaluate the restoration and enhancement goals of the BDCP. Finally, much of the BDCP, as it relates to the salt marsh harvest mouse, is based on untested assumptions. For instance, 6,100 acres of good quality diked wetlands are to be restored, with the assumption that tidal marshes are superior habitat for the salt marsh harvest mouse than diked wetlands. There are currently no data supporting this assumption. In the Species Account section of the plan the BDCP cites published data showing that salt marsh harvest mouse populations in diked wetlands can exceed those in tidal wetlands in the Suisun Marsh, yet claims that tidal restoration in Suisun will "substantially increase suitable habitat" in the Conservation Strategy section (BDCP 2A.14-2, 3.3-60; Sustaita et al. 2011). There are also more cost efficient and less risky options for tidal enhancement that are not explored in the plan, such as allowing muted tidal marshes to accrete without breaching levees, by simply leaving control gates open. Though it is not the fault of the writers of this plan that data on the salt marsh harvest mouse is lacking, putting this much emphasis on tidal restoration in the Suisun Marsh is a potentially dangerous gamble for the species. While it cannot be denied that habitat enhancement will likely improve the ecosystem, it is clear that when it comes to the salt marsh harvest mouse, the literature used in the BDCP seems to have been cited selectively to build support for the mitigation goals that will allow water diversion plans to proceed. BDCP claims plan actions will benefit the salt marsh harvest mouse (i.e. BDCP Executive Summary pp. 10, 36; 3.3-39; 3.3-58; 3.3-60). However, those claims are based on untested assumptions. Before implementing costly restoration actions that may or may not benefit mice, numerous pilot studies need to be conducted, which the BDCP initially acknowledges, but does not develop in any detail. It should be understood that while the salt marsh harvest mouse may benefit from ecosystem improvement efforts outline in the BDCP, this is by no means guaranteed and it is unmerited to use the species as a flagship beneficiary.	
654	1	We (Diana and Ernie Bachelor) are writing to express our opposition to the construction of the two water diversion tunnels in the Delta. Our first concern is that it will destroy a jewel of an area by taking out of production farmland and replacing it with beaucoup acres of muck. It seems heartless to put families who have farmed for generations out of their homes and livelihood.	The commenter is referred to Section 3B.1.19.4. Material Reuse Plans in Appendix 3B, Environmental Commitments, in the EIR/EIS, which describes the ways in which Reusable Tunnel Material (RTM) (i.e., tunnel muck) and other earthen materials would be used and therefore the general types of locations to which the material could be taken. Precise locations where RTM would be taken are presently unknown. Use of the material and therefore the types of locations where it would be taken would follow the guidelines described in Table 3C-7. Borrow, Spoils and Reusable Tunnel Material Storage in Appendix 3C: Construction Assumptions for Water Conveyance Facilities in the EIR/EIS. In order to be legally conservative, the draft EIR/EIS analysis assumes RTM would be permanently placed at the locations shown in Mapbook Figures M3-1 through M3-4, although it is the intent to reuse as much RTM as possible for levee and construction site fill and potentially for fill in restoration sites proposed under the Plan. Decisions about where, within the BDCP Plan Area, RTM might be used will only be made after additional environmental analysis is completed and additional public input is sought and obtained. Additionally, although both the construction of new physical facilities in the Delta and the restoration of habitat will lead to the conversion of some amounts of agricultural land in the Delta, effects of the BDCP will

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			be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. Effects on farmland in the Delta, along with associated mitigation measures, are described in Chapter 14, Agricultural Resources, of the EIR/EIS. See Master Response 18 for more information regarding agricultural impact mitigation.
654	2	This emphasis on tunnels does not include other provisions i.e. reservoirs, dams and real water use and conservation.	While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of the 2013 Public Draft EIR/EIS, describes the potential for additional water storage. 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 EIR/EIS and Master Response 6 for more information regarding demand management.
654	3	It is ironic that the final part of the proposed plan is to restore the Delta. We would like to see what the term habitat restoration means for the Delta.	Please see BDCP Chapter 1 for an overview of habitat restoration plans and anticipated outcomes. Specific details regarding the habitat problems found in the Delta are presented in the "Problem Statement" section of each of the conservation measures (BDCP Section 3.4) and the BDCP strategy to remediate those problems is presented in the "Implementation" section of each of the conservation measures. All of the conservation measures achieve some measure of habitat restoration; measure CM1 deals with water flows as habitat, measures CM2 to CM12 deal with land areas as habitat, and measures CM13 to CM21 deal with water quality and aquatic biology as habitat. The expected effects of BDCP on each covered species and its habitat are detailed at great length in BDCP Chapter 5 and its supporting appendices. Please see Master Responses 5 and 4 for additional detail on the BDCP and the alternatives involving an HCP component. 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. The EIR/EIS analyzes all alternatives, including Alternative 4A.
654	4	How ironic is it to destroy agriculture in one area to save it in another?	Although both the construction of new physical facilities in the Delta and the restoration of habitat will lead to the conversion of some amounts of agricultural land in the Delta, they will not destroy agriculture in the Delta and effects of the BDCP will be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. Effects on farmland in the Delta, along with associated mitigation measures, are described in Chapter 14, Agricultural Resources, of the EIR/EIS. See Master Response 18 for more information regarding agricultural impact mitigation.
655	1	Chapters 6 on surface water, Chapter 7 on ground water and Chapter 8 on water quality: All these discussions point out the potential for degradation of current river, slough, and underground water sources. My concern is that the unavoidable lowering of the river level near the intake stations would make irrigation pumps unusable without major replacement, realignment, or repair. Our pre-1914 riparian claims to natural river flows are being dismissed in the event that cubic feet of water needed to fulfill downriver contracts should require that our allotment be curtailed. We now pay over $2.00 an acre for testing to insure that irrigation discharges do not exceed state levels for harmful chemicals when put in the river. If the river flow is lowered the parts-per-million dissolution ratio would be adversely affected.	Changes in minimum and maximum surface water elevations were projected at locations along the Sacramento, Mokelumne, and Old rivers and Sutter and Steamboat sloughs using the CALSIM II and DSM2 models, as summarized in Appendix 5A, Section C, Modeling Results, Sections 26 through 32, of the EIR/EIS. Modeling conducted includes a representation of agricultural discharges and accounts for subsequent dilution in the Delta. The models are not precise enough to evaluate effects of individual drains, but to the extent that lower flows in the river reduced dilution of agricultural drains as a whole, this was evaluated at a regional scale in terms of use of assimilative capacity. In addition, dilution of water quality constituents discharged to water bodies is not a beneficial use of the water, and thus is not specifically evaluated. However, as noted above, use of assimilative capacity and water quality degradation is assessed to the extent that beneficial uses of water are affected. As described in Section 7.3.3 of Chapter 7, Groundwater, of the EIR/EIS, groundwater wells in the Delta could be adversely affected during construction due to groundwater dewatering at the construction sites.

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		As ground water is tapped for the construction and maintenance of the tunnels, the aquifer which supplies our domestic wells will unavoidably be degraded in volume and quality.	Groundwater during operations of alternatives with the Intermediate and Byron Tract forebays could rise and affect groundwater drainage processes due to seepage from the forebays. The modeling results in Chapter 7 also indicate changes in groundwater along the Sacramento River due to increased and decreased surface water elevations. These impacts could be reduced by implementation of mitigation measures identified in Chapter 7 by the project proponents (including deepening of wells under Mitigation Measures GW-1); however, impacts may remain because pre-construction conditions may not be achievable.
655	2	Chapter 23 on "noise and vibration level": During construction it is planned to use pile drivers to secure the foundation during 6 days a week, up to 14 hours a day. The resonance of every impact will send shock waves through our buildings—shop, garage, barn, and house—and especially the reclamation district #150 levees protecting Merritt Island. There seems to be no avenue established to claim payment for damages (including even levee failure or breach) inflicted by this process. We cannot be protected from the construction sounds, nor from the eventual roar of pumps diverting the river flow. It should be noted that such dangerous sound levels exceed the county general plan restrictions on agricultural equipment and activity.	The disclosure of potential vibration impacts reflects a worst-case condition based on locations of pile driving activity relative to residential structures. Although vibration is expected to affect land uses including residential-zoned parcels (e.g. Table 23-24), vibration impacts would only occur where impact pile driving occurs within 70 feet of structures, and depending on drilling locations such a condition may not occur during construction of intakes. Where construction plans indicate that piles would be driven within 100 feet of a residence, Mitigation Measure NOI-2 (discussed under Alternative 1A) would be available to reduce the effect. Vibrations may be perceptible at structures located within 150 feet of pile driving sites. Pile driving would be limited to the hours of 7 a.m. to 7 p.m. Operation of pumps will be expected to conform to the requirements of Mitigation Measure NOI-3: Design and Construct Intake Facilities and Other Pump Facilities Such That Operational Noise Does Not Exceed 50 dBA (One-Hour Leq) during Daytime Hours (7:00 A.M. to 10:00 P.M.) or 45 dBA (One-Hour Leq) during Nighttime Hours (10:00 P.M. to 7:00 A.M.) or the Applicable Local Noise Standard (Whichever Is Less) at Nearby Noise Sensitive Land Uses. The potential impact of pile driving on levee failure and structures is described in Impact GEO-5: Loss of Property, Personal Injury, or Death from Structural Failure Resulting from Construction-Related Ground Motions during Construction of Water Conveyance Features. GEO-5 also describes the codes and standards would reduce the potential risk for increased likelihood of loss of property or personal injury from structural failure resulting from construction-related ground motions.
655	3	Chapter 28 on environmental justice: If our ranch becomes economically untenable, irrigators, tractor drivers, and other farm workers will lose their jobs and, in many cases, their houses. Please do not destroy our century-old agricultural heritage in favor of others who covet our resources.	Although both the construction of new physical facilities in the Delta and the restoration of habitat will lead to the conversion of some amounts of agricultural land in the Delta which would lead to socioeconomic effects, environmental impacts of the BDCP will be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. Effects of the BDCP will be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. See Master Response 18 for more information regarding agricultural impact mitigation. Socioeconomic effects, including impacts on agricultural employment, are described in Chapter 16, Socioeconomics, of the EIR/EIS.
656	1	This is an incredibly deceptive special interest project. Save the Delta by draining all the water out of it? Anyone who has driven on U.S. 395 along what used to be the lush Owens Valley knows exactly the results of the twin tunnels. With a thousand miles of coastline and rising sea levels due to global climate change, there is simply no excuse for California to be taking water from any river or delta. Spend the $25,000,000,000 on desalinization plants, return our rivers to their normal state, and return some semblance of sanity!	The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. It is projected that water deliveries from the federal and state water projects under a fully implemented project would be about the same as the average annual amount diverted in the last 20 years. Desalination is being implemented in several California communities. However, it has not proven viable to secure adequate water supplies to meet California's needs due to high costs and energy demands. The project does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. It is projected that water deliveries from the federal and state water projects under a fully implemented project would be about the same as the average annual amount diverted in the last 20 years. Refer to the following Master Responses: Master Response 3 (Purpose and Need), Master Response 26 (Changes in Delta Exports), Master Response 4 (Alternatives Development), Master Response 7 (Desalination), Master Response 19 (Climate Change and GHG), and Master Response 34 (Beneficial Use of

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			Water).
657	1	Short of being able to muster the ambition to dig through over 30,000 pages of material describing the project proposal (http://www.kcet.org/news/redefine/rewild/fish/delta-tunnels-could-wipe-out-salmon-group-says.html), I took an alternate approach to investigate the project's merits. Upon visiting the river several times a week and at different times of day, the primary impression is that, with its generally rather slow current, the Sacramento River actually resembles more a lake than a river, or, even more precisely, a fjord. This is manifested by the water body's obvious responsiveness to tidal status in the San Francisco Bay. Recently, it was even observable that, even during a moonless night, the current actually flows northerly, which commonly would be upstream. The absence of a moon signifies that the tide is unlikely at its maximum. The explanation for this flow reversal is the tide pushing at a stronger force land inwards than the meager freshwater supply pushes outwards. It is only during the day that sufficient water is being drained from Folsom Lake to create the impression of substantial amounts of water passing Sacramento unused; Folsom Lake, at current, stands at a meager 17 percent of its capacity and is rapidly declining. (http://www.dailymail.co.uk/news/article-2567911/NASA-turns-research-California-drought.html). Although Folsom Lake is manmade, it faces the same fate as Tulare Lake before it, and the subterranean water aquifers, which are also being rapidly drained. (http://www.indybay.org/newsitems/2009/07/11/18607139.php) The lake is not being replenished because only 20-40 percent of the average amount of snow has fallen in the Sierra mountain range, west of the Central Valley. (http://cdec.water.ca.gov/cdecapp/snowapp/sweq.action). (Figure 2 http://www.dailymail.co.uk/news/article-2567911/NASA-turns-research-California-drought.html) Once Folsom Lake is drained, there will be hardly any water flowing into the river, and the only wet we are going to see in the river bed is perhaps brackish salt water at high tide.	When flows from Shasta Lake, Lake Oroville, and Folsom Lake are limited during dry periods, the flows in the lower Sacramento River also are reduced under the future No Action Alternative with climate change and sea level rise as compared to the Existing Conditions, as shown in Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the Draft and Final EIR/EIS (See Tables C-15-1, C-17-1, C-19-1, and C-20-3). However, average monthly water flows in the Sacramento River near Freeport are projected to remain over 7,000 cfs (see Table C-20-1).
657	2	How are these dubious tunnels going to fix the drought? I suspect that the project's true objective is to deliver freshwater to the vast monoculture farmlands south of the Delta. Such a diversion would of course not save the Delta at all, as it would be first to suffer over-salination from the incoming ocean water. Is it not obvious that human activity is shamelessly depleting California's natural resources for the pursuit of monetary profit? We are taking more than is being replenished, and Mother Nature will come after us for that. Perhaps we should look at options to change our habits and our value system instead of seeking to force maintenance of the status quo via money injections. Money can do many things, but it cannot create water!	The proposed intakes would only be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. Flow criteria will be applied month by month and according to water year type. More information on the ranges of the proposed project's water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Conservation Strategy, BDCP (page 3.4-17). Additionally, refer to Master Response 28 (Operational Criteria), Master Response 6 (Water Demand Management), Master Response 34 (Beneficial Use of Water), Master Response 43 (Water Transfers), and Master Response 26 (Changes in Delta Exports). 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. Please see Master Response 6 for further information regarding water demand management.

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657	3	[ATT 1: Google Map of BDCP]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
657	4	[ATT 2: Pictures of Folsom Lake, different dates.]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
658	1	Page 4-90: This section of the plan fails to specify the maximum amount of water to be exported from the Delta during normal rainfall years and/or drought years. As noted during this drought year excessive amounts of water have been authorized to be exported from the Delta in direct violation of current laws and regulations. Therefore the absence of specific maximums is cause for great concern in regards to future exports.	Figures 5-17 and 5-19 of Chapter 5, Water Supply, of the EIR/EIS present the average annual SWP and CVP Delta exports for longer average annual conditions and dry/critical water year types. Delta exports for all water year types for all alternatives are presented in Tables C-10-2-1 through C-10-2-25 in Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS.
658	2	The effect of the increased exports of Delta water since 1960 has resulted in a continued reduction of naturally produced Chinook salmon. The Sacramento River Winter Run is listed as endangered. The spring run of Chinook salmon is threatened under Federal and State Endangered Species Acts. Simultaneously the Striped Bass population has diminished during this same period. The California Fish and Wildlife Department has established that a healthy population of striped bass should be 3,000,000. The last statistics estimate current population at 750,000.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
658	3	I question the validity of the habitat restoration plan. We are being asked to comment on the plan without a specific agreement to fund and implement the plan. The BDCP specifies that the funding and implementation plan will be identified 60 days after the end of the public comment period. So we do not know what is being planned or who is going to pay for the implementation of habitat restoration. The result is no comments on the plan. Seems all too convenient. The 2009 Delta Reform Legislation requires meeting the coequal goals of water supply reliability and ecosystem restoration while protecting the Delta as an evolving place. Water Code Section 85020[b] "protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place." If there is no plan and no funding identified, how is this to become a reality?	This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative. 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.
658	4	It will be difficult to protect fish and the Delta farmland with the Adaptive Management Team comprised of four [4] members representing water export interests and only three [3] representing fisheries. It would seem that if both issues are coequal then there would then be equal representation for fisheries.	This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative. 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

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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.
659	1	The BDCP tunnel is a classic case of the tail wagging the dog! The plan does not allow a single dollar for the conservation of Delta habitat. There is also no improvement in the water supply to the 25M souls in the GLAS (Greater L.A. Desert) Basin, as promised. The Plan contains no funding nor proposals for same. It says the cost will be $25B, but where are there $$?! The plan has cleverly schemed to allow that "Users" will pay. Thus it is not a Tax! The plan is subtely described as a Department of Water "Project". The $25B is, itself, a blue sky WAG (wild-a--guess). If previous projects are any gauge (the Bay Bridge comes to mind) the cost will be at least $100B!	Please see Master Response 5 regarding the estimated cost, including the risk of cost overruns. Please also see Master Response 5 regarding the adequacy of the proposed project funding strategy for the purposes of the state and federal endangered species authorizations. BDCP includes substantial funding for the protection and restoration of Delta habitat. Please the 2013 public draft, Chapter 8, Sections 8.2.3.2 through Section 8.2.3.11. These sections summarize the costs of Conservation Measures 2 through 11, which will protect and restore Delta habitats. Funding assurances for those conservation measures are described in Section 8.3, Funding Sources. Please note that the BDCP and large-scale habitat restoration is no longer included in the preferred alternative, Alternative 4A. 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. The EIR/EIS analyzes all alternatives, including Alternative 4A.
659	2	In addition to the 25M desert dwellers in GLAD (Greater Los Angeles Desert), two San Joaquin Valley irrigation districts have tenuously signed on. But they know that $25 B is a political number, and has no connection to real costs! In view of all the above huge flaws, with the Plan hierarchy making no attempts to reconcile any of them, all the reviewers must know that the Plan is neither a Water Plan nor a Conservation Plan, but a politician's statement of scheming and prejudice!	Since 2006, the proposed has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of the proposed project is to make physical and operational improvements to the SWP system in the Delta necessary to restore and protect ecosystem health, water supplies of the SWP and CVP south of the Delta, and water quality within a stable regulatory framework, consistent with statutory and contractual obligations. 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. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project. Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the 2013 Public Draft BDCP EIR/EIS. A Draft BDCP Statewide Economic Impact Report has also been published, which indicates that the BDCP would result in a substantial economic net benefit to the State of California. Please see Master Response 5 for more information on costs and funding.
659	3	Finally, wouldn't it be a blessing if all the power brokers could come to grips with logic? If the $100B were spent on several giant Salt Water Conversion plants on the GLAD (Greater Los Angeles Desert), 25M Desert Dwellers would finally have their self-owned water supply! After 100 years of deceitfully pilfering water owned by others (remember the Owens Valley plundering), L.A. Water, aka Metropolitan Water District, could hold its head high by actually building its own water system! The good Governor could even shut down, dismantle, and donate the monstrous power hungry Grapevine pumps to the self-owned GLAD Water System!	Please see Master Response 7, which describes why an alternative focused on desalination is not included in the EIR/EIS. Desalination is one strategy used in California to develop new supplies, yet it is not the primary solution for the State's water shortage due to many factors, including limited capacity and technology, high costs and energy demands, and regulatory uncertainty. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
661	1	I have a concern about recreation mitigation in Chapter 15. I own Rivers End Marina, the only impacted marina in Alameda County. The EIR has analyzed various marinas and the associated impacts in all the other counties, however our marina was not analyzed. Why? We are 1/4 mile from the Tracy Fish Collection Facility outside of Byron. There is no analysis of the financial impacts the Alternative #4 project will have on our marina during and after construction. There is no analysis of the impacts our customers will encounter during construction of alternative #4. Please explain how the project will mitigate the loss of revenue and loss of customers this project #4 will bring to our	Rivers End Marina would not be affected by the new preferred alternative, 4A, because it is not within the project footprint, or within a 1,400-foot noise and visual impact buffer of the project. Analysis on recreation-related socioeconomic impacts can be found in Chapter 16, Socioeconomics, Section 16.1.1.6, Economic Character of Recreation in the Delta. Additionally, the proposed project has released a draft statewide economic impact analysis study that analyzes the project as an investment for the state as a whole. It can be found at http://baydeltaconservationplan.com/News/News/13-08-05/BDCP_Draft_Statewide_Economic_Analysis_Re

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		business. I ask for a full analysis of these and the other associated impacts this project #4 will have on our business and the proposed mitigation of these impacts.	leased.aspx. The proposed project anticipates construction-related noise and visual impacts to occur within approximately 1,400 feet of construction areas. Rivers End Marina is more than 2,000 feet from construction for Alternatives 1-8. Although Rivers End Marina falls outside of the construction impact area for noise, the overall recreation experience upstream of this site may fall within the noise impact area and could experience diminished recreation opportunities because of the elevated noise levels as well as visual setting disruptions over the course of construction. Boaters will still have access to the waterways surrounding Clifton Court Forebay in these alternatives. Rivers End Marina would be significantly impacted by Alternative 9, as described in Chapter 15. This alternative would include modification of the channel of Old River, which would require the existing channel to be filled while a new channel is constructed. The new Old River channel would allow boaters to continue to pass between the Rivers End Marina & Storage and numerous cabins and docks near the marina and Old River to the north of Fabian Tract. Two small islands with cabins and boat docks located in the area to be filled would be eliminated by the channel reconfiguration, and a wider channel between the Rivers End Marina & Storage inlet and Old River would be created. The effect on boat recreation would be beneficial. Mitigation Measure TRANS-1a would reduce impacts on marine navigation by development and implementation of site-specific construction traffic management plans, including specific measures related to management of barges and stipulations to notify the commercial and leisure boating communities of proposed barge operations in the waterways.
661	2	In Chapter 8 on funding, how does the lack of an Implementing Agreement ensure complete funding will be secured prior to the approval of this EIR/EIS when only 10% of the proposed project design has been completed? An Implementing Agreement is supposed to be completed prior to the approval of the EIR. How can the EIR be released for review without the Implementing Agreement in place?	While design of the proposed project will ultimately provide additional detail regarding specific costs, the Implementing Agreement generally describes the roles and responsibilities (including obligations) of the parties, including DWR, the participating public water agencies, and the state and federal fish and wildlife agencies. Completion of project design is not required prior to completion of the Implementing Agreement. The Draft Implementing Agreement for the proposed project was made available for public review on May 30, 2014 and the public review period was extended by 46 days until July 29, 2014, in order to accommodate a 60-day review period consistent with the California Natural Community Conservation Planning Act. As described in the May 5 2014 posting to the BDCP website, the delayed publication of the draft Implementing Agreement was related to availability of key individuals whose drought response duties required significant time commitments, resulting in delays in finalizing the draft Implementing Agreement. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project is no longer a NCCP or HCP, an implementing agreement was not released with the RDEIR/SDEIS or final EIR for the project. Please see Response to Comment 692-13 and Master Response 5.
661	3	Unavoidable Impacts in Chapter 13, table 31-1: With over 50 unavoidable impacts and no acceptable mitigation solutions, how does this proposed project #4 meet the CEQA requirements of an environmentally sound solution for protecting the Delta as an Evolving Place that is discussed in the 2009 Delta Protection Act? (Paragraph # 85020)	The new preferred alternative, 4A, has been optimized to reduce impacts as much as possible across all resources. Wherever feasible and as much as possible, the document has included mitigation measures and environmental commitments to reduce impacts. Unfortunately, some impacts are unavoidable.
661	4	Adaptive Management Team, Chapter 7, table 7-1: With four representatives from the water contractors' side and only three representatives from the fisheries group, how does this mix of representatives meet the Co-Equal goals as discussed in the chapter? With the exports interests who want water with 4 votes and the eco-system interests with 3 votes it appears the 4 votes win. Please explain how this would be a co-equal	Please note that the proposed project (Alternative 4A) no longer includes the BDCP. 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

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		team.	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.
662	1	I am concerned that the BDCP twin tunnels plan does not adequately address the reduced flow through the Delta and its adverse effects on Winter and Spring Run Chinook salmon. According to data from Chapter 5, Effects Analysis of the November 2013 Draft BDCP, operation of the Twin Tunnels project will reduce winter run and spring Chinook salmon smolt survival by 2.9o/o and 4% respectively. Mitigation through improving riparian and subtidal habitat to create an aquatic food supply for the Delta does nothing to increase the much needed flow necessary for prevention of increased salinity and pollution with its adverse effects on fish and other significant aquatic organisms so necessary to a healthy estuary.	As described in sections 5.5.3.2.1 and 5.5.4.2.1 of the public draft BDCP's Chapter 5, real-time operational changes and monitoring of fish presence would be done to limit adverse effects of north Delta intake effects on downstream-migrating juvenile winter-run and spring-run Chinook salmon. Such measures are challenging to model because of the real-time nature of the operational changes. Chapter 3, in particular section 3.4.1.5, describes how the BDCP would adaptively manage water diversions at the north Delta intakes under CM1. Not all conservation measure effects could be captured with the analytical tool (Delta Passage Model) used for assessing through-Delta survival and, as described in sections 5.5.3 and 5.5.4, other conservation measures may have a positive effect on survival (including habitat for occupancy/refuge as well as for provision of food). The potential effects of changes in salinity and contaminants as a result of the BDCP are analyzed in various sections of the effects analysis and its various technical appendices, e.g., in consideration of habitat suitability and outflow (e.g., see sections 5.5.1.1.1. and 5.5.1.1.2 for delta smelt and 5.5.2.1.1 for longfin smelt) and contaminant effects (e.g., see sections 5.5.1.2.4 for delta smelt and 5.5.2.2.2 for longfin smelt). As discussed in the net effects sections for each fish species, it is concluded that there may be initial adverse effects of contaminants (e.g., contaminant liberation from restored areas) but that in the late long term there may be a beneficial effect from restoration of areas previously used for agriculture. 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. 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. The EIR/EIS analyzes all alternatives, including Alternative 4A.
662	2	-Strengthen existing Delta levees through widening. -Update storm water facilities. -Facilitate ground water recharge and storage projects. -Initiate projects for restoring storage capacity of existing reservoirs.	The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. While flood management is not a project purpose of the proposed project, it recognized that levee

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		-Recycled water storage projects.	maintenance and safety in the Delta is an important issue for the residents of the Delta and for statewide interests. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project. 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. Please see Appendix 6A, BDCP/California WaterFix Coordination with Flood Management Requirements, regarding flood protection and levee maintenance and Master Response 37 regarding why an alternative focused on creating additional storage, either in the Delta or elsewhere, was not included in the EIR/EIS. For more information regarding demand management please see Master Response 6.
665	1	I recently learned of the Bay Delta Conservation Plan through a friend. What surprised me is that I could not find much information about the BDCP and its effect on the regional ecosystem in Spanish. Apparently, there were public meetings nearby where they spoke of the impacts of the Plan, but they were in English and were not announced by the local news or other Hispanic organizations. Probably the most alarming is that the nature of these twin tunnels will affect the lifestyle of many families, including mine, in the Delta region and I would like to know more details. The comment period, according to this, ends this June and I do not have access to the necessary information so that I can take a moment and read with more caution. It is not fair to impose such a massive plan without informing the Latino community that has a long history with the Delta. Moreover, as the saying goes, the devil is in the details. If they can send me more information, I would appreciate it.	The BDCP and EIR/EIS Fact Sheets were translated into Spanish, Hmong, Cambodian, Tagalog, Chinese (Mandarin), and Vietnamese. Translated fact sheets were posted to the website and hard copies were provided upon request. Additionally, a multilingual toll-free phone line was established for questions about the BDCP, which includes information in Spanish, Tagalog, Vietnamese and Chinese (Mandarin) in addition to English (based on Census data) as well as Hmong and Cambodian (based on requests). For more information about the work that has been done to make information available to non-English speaking communities, please see Master Response 27. For more information regarding public outreach efforts please see Master Response 40. Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. Please see Master Response 3 for the Purpose and Need and Master Response 28 for a discussion of the proposed project's Operational Criteria. Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the Final EIR/EIS. A Draft BDCP Statewide Economic Impact Report has also been published, which indicates that the BDCP would result in a substantial economic net benefit to the State of California. Please see Master Response 5 for more information on costs and funding. The Federal Lead Agencies have fully complied with Executive Order 12898. Notably, there is no mandate to "Each Federal agency may, whenever practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English speaking populations." Rather, such translation is optional, and subject to the pertinent federal agency's sense of whether translation if "practicable and appropriate." The California Legislature's intention in enacting the Dymally-Alatorre Bilingual Services Act was to assist "persons who live, work and pay taxes" in the State to more easily obtain information about "public services" available to them. (Cal. Gov. Code, § 7291, italics added.) Within the Act, section 9295.2 applies to State agencies. Notably, that statute states that "[t]his section shall not be interpreted to require verbatim translations of any materials provided in English by a state agency." (Italics added.) This qualification is consistent with Article 3, section 6, of the California Constitution, which makes English the official language of the State of California.

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			Thus, the Dymally-Alatorre Bilingual Services Act is not intended to apply to environmental impact reports prepared pursuant to CEQA; and even if it were so intended, the Act would not require verbatim translations of the BDCP and related documents. Here, due to the sheer size of the BDCP and the EIR/EIS, translation of the entirety of these documents was impractical.
666	1	I do not support the Delta Tunnel plan. We cannot afford to divert our fresh water away from the Delta.	The project was developed to meet the rigorous standards of the federal and state ESAs, and as such the proposed project is intended to be environmentally beneficial. 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. The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. It is projected that water deliveries from the federal and state water projects under a fully implemented project would be about the same as the average annual amount diverted in the last 20 years.
666	2	Any proposal this big and this expensive should have been brought before the voters. The Peripheral Canal project was defeated and this would probably also be rejected.	Prior to construction of the proposed project, the EIR/EIS must be certified and adopted by the implementing agencies, and permits must be obtained. However, a public vote is not required to move forward. California Water Code section 12934, subdivision (d)(3), of the Burns-Porter Act and Water Code section 11260 of the Central Valley Project Act authorize DWR to build water facilities in the Delta, as part of the State Water Project, and give DWR broad discretion as to what those facilities may involve. Thus, DWR has the authority to build the proposed project without a public vote. Even so, the proposed project is the result of more than seven years' collaboration and consultation with numerous stakeholders, agencies, public water agencies and environmental organizations. The organizations that have participated in the Steering Committee, public meetings or written letters to provide input on the Plan include: American Rivers, Bay Institute, Defenders of Wildlife, The Endangered Species Coalition, Environmental Defense Fund, The Golden Gate Salmon Association, National Audubon Society, Natural Resources Defense Council, the Nature Conservancy, and Planning and Conservation League. The feedback was used to guide the development and subsequent revisions of the Proposed Project and its associated EIR/EIS to reflect concerns addressed from the various groups. All of the documents, studies, administrative drafts, and meeting materials have been posted online since 2010 in an unprecedented commitment to provide public access and government transparency. Although the RDEIR/SDEIS, EIR/EIS and much of the proposed project has been drafted by scientists working for a private consulting firm (ICF) working for the Lead Agencies, the Agencies' scientists have been intimately involved, and their judgments are reflected throughout the EIR/EIS and the proposed project itself. The State is most interested in putting forth the best project that meets the goals of ecosystem improvement and water supply reliability. To the degree that the current Plan is endorsed by some environmental organizations serves as confirmation that the proposed plan protects species, habitats and the Delta ecosystem in a way that is compatible with their goals. The website includes correspondence from agencies and NGOs received prior to the start of the formal comment period. Comments received during the comment period are to be included in the Final EIR/EIS. Please see Master Response 40 for additional detail on public outreach efforts that have been made on this project.
667	1	The BDCP is really a massive water grab.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The proposed project aims to allow the federal and state water projects to deliver more reliable water supplies, in a way less harmful to fish. The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. It is projected that water deliveries from the federal and state water projects under a fully-implemented project would be about the same as the average annual

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			amount diverted in the last 20 years.
667	2	The Habitat Conservation Plan (HCP) will allow a "take" of threatened or endangered species under Section 10 of the Federal Endangered Species Act (ESA), and a Natural Communities Conservation Plan (NCCP) required for the same purpose by the California Department of Fish and Wildlife. The BDCP is really inadequate as a basis for issuing these permits.	See Master Response 5 regarding the role of the BDCP as an HCP and an NCCP. 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. 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. For the Proposed Action, the USFWS and NMFS will conduct an internal ESA section 7 consultation prior to issuance of an Section 10(a)(1)(B) permit for the Proposed Action. These federal agencies will coordinate the ESA consultation process and other environmental review processes, such as the National Environmental Policy Act (NEPA), consistent with federal regulations. In addition, the USFWS and NMFS will consult with the United States Bureau of Reclamation (Reclamation) to complete biological opinions or a joint biological opinion prior to federal action to carry out the proposed project.
667	3	Several alternatives to assisting with water conveyance and habitat conservation have been put forward. The Restore the Delta group and many other concerned citizens, such as Dr. Pike, have offered to work with any and every agency to come up with a plan that makes sense for the Delta, the people of the State, and those businesses and people needing water in the central valley and southern part of the State. Yet, the Governor, certain water contractors and the DWR continue to ignore these alternatives.	Please see Master Response 4 for more information regarding development of alternatives. The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. Please see Master Response 3 for information on the purpose and need for the proposed project.
667	4	The Governor wants to leave a legacy, but I don't think this expensive debacle is really what California needs. Water contractors have spent $250 million on preparing these documents and selling the idea to each other and to people in other parts of California who know nothing about the Delta. The bridge that is now becoming a major problem in terms of safety is an example of the government moving forward with a project that really is not in the best interest of the people. I urge you to give this dissenting email and all letters and emails disagreeing with the BDCP a chance to be heard, reviewed and considered. You have an opportunity to help develop a water plan and habitat conservation plan that will truly protect the valuable resources of the State. If the BDCP is carried out the Delta as we know it today and the eco-system it supports will forever be harmed.	The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. For more information regarding purpose and need of the proposed project please see Master Response 3.

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668	1	As a citizen and taxpayer of California I adamantly oppose The Tunnel project. Please halt all plans on this project!	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.
670	1	This is Kaushal Das, Design Engineer with Maccaferri, Inc. Our head office is located in Williamsport, MD. Regarding the BDCP tunnel #2 Project, would you mind to tell us when the project will bid and also is there any way I can get the contact information of the best person to talk about the project please? We are the manufacturer of fiber and some tunnel products. We also provide technical assistance using our products.	This comment related to implementation and contracting for a project after it approved, not on the content or process of the EIR/EIS.
671	1	From an ecological prospective, the plan will reduce the available medium depth water in the Delta thus reducing the available water and shore line for large mouth bass. This is a critical negative aspect to this plan. There is no possible way that increasing flows of water to Southern California will support this plan or the Delta. Scientifically speaking, less water in the Delta equals less habitat and target results in the Delta. It does not require thousands of pages in study to prove that.	The maximum change in minimum water levels in the south Delta area under the Alternatives 1 , 3, 6, 7, 8, and 9 are expected to be up to 15 inches lower as compared to the No Action Alternative, as shown in Appendix 5A, Section C of the EIR/EIS (sea level rise occurs in both the action alternatives and No Action Alternative). Under Alternatives 2, 2D, 4, 4A, 5, and 5A, minimum water elevations would be similar to conditions under the No Action Alternative. The maximum change in minimum water levels in the north Delta area under all action alternatives are expected to be up to 17 inches as compared to the No Action Alternative, as shown in Appendix 5A, Section C of the EIR/EIS.
671	2	The absolute worst thing humanity can do in this state is to not learn the lessons of generations past, politically and ecologically. The Owens Valley and the Colorado River are prime examples of the extreme detriments to the ecology of the valley when water is diverted to Southern California. Politically we only create an incentive to allow politics and absolute power to continue surface and subsurface water to be diverted to Southern California. It feeds ignorance and a repeat of history, in this case bad history.	Since 2006, the proposed has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of the proposed project is to make physical and operational improvements to the SWP system in the Delta necessary to restore and protect ecosystem health, water supplies of the SWP and CVP south of the Delta, and water quality within a stable regulatory framework, consistent with statutory and contractual obligations. 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. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project. Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the 2013 Public Draft BDCP EIR/EIS. A Draft BDCP Statewide Economic Impact Report has also been published, which indicates that the BDCP would result in a substantial economic net benefit to the State of California. Please see Master Response 5 for more information on costs and funding. The Proposed Project proposes to stabilize water supplies, and exports could only increase under certain circumstances in which hydrological conditions result in availability of sufficient water and ecological objectives are fully satisfied. It is projected that water deliveries from the federal and state water projects under the Proposed Project would be about the same as the average annual amount of water that would be diverted under the No Action Alternative (i.e. 2025 conditions without the Proposed Project). It is projected that Delta exports from the federal and state water projects would either remain similar or increase in wetter years and decrease in drier years under Alternative 4A as compared to exports under No Action Alternative (ELT) depending on the capability to divert water at the north Delta intakes during winter and spring months. The estimated changes in deliveries for 4A are provided in the RDEIR/SDEIS 4.3.1 and Appendix A Chapter 5 Water Supply. Although exports under the Proposed Project would be similar to the amount water exported in recent history, it would make the deliveries more predictable and reliable, while reducing other stressors on the ecological functions of the Delta.

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671	3	Build desalinization plants in So Cal and put this nonsense to history. These comments need to be recognized and put into the EIR as you scientists know exactly that what I say is accurate.	Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as desalination and water storage) that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project. However, nothing in the proposed project would prevent other entities from pursuing innovative approaches to desalination or other water supply solutions. See Master Response 7 for a more detailed discussion of various desalination projects under consideration and in development at this time.
672	1	On behalf of the Rural County Representatives of California (RCRC), I am writing to request a minimum extension of 60 days for responding to the draft Bay Delta Conservation Plan (BDCP) and draft Environmental Impact Report (EIR/EIS), which would extend the deadline to mid-August 2014. RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties. The Implementation Agreement (IA) is a critical element for review of the BDCP and as you know, the IA has not yet been released. The IA is woven into virtually every aspect of the BDCP, and RCRC therefore believes that the BDCP is not complete without the IA. Additionally, the BDCP is certainly one of the most complex HCP/NCCP permit applications that has been attempted. For these reasons, RCRC respectfully requests an extension in order to adequately review and comment on the combined documents.	The public comment period for the 2013 Public Draft BDCP and EIR/EIS was extended to July 29, 2014. Please see Master Response 39 for more information about the public review period. The Draft Implementing Agreement for the BDCP was made available for public review on May 30, 2014 and the public review period was extended by 46 days until July 29, 2014, in order to accommodate a 60-day review period consistent with the California Natural Community Conservation Planning Act. As described in the May 5 2014 posting to the BDCP website, the delayed publication of the draft Implementing Agreement was related to availability of key individuals whose drought response duties required significant time commitments, resulting in delays in finalizing the draft BDCP Implementing Agreement. Implementing agreements are a requirement under the California Natural Community Conservation Planning Act (NCCPA), and are routinely executed under the ESA Section 10 (HCP) permitting process. Since the current proposed project is no longer a NCCP or HCP, an implementing agreement was not released with the RDEIR/SDEIS or final EIR for the project.
673	1	This letter presents Farmland Reserve, Inc.'s ("FRI") preliminary comments on the BDCP. FRI owns Byron Ranch, an agricultural property comprising approximately 3,440 acres in southeastern Contra Costa County. The southeastern edge of the ranch is immediately north of Italian Slough and northwest of Clifton Court Forebay. The northern edge of the ranch is near Discovery Bay. Byron Ranch puts approximately 3,300 acres to productive use for growing feed crops and pasture. Because BDCP would site the proposed conveyance facilities' final segment on Byron Ranch, including the twin tunnels' exit shaft and appurtenant facilities and significant construction-related facilities, FRI is potentially one of the most impacted private landowners from the proposed conveyance facilities. While FRI believes that the BDCP project as proposed will cause significant permanent and long-term impacts to Byron Ranch (which likely would require the BDCP to compensate FRI for acquisition of Byron Ranch property interests), there is insufficient detail about the plan's facilities and analysis of their impacts for FRI to determine the full extent of how those facilities would affect FRI's operation of Byron Ranch and impacts to its value.	Information about the size of shaft sites and related structures is provided in Chapter 3, Section 3.6.1.2, Conveyance Facilities, Draft EIR/EIS. As described on page 3-94 of the Draft EIR/EIS, "The main construction or launching shafts for each tunnel would be about 120 feet in diameter to accommodate construction and construction support operations… Upon completion of construction, launching, retrieval, and ventilation shafts would be converted to permanent access shafts so that personnel can gain access to the tunnel for inspections and maintenance. The large-diameter construction shafts would be modified to approximately 20-foot diameter access shafts that would rise approximately 20 feet above existing grade. The twin-bore tunnels would have two shafts, and would be surrounded by an earthen pad with approximate dimensions of 250 feet by 125 feet, and approximately 20 feet high." Additionally, the text describes that "Construction staging areas would include space for offices, parking, shops, segment storage, fan line storage; daily spoils pile, power supply, water treatment, and other space requirements. Depending on the method selected to construct the walls for the shafts, the staging areas may also include space for the slurry ponds required for slurry wall construction. Work areas for RTM handling and spoils storage would also be necessary." The facilities described in the cited passages, and the areas shown on the mapbook figure referenced by the commenter in subsequent comments (Draft EIR/EIS Mapbook Figure M3-4, Sheet 11) were analyzed as part of analysis completed for each applicable resource area. For example, these features were "intersected" with a dataset showing locations of Important Farmland. Draft EIR/EIS Mapbook Figure M14-7, Sheet 6, depicts the BDCP proposed conveyance features in the vicinity of Byron Ranch. The acreage of Important Farmland affected by these features was then calculated using a geographic information system (GIS), which provided the overall results displayed in Chapter 14, Agricultural Resources, Table 14-8, Estimated Conversion of Important Farmland as a Result of Construction of Water Conveyance Facilities, by Alternative. A similar process was followed for other environmental resources where the proximity of proposed project features was used as one indicator of the magnitude of the effect on the resource. For other analyses,

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			including transportation, noise, and air quality, information about the equipment and duration of construction activities was input into a separate modeling tool in order to assess the effects of constructing (and then operating and maintaining) the proposed conveyance facilities. Please note, 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. It should also be noted that Alternative 4A presents a revised construction footprint for proposed water conveyance facilities. Please refer to the mapbooks for Alternatives 4 and 4A (Modified Pipeline Tunnel Alignment) for more details on the features in this alternative. Additionally, the analysis in the EIR/EIS chapters does not always provide impacts specific to a particular geography, time period, project feature, or type of resources; instead, DWR has focused on analyzing the "whole of the action," as required by CEQA (see CEQA Guidelines, Section 15378(a)). For information on project level versus program level analysis please see Master Response 2. To the extent that implementation of any alternative would lead to significant environmental impacts, such impacts are described in individual resource chapters throughout the EIR/EIS, and would be minimized and mitigated to the degree feasible. For information on agricultural impact mitigation please see Master Response 18.
673	2	The public draft of BDCP proposes significant impacts to Byron Ranch if the preferred BDCP alternative, referred to as Alternative 4 or the Modified Pipeline/Tunnel Alignment, were implemented. Those impacts would include: -permanent siting of the shaft terminus of the two large tunnels that would be built under the Delta; -permanent siting of a siphon to move water from the shaft terminus into the northern cell of Clifton Court Forebay; -permanent siting of an access road across Byron Ranch to the shaft terminus and related structures; -stacking of excavated tunnel muck, or reusable tunnel material ("RTM"), on Byron Ranch for dewatering, treatment, and storage, including possible long-term or permanent storage; -construction of a 40-acre concrete batch station near the proposed shaft terminus during construction of the new conveyance facilities; -construction of a 2-acre temporary fueling station during construction of the new conveyance facilities; and,	As noted above in Response 673-1, to the extent that placement of these features or activities associated with them would lead to significant environmental impacts, such impacts are described in individual resource chapters throughout the EIR/EIS, and would be minimized and mitigated to the degree feasible. Regarding economic effects, when required, DWR would provide compensation to property owners for economic losses due to implementation of the proposed project. Construction of water conveyance facilities would be sequenced over approximately 10 years. Construction of individual components (e.g. intakes, tunnels) would range from one to six years. Temporary construction-related impacts may include noise, visual, and transportation, among others. The construction-related impacts are disclosed in individual resource area chapters in the 2013 Draft EIR/EIS. All impacts would be minimized and mitigated to the degree feasible and are described under each alternative in the RDEIR/SDEIS individual resource chapters and in Appendix 3B, Environmental Commitments, EIR/EIS. An analysis of economic impacts of the proposed project, including impacts related to agriculture, recreation, water rates, and taxes are also evaluated and described in the Statewide Economic Impact Report (http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Draft_BDCP_Statewide_Economic_Impact_Report_8-5-13.sflb.ashx). Chapter 16, Socioeconomics, of the Draft EIR/EIS was revised based on the revised construction footprint for proposed water conveyance facilities, along with a refined set of construction cost and schedule assumptions developed for Alternative 4. Refer to Chapter 16, Socioeconomics, Section 16.3.3.9, in Appendix A of the RDEIR/SDEIS for the revised analysis of Alternative 4.

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		-construction of temporary barge unloading facilities on Byron Ranch, which presumably would involve the transport and delivery of a variety of hazardous materials. -In total, BDCP plan elements would impact approximately 963 acres of Byron Ranch, or 28 percent of ranch lands.	
673	3	Insufficient information on potential project impacts: Alternative 4's modified pipeline and tunnel alignment would divert water through three intakes near Clarksburg and move it south to Clifton Court Forebay through a series of tunnels and pipelines. (See BDCP EIR, Figure M3-4.) BDCP would site the permanent shaft terminus and related structures on the southeastern corner of Byron Ranch to the northwest of the existing Clifton Court Forebay. (See BDCP EIR, Figure M3-4, Sheet 11.) However, the public draft of BDCP lacks a detailed description or analysis of the shaft terminus and related structures, including their likely footprint. Without a more-specific description of the plan elements that would be sited on Byron Ranch, there is no way for FRI (Farmland Reserve Inc.) to determine what the scope of the direct and indirect impacts to the ranch would be and if those impacts have been properly analyzed and mitigated.	All of the alternatives and their component facilities have been analyzed using GIS analysis. These analyses are presented throughout the EIR/EIS where impacts of conveyance facilities or other alternative components could have a direct or indirect impact on a land use or resource. As noted in 673-1, since the time of the Draft EIR/EIS, the preferred CEQA and NEPA alternative has been changed to Alternative 4A, which presents a modified pipeline tunnel configuration with consolidated pumping plants located at the northeast corner of Clifton Court Forebay. All of the direct and indirect effects of this facility are incorporated into the conveyance facility impact analyses for each alternative. For information on project level versus program level analysis please see Master Response 2. Information on mitigation can be found in Master Response 22 and Master Response 18.
673	4	Byron Ranch diverts and uses surface water from points of diversion on Old River, Italian Slough, and Dredger Cut pursuant to a riparian right and two water right permits. The siting of permanent structures in the southeastern corner of Byron Ranch could affect FRI's (Farmland Reserve Inc.) ability to use its existing facilities to divert and use surface water from Italian Slough, which runs along the southern boundary of the ranch. The BDCP EIR does not provide sufficient information on the extent to which the project would impact these water supplies. The public draft of BDCP also proposes to control the amount of water in Old River to prevent blowout of the embankments around Clifton Court Forebay. (BDCP EIR 3C-41.) Without more information, however, FRI cannot evaluate whether those actions would interfere with FRI's diversion of water from Old River for use on Byron Ranch.	The water conveyance design has been updated since the 2013 Draft EIR/EIS for this project. Permanent project features such as a 1-acre fuel station and a barge facility are no longer proposed in proximity to Byron Tract at/near Italian Slough. However, as indicated in the BDCP/California WaterFix FEIR/EIS, Ch. 14, Agricultural Resources, under Impact AG-2 for Alternative 4A, approximately 13 miles of agricultural delivery canals and drainage ditches would be crossed or interfered with as a result of temporary construction activities and/or permanent footprints associated with physical features associated with the water conveyance. Implementation of Mitigation Measure AG-1 would reduce these impacts by implementing activities such as siting project footprints to encourage continued agricultural production; relocating or replacing agricultural infrastructure in support of continued agricultural activities; engaging counties, owners/operators, and other stakeholders in developing optional agricultural stewardship approaches; and/or preserving agricultural land through off-site easements or other agricultural land conservation interests. However, impacts on agricultural resources under Impact AG-2 remain significant and unavoidable. For more information on agricultural impact mitigation please see Master Response 18. Regarding water rights and area of origin please see Master Response 32 and Master Response 26, respectively.
673	5	Insufficient Information on potential project construction impacts: The public draft proposes RTM (Reusable Tunnel Material) generated by tunnel boring would be stored on an undetermined number of acres on Byron Ranch. (BDCP EIR Figure M3-4, Sheets 12 and 13.) Based on the available maps, it appears that approximately 930 acres of the ranch would be affected. In addition, leachate would drain from the RTM areas into a leachate collection system, which would then be pumped to leachate ponds for possible additional treatment. (BDCP EIR 3C-55.) There is not sufficient information in the BDCP EIR to determine how DWR would ensure that RTM leachate will not leak and contaminate Byron Ranch over the 10- year timeline for construction of the conveyance facilities. The BDCP also states that it is possible RTM cannot be treated or transported, and therefore might be permanently sited on Byron Ranch and covered by stored topsoil. (BDCP EIR 24-143 to 144.) The BDCP EIR does not provide sufficient information on the impacts of permanent storage of hazardous RTM on Byron Ranch.	Under Alternatives 4 and 4A (the preferred alternative), the revised estimates of Reusable Tunnel Material (RTM) can be found in the recirculated documents in Table 3C-1 "Construction Assumptions for Water Conveyance Facilities" starting on page 3C-40 of Appendix 3C in Appendix A od the RDEIR/SDEIS, which details the revised estimates for RTM storage acreage, volume, and potential reuses. Mapbook figures M3-4 and M14-7 show potential RTM storage locations. Final locations for storage of RTM would be selected based on guidelines presented in Appendix 3B Environmental Commitments, section 3B.2.18 "Disposal and Reuse of Spoils, Reusable Tunnel Material (RTM), and Dredged Material" starting on page 3B-50, also in Appendix A. For additional information regarding RTM, please see Master Response 12.

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673	6	BDCP proposes to site a 40-acre concrete batch plant and a 2-acre fuel station near the shaft terminus on Byron Ranch. (See BDCP EIR 3-30 and BDCP EIR Figure M13-4.) Bulk fuel would be stored and would potentially pose the risk of contaminating Byron Ranch land and groundwater from spills and leakage. (BDCP EIR 24-137.) There is insufficient information in the BDCP EIR on potential impacts from spills and leaks. (BDCP EIR 24-138 to 24-140.)	The conveyance design has been updated since the 2013 Draft EIR/EIS. Presently, a 1-acre fuel station is proposed at the northeast corner of the expanded Clifton Court Forebay. As such, there is no longer a fuel station proposed in proximity to Byron Tract near Italian Slough. As part of project implementation, project proponents would implement environmental commitments intended to avoid, prevent, or minimize hazardous spills, including spills and fuel leakage, related to water conveyance construction or implementation of conservation measures. Best management practices implemented as part of Stormwater Pollution Prevention Plans (SWPPPs) (related to Avoidance and Minimization Measure [AMM] 3), Spill Prevention, Containment, and Countermeasures Plans ((SPCCPs [related to AMM5]), and Hazardous Materials Management Plans ((HMMPs [related to AMM32]), would include, but not be limited to, equipping facility buildings with spill containment and cleanup kits; ensuring that hazardous materials containment containers are clearly labeled with identity, handling and safety instructions, and emergency contact information; ensuring that all reserve fuel supplies would be stored only within the confines of a designated area; and requiring that personnel be trained in emergency response and spill containment techniques. Additionally, as described in Appendix 3B, Environmental Commitments, of the RDEIR/SDEIS, the SPCCPs will be developed in accordance with the regulatory requirements of Title 40 of the Code of Federal Regulations, Part 112 (40 CFR Part 112). Please see Master Response 2 regarding project level versus program level analysis.
673	7	BDCP proposes to construct a temporary barge unloading facility on Byron Ranch. (BDCP EIR 3-115 and Figure M13-4, Sheet 6.) BDCP assumes that barge activities would take place on levees using a ramp barge in conjunction with a crane/excavator barge or a crane or excavator positioned on or near the levee. (See BDCP EIR 3-115.) There is no information in BDCP concerning the number of barges or frequency of unloading at Byron Ranch. Presumably, this activity would be related to delivery of supplies for the concrete batch plant, fuel for the fuel station, and possibly RTM (Reusable Tunnel Material). One or more of these activities would involve the transportation and unloading of hazardous materials on Byron Ranch, which increases the potential risk of releases of hazardous materials on the ranch. There is insufficient information and analysis about the scope of the barge-related activities and the risk of those activities for FRI to determine what impacts would occur at Byron Ranch and if those impacts would be properly mitigated to a level of insignificance.	The southernmost launch shaft previously planned for the northwest corner of Clifton Court Forebay has been relocated to the northeast corner of the Forebay. As such, there is no longer a barge facility proposed for Byron Tract at Italian Slough. Please also see response to comment 673-1 for more information.
673	8	The preferred BDCP alternative would create potentially significant permanent and temporary impacts on Byron Ranch. However, the public drafts of the BDCP and EIR/EIS do not provide sufficient information for FRI (Farmland Reserve Inc.) to be informed as to the full extent of direct and indirect impacts and proposed mitigation measures. As noted, it appears that DWR will need to acquire significant property interests from FRI to implement the proposed project. Additional information on project impacts and mitigation measures is necessary for FRI to evaluate the extent of Byron Ranch property interests that might be impacted (and consequently acquired or compensated for) by the proposed project.	Please note that the new preferred alternative, 4A, follows the modified pipeline tunnel alignment. This alternative would construct a permanent 230kV transmission line from Clifton Court Forebay, through Byron, to Brentwood. The conveyance facilities, however, would be concentrated around Clifton Court Forebay. Please refer to the mapbooks for Alternatives 4 and 4A (Modified Pipeline Tunnel Alignment) for more details on the features in this alternative. To the extent that implementation of the proposed alternatives would lead to significant environmental impacts, such impacts are described in individual resource chapters throughout the EIR/EIS, and would be minimized and mitigated to the degree feasible. Information on mitigation can be found in Master Response 22 and Master Response 18. For information on project level versus program level analysis please see Master Response 2. Also see response to comment 673-1 for more information.
674	1	Fundamental threshold violations of the National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA), and the Endangered Species Act (ESA) are being carried out right now by the Bay Delta Conservation Plan (BDCP) process. The lead	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. The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The Lead Agencies

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		federal and State agencies have failed to develop a range of reasonable alternatives to new upstream conveyance such as the massive BDCP water tunnels. The water tunnels would increase rather than decrease the capacity for exports from the San Francisco Bay-Delta by diverting enormous quantities of freshwater from the lower Sacramento River upstream from the Delta near Clarksburg.	carefully considered all potential alternatives that were proposed during the scoping process and during time of preparation of the EIR/EIS The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. For more information regarding alternatives to the proposed project please see Master Response 4.
674	2	Of the 15 action alternatives evaluated in the Draft EIR/EIS, all save one alternative, alternative 9--Through-Delta--would construct, and then operate for decades new upstream conveyance ranging from a diversion capacity of 3000 cubic feet per second (cfs) to 15,000 cfs. (Draft EIR/EIS, Executive Summary, Table ES-5, pp. ES 28-30). Nine of the so-called alternatives have a North Delta diversion capacity of 15,000 cfs. (Id.).	As described in Chapter 3 and Appendix 3A of the EIR/EIS, a range of conveyance options included north Delta diversion capacities that ranged from 3,000 to 15,000 cfs. For more information regarding alternatives to the proposed project please see Master Response 4.
674	3	The Preferred Alternative 4 is claimed to have a capacity of 9000 cubic feet per second but as we the Environmental Water Caucus have pointed out previously, that claim is false as the water tunnels have the capacity of 15,000 cubic feet per second or greater and it would be relatively easy to add two new intakes down the road to use the full capacity of the tunnels. (Friends of the River (FOR) August 13, 2013 BDCP comment letter, Attachment 2 to FOR January 14, 2014 BDCP comment letter).	As described in Chapter 3 of the EIR/EIS and the referenced Conceptual Engineering Report, the tunnels could not convey 15,000 cfs under Alternative 4 because of the design criteria for the expanded Clifton Court Forebay and the associated pumping plant. Any future changes to the Clifton Court Forebay and/or pumping plant would require extensive construction that could not be completed without future engineering and environmental documentation.
674	4	The BDCP process also claims to have considered 11 alternatives as take alternatives pursuant to the ESA. (BDCP Plan, Chapter 9, Alternatives to Take, table 9-7, p. 9-20). Of the 11 take alternatives all save one, Alternative F, through Delta, would construct, and then operate for decades new upstream conveyance by way of W\ater tunnels similar to the descriptions of the alternatives contained in the Draft EIR/EIS. The Preferred Alternative 4 from the Draft EIR/EIS is referred to as the BDCP Proposed Action in Chapter 9 of the Plan.	Fifteen alternatives and 3 new subalternatives were analyzed in the EIR/S and the RDEIR/RSEIS respectively. Four major alignments have been included in the EIR/S: Through-Delta, East of the Sacramento River, West of the Sacramento River, and a Tunnel under the Delta. Many additional proposals by public and private individuals and organizations have also been evaluated and described in Chapter 3 of the EIR/S and Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Regarding development of alternatives for the EIR/EIS, a description of the process the Lead Agencies followed to develop and screen alternatives is provided in Master Response 4. The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The Lead Agencies carefully all potential alternatives that were proposed during the scoping process and during time of preparation of the FEIR/EIS.
674	5	To be clear, 14 of the so-called 15 alternatives in the Draft EIR/EIS and 10 of the so-called 11 take alternatives are not true alternatives at all. They are all peas out of the same pod that would create new upstream conveyance to divert enormous quantities of freshwater away from the lower Sacramento River, sloughs, and San Francisco Bay-Delta for export south. There is nothing new in this blinding of the BDCP process to development or at least consideration of a range of reasonable alternatives to construction and operation of new upstream conveyance. Three years ago the National Academy of Sciences declared in reviewing the then-current version of the draft BDCP that: "[c]hoosing the alternative project before evaluating alternative ways to reach a preferred outcome would be post hoc rationalization--in other words, putting the cart before the horse. Scientific reasons for not considering alternative actions are not presented in the plan." (National Academy of Sciences, Report in Brief at p. 2, May 5, 2011).	Regarding development of alternatives for the EIR/EIS, a description of the process the Lead Agencies followed to develop and screen alternatives is provided in Master Response 4. The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA.
674	6	In addition to failing to develop a range of reasonable alternatives, the BDCP lead agencies have also failed to even consider reasonable alternatives handed to the state on a silver platter. Friends of the River is a California nonprofit public interest organization devoted to river protection, conservation and restoration. Friends of the	As described in Appendix 3A, Identification of Water Conveyance Alternatives, EIR/EIS, comments and suggestions received from the State Water Board were influential in defining the range and content of alternatives considered in the EIR/EIS, including the State Water Board's Delta Flow Criteria Report, prepared pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009. Scoping comments from the

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		River is also a member of the California Environmental Water Caucus (EWC). The EWC is a coalition of over 30 nonprofit environmental and community organizations and California Indian Tribes. In our November 18, 2013 comment letter we urged those carrying out the BDCP to review the "Responsible Exports Plan" proposed by the EWC: as an alternative to the preferred tunnel project. This Plan calls for reducing exports from the Delta, implementing stringent conservation measures but no new upstream conveyance. This Plan additionally prioritizes the need for a water availability analysis and protection of public trust resources rather than a mere continuation of the status quo that has led the Delta into these dire circumstances. Only that alternative is consistent with the EPA statements indicating that more outflow is needed to protect aquatic resources and fish populations. The EWC Responsible Exports Plan is feasible and accomplishes project objectives and therefore should be fully analyzed in a Draft EIS/EIR."(FOR November 18, 2013 comment letter at p. 3, Attachment 4 to FOR January 14, 2014 comment letter).	State Water Board included requests for an alternative providing for reduced diversions and an alternative incorporating changes to Delta outflows (and potentially inflows) that would reflect a more natural hydrograph. The Lead Agencies determined that an additional alternative would be required to be responsive to the State Water Board's comments. Informed by these comments, as well as several letters from the State Water Board to the Natural Resources Agency. Please see analysis of Alternative 8 in the Final EIR/EIS, Chapter 3, Appendix 3A.. Furthermore, as described in Section 3A.10.6, consideration of outflows necessary to achieve biological goals and objectives for delta and longfin smelt have been explicitly incorporated into the proposed project through a decision tree process that allows for alternative outcomes for water operations based on the results of targeted research and studies. See Master Response 44 for more information regarding the decision tree process. Consideration of the specific determination contained in the Delta Flow Criteria Report, which identified 75% of unimpaired net Delta outflow for January through June, would not have been feasible to include as an alternative in the EIR/EIS. A letter from the Executive Director of the State Water Board to the deputy secretary of the Natural Resources Agency on April 19, 2011 recognized that the determination did not consider the competing needs for water or other public trust resource needs, such as the need to manage cold-water resources in tributaries to the Delta. Further, implementation of these flows would also likely affect water users beyond those receiving CVP and SWP deliveries south of the Delta. As described in Section 3A.3.5, alternatives requiring impairment of senior water rights held by entities not participating in the BDCP were eliminated from full consideration in the EIR/EIS, as such rights could not be infringed by CDFW, USFWS, or NMFS through those agencies' actions or through "ESA Section 7 consultation" with Reclamation. For additional supplemental modeling requested by the SWRCB related to increased Delta outflows please see Appendix C of the RDEIR/SDIES. Regarding development of alternatives for the EIR/EIS, a description of the process the Lead Agencies followed to develop and screen alternatives is provided in Master Response 4. The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA.
674	7	The Environmental Water Caucus (EWC) specifically pointed out (at p. 3, fn. 1) that the plan was online at http://www.ewccalifornia.org/reports/resonsibleexpltsplanmay2013.pdf . The failure in the BDCP process to consider the Responsible Exports Plan alternative is inexplicable given that a similar, earlier version of the plan, EWC's "Reduced Exports Plan" of December 2012 was presented by Nick Di Croce, Co-Facilitator of the EWC to former California Resources Agency Deputy Secretary Jerry Meral and other BDCP agency officers in December 2012 and presented to Deputy Secretary Meral again in person on February 20, 2013 in his office in the Resources Agency building. The Reduced Exports Plan had previously been presented in May of 2012 at the Federal/State/NGO meeting in San Francisco. As stated by Co-Facilitator Di Croce in his December 2012 message to Deputy Secretary Meral: Now that the project is nearing its EIR/EIS stage, we feel it is important to formally present it [Responsible Exports Plan] to you and request that you get it on the record as an alternative to be evaluated. We have done this with the Delta Stewardship Council and it is included as one of the Delta Plan alternatives being evaluated. As you know, CEQA and NEPA both require a full range of reasonable alternatives to be evaluated. And as far as we know, there are no alternatives being evaluated that do not include	The Proposed Project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The Proposed Project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the Project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). For additional information regarding storage, please see Master Response 37. Appendix 3A describes the range of alternatives considered under the Project Objectives and Purpose and Need, and the reasons that several alternatives were not analyzed in detail in the EIR/EIS, including a proposal to specifically reduced Delta exports. For more information regarding alternatives to the proposed project please see Master Response 4. It should be noted that the No Action Alternative and Alternatives 2A, 2B, 2C; 2D, 4A, 4H2, 4H3, 4H4; 5; 5A, 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under Existing Conditions.

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		new conveyance, except for the No Action alternative; this is certainly not a No Action alternative. (December 15, 2012 email Di Croce to Meral). We attach (for BDCP.Comments@noaa.gov) and incorporate by this reference a copy of the 39 page "Responsible Exports Plan" of May 2013 (as well as a copy of the "Reduced Exports Plan" of December 2012) to this comment letter as setting forth a feasible alternative that must be considered in the BDCP process.	Similarly, Alternatives 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under the No Action Alternative. The range of alternatives also includes alternatives which would result in less Delta exports on an average annual basis as compared to Existing Conditions and the No Action Alternative (see Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS).
674	8	By way of brief summary, actions called for by the Responsible Exports Plan alternative include no development of new upstream conveyance; reducing exports to no more than 3,000,000 acre-feet in all years in keeping with State Water Resources Control Board (SWRCB) flow criteria; water efficiency and demand reduction programs including urban and agricultural water conservation, recycling, storm water recapture and reuse; reinforced levees above PL 84- 99 standards; installation of improved fish screens at existing Delta pumps; elimination of irrigation water on drainage-impaired farmlands south of the Bay-Delta; return the Kern Water Bank to State control; restore Article 18 urban preference; restore the original intent of Article 21 surplus water in SWP contracts; conduct feasibility study for Tulare Basin water storage; provide fish passage above and below Central Valley rim dams for species of concern; and retain cold water for fish in reservoirs.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
674	9	The Responsible Exports Plan alternative calls for a statewide benefit-cost analysis to determine economic desirability of any plan or alternative; water availability analysis to align water needs with availability; protecting the Delta ecosystem pursuant to public trust obligations; and meeting NCCP recovery standards for listed fish species. Other obvious alternatives would include actions ranging from meeting ESA recovery standards for listed fish species to halting the planting of almond orchards that cannot be fallowed in dry years on desert lands receiving export waters to consideration of the development of desalinated water supplies as is being done in the San Diego County Water Authority. (BDCP Plan Chapter 9, p. 9-43). Instead of enthusiastically embracing the duties mandated by our environmental laws to develop and consider a range of reasonable alternatives the BDCP proponents have concealed or misrepresented reasonable alternatives presented to them. The EWC Responsible Exports Plan has simply been concealed and ignored. It is invisible in the alternatives chapters in the BDCP Plan and Draft EIR/EIS.	The Proposed Project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta. It is important to note that the Project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). For additional information regarding storage, please see Master Response 37. Appendix 3A describes the range of alternatives considered under the Project Objectives and Purpose and Need, and the reasons that several alternatives were not analyzed in detail in the EIR/EIS, including a proposal to specifically reduced Delta exports. For more information regarding alternatives to the proposed project please see Master Response 4. The issue of crops and water use is beyond the scope of the Proposed Project. For more information please refer to the updated draft 2013 California Water Plan's strategy for agricultural water use efficiency, which describes the use and application of scientific processes to control agricultural water delivery and use. Also, refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and conservation.
674	10	In addition to the Environmental Water Caucus alternative, the Natural Resources Defense Council (NRDC) and several other environmental organizations and public agencies presented and requested consideration of the conceptual Portfolio alternative in December 2012. Like the EWC Plan, the Portfolio alternative emphasizes investment in such modern measures as: local water supply tools including conservation, water recycling, and other approaches, that can provide reliable, sustainable and plentiful new sources of supply that will also be cost-effective over the long run. These sources can also be provided rapidly through additional investments. There is approximately as much new water available from these	Appendix 3A thoroughly explains why various proposals were not analyzed in detail in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. For more information regarding alternatives to the proposed project please see Master Response 4.

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		new water supply sources as is currently exported from the Delta." (Portfolio alternative). Unlike the EWC Plan, the Portfolio alternative also includes new 3,000 cubic feet per second upstream conveyance. The California Resources Agency began disparaging the Portfolio alternative almost immediately on its website. Then, after the release of the 40,000 pages of BDCP documents in December 2013, the government agencies running the BDCP website stopped posting any correspondence or comments from the public. The overt hostility of the State BDCP agencies to any evaluation and explanation of alternatives to the water tunnels is revealed by the spectacle of the February 19, 2014 letter and its attachment from Resources Secretary John Laird to NRDC Litigation Director Kate Poole disparaging the Portfolio alternative. What is ludicrous about this is that the Resources Agency posted its anti-Portfolio advocacy on its website without also posting the Portfolio alternative itself that the Resources Agency complains about.	
674	11	Like the Environmental Water Caucus Responsible Exports Plan alternative, the Portfolio alternative is hidden from public view in the Draft BDCP Plan and Draft EIR/EIS. The logical conclusion is that the BDCP water tunnels proponents are afraid of the appeal of the Responsible Exports Plan alternative and the Portfolio alternative if these alternatives are fairly and openly presented in the BDCP documents out for public review and comment.	The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. Please see Master Response 3 for information on the purpose and need for the proposed project. Regarding development of alternatives for the EIR/EIS, a description of the process the Lead Agencies followed to develop and screen alternatives is provided in Master Response 4.
674	12	There should be a range of alternatives in the BDCP Draft EIR/EIS starting with the Responsible Exports Plan and related variants of that alternative. As pointed out in our previous comment letters (March 6, 2014 letter, January 14, 2014 letter and its four attachments) several listed fish species are already in catastrophic decline in the subject area. The reaches of the Sacramento River, sloughs, and the Delta that would lose significant quantities of freshwater and freshwater flows through operation of the proposed BDCP water tunnels are designated critical habitats for listed endangered and threatened fish species including winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, Southern Distinct Population Segment of North American green sturgeon, and delta smelt. As explained last year by the U.S. Fish and Wildlife Service (USFWS) "There is clear evidence that most of the covered fish species have been trending downward." (USFWS Staff BDCP Progress assessment, Section 1.2, p. 4, April 3, 2013). The National Marine Fisheries Service (NMFS) has pointed out that the water tunnels threaten the "potential extirpation of mainstem Sacramento River Populations of winter-run and spring-run Chinook salmon over the term of the permit. . ." (NMFS Progress Assessment, Section 1.17, 12, April 4, 2013). As explained by EPA in its 2013 letter to the SWRCB, "The State Board. . . Has recognized that increasing freshwater flows is essential for protecting resident and migratory fish populations." (EPA letter to SWRCB re: EPA's comments on the Bay-Delta Water Quality Control Plan; Phase 1; SED, pp. 1-2, March 28, 2013). The EPA has also explained with respect to Administrative Drafts of the BDCP documents	The SWRCB's flow criteria recommendations and how they were used to inform the planning process are discussed in detail in Appendix 3A of the EIR/EIS. For more information regarding supplemental modeling requested by the SWRCB related to increased Delta outflows please see Appendix 5E of the FEIR/EIS. Impacts on Delta outflows (fresh water flowing to the Bay) are not significant. Model simulation results for the proposed project alternative (4A) indicate that long-term average and wet year peak outflows would increase in winter months with a corresponding decrease in spring months because of the shift in system inflows caused by climate change and increased Delta exports as compared to Existing Conditions. In other year types, Alternative 4A would result in higher or similar outflow because of the spring outflow requirements. In summer and fall months, Alternative 4A would result in similar or higher outflow because of changes in export patterns and OMR flow requirements and export reductions in fall months, and also because of the Fall X2 requirements in wet and above normal years. The incremental changes in Delta outflow between Alternative 4A and Existing Conditions would be a function of both the facility and operations assumptions (including north Delta intakes capacity of 9,000 cfs, less negative OMR flow requirements, enhanced spring outflow and/or Fall X2 requirements) and the reduction in water supply availability due to increased north of Delta urban demands, sea level rise and climate change. Results for the range of changes in Delta Outflow under Alternative 4A are presented in more detail in Appendix 5A of the EIR/EIS. The EIR/EIS evaluates 18 action alternatives. The action alternatives were selected through a rigorous three-step screening process and documented in Appendix 3A of the EIR/EIS. The lead agencies believe that the EIR/EIS meets CEQA and NEPA requirements to evaluate a range of alternatives. For more information

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		that "many of these scenarios of the Preferred Alternative 'range' appear to decrease Delta outflow (p. 5-52), despite the fact that several key scientific evaluations by federal and state agencies indicate that more outflow is necessary to protect aquatic resources and fish populations." (EPA Comments on Administrative Draft EIR/EIS, III Aquatic Species and Scientific Uncertainty, Federal Agency Release, July 18, 2013).	regarding alternatives to the proposed project please see Master Response 4. The Lead Agencies will make the final decisions regarding the selection of an alternative (and therefore, an operational scenario) for the purposes of CEQA and NEPA. USFWS and NMFS have authority under the federal Endangered Species Act to determine whether the Proposed Project meets the regulatory standard of ESA Section 7, and CDFW, a CEQA responsible agency, has authority to determine if the Proposed Project meets the regulatory standards of CESA. Please see Section 4.1.2, Description of Alternative 4A, RDEIR/SDEIS for additional information on Proposed Project operations. Please see Master Responses 28 and 6 for more information regarding operational scenarios and compliance with ESA respectively.
674	13	The Delta Reform Act requires that: For the purpose of informing planning decisions for the Delta Plan and the Bay Delta Conservation Plan, the board [State Water Resources Control Board] shall, pursuant to its public trust obligations, develop flow criteria for the Delta ecosystem necessary to protect public trust resources. In carrying out this section, the board shall review existing water quality objectives and use the best available scientific information. The flow criteria for the Delta ecosystem shall include the volume, quality, and timing of water necessary for the Delta ecosystem under different conditions. California Water Code [Section] 85086(c)(1). The SWRCB did develop flow criteria, published at: www.swrcb.ca.gov/waterrights/water_issues/bay_delta/flow on August 3, 2010, p. 5. The criteria include: 75% of unimpaired Delta outflow from January through June; 75% of unimpaired Sacramento River inflow from November through June; and 60% of unimpaired San Joaquin River inflow from February through June. These recommendations have not been the basis for the BDCP water tunnels preferred project and would preclude development of the preferred alternative making that alternative infeasible pursuant to water quantity and quality considerations. In contrast, Environmental Water Caucus' Responsible Exports Plan alternative reduces exports to increase flows and is designed to comply with SWRCB flow criteria. On the one hand, the BDCP Draft EIR/EIS does not use the SWRCB flow criteria to evaluate alternatives. And on the other hand, the BDCP process does not await completion of pending SWRCB proceedings to update flow objectives.	As described in Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, of the EIR/EIS, the range of alternatives provides a range of flow criteria, rates of diversion, and operational criteria. One of the potential alternatives considered in Appendix 3A was based upon the State Water Resources Control Board 2010 Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem. This potential alternative was not evaluated in detail because the flow recommendations in the 2010 report could not be achieved without adverse impacts to cold water management for fisheries in the Sacramento, Feather, and American rivers without reductions in non-SWP and non-CVP water rights diversions. The purpose and need of this EIR/EIS would not allow changes to non-SWP and non-CVP water rights. However, Alternatives 7 and 8 in the EIR/EIS reflect similar flow criteria in a manner that would only affect SWP and CVP water rights. Development of Alternatives 7 and 8 also consider development of flow criteria as a percentage of unimpaired flows. The State Water Resources Control Board's flow criteria recommendations and how they were used to inform the BDCP planning process are also discussed in Appendix 3I, BDCP Compliance with the 2009 Delta Reform Act. Appendix 3A also explains that the Lead Agencies employed a "bookend" approach to analyzing alternatives. Please refer to Master Response 31 for more information regarding compliance with the Delta Reform Act.
674	14	The basic, flawed BDCP premise that taking water away from the fish and their habitats will be good for them is both nonsensical and contrary to science. As the EPA has noted, "[t]he benefits of increasing freshwater flows can be realized quickly and help struggling fish populations recover." (EPA comments on the Bay-Delta Water Quality Control Plan; Phase 1; SED, March 28, 2013 at 1).	Please see Master Response 4, Chapter 3, and Appendix 3A of the EIR/EIS for additional detail on the BDCP and the alternatives involving an HCP component. The Proposed Project, 4A, includes flow criteria meant to avoid and minimize effects on fish. Any efforts to recover fish species are outside the scope of Alternative 4A.
674	15	In any event, it is necessary that the BDCP process, develop and consider a range of reasonable alternatives that instead of decreasing Delta outflow, increase Delta outflow. Fair evaluation and consideration of a range of alternatives reducing exports would be a	Please see Master Response 4. It explains that the alternatives in the EIR/EIS represent a legally adequate "reasonable range" of alternatives. Master Response 4 also provides an overview of how alternatives were selected. It should be noted that the No Action Alternative and Alternatives 2A, 2B, 2C; 2D, 4A, 4H2, 4H3, 4H4; 5; 5A, 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under Existing

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		required first step in that process.	Conditions. Similarly, Alternatives 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under the No Action Alternative. The range of alternatives also includes alternatives which would result in less Delta exports on an average annual basis as compared to Existing Conditions and the No Action Alternative (see Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS). For more information regarding SWRCB's request for additional modeling for an alternative that further increased Delta outflow, please see Appendix C of the RDEIR/SDEIS.
674	16	Alternatives reducing exports are consistent with the claimed project purpose of "Reducing the adverse effects on certain listed species due to diverting water." (BDCP Draft EIR/EIS, Executive Summary, p. ES-10). Such alternatives are also consistent with findings that "the Delta is now widely perceived to be in crisis. There is an urgent need to improve the conditions for threatened and endangered fish species within the Delta." (Id.). On the other hand, the stated purpose to "restore and protect the ability of the State Water Project and Central Valley Project to deliver up to full contract amounts" (Id.) is contrary to the prevalence of paper water reflected by "information indicating that quantities totaling several times the average unimpaired flows in the Delta watershed could be available to water users based on the face value of water permits already issued." (p. ES-11).	The alternatives were developed to deliver SWP and CVP water up to the upper limit of legal SWP and CVP contractual water amounts, with the understanding that full contract amounts would not be delivered on average for the alternatives considered in the EIR/EIS. For more information regarding purpose and need of the proposed project please see Master Response 3. Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, EIR/EIS, describes the range of conveyance alternatives considered in the development of the EIR/EIS. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage. For additional information regarding storage, please see Master Response 37. It should be noted that the No Action Alternative and Alternatives 2A, 2B, 2C; 2D, 4A, 4H2, 4H3, 4H4; 5; 5A, 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under Existing Conditions. Similarly, Alternatives 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under the No Action Alternative. The range of alternatives also includes alternatives which would result in less Delta exports on an average annual basis as compared to Existing Conditions and the No Action Alternative (see Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS).
674	17	Alternatives such as the Responsible Exports Plan alternative are 21st century alternatives focused on efficient, cost-effective measures to establish a more reliable water supply such as conservation and recycling as opposed to costly huge new delivery projects further depleting our rivers and the San Francisco Bay-Delta.	The proposed project is one part of a diverse portfolio of strategies needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including recycling, desalination, water conservation and storage. For additional information regarding storage, please see Master Response 37. Please refer to Master Response 6 and Appendix 1C, Demand Management Measures, for further information on demand management measures, including increasing agricultural water use efficiency and water conservation. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives that were not evaluated in detail in this document due to the fact that required actions beyond the scope of the proposed project.
674	18	Alternative 9, through-Delta, is not the Responsible Exports Plan alternative. Alternative 9 comes from the BDCP Steering Committee back in 2010. (BDCP Draft EIR/EIS Executive Summary, p. ES -30; Chapter 3, p. 3-6). Without new upstream conveyance, Chapter 9 of the BDCP Plan discussing Alternatives to Take does concede that Take alternative F (similar to Draft EIR/EIS alternative 9) would result in measurably less take over the decades of project operations than the BDCP Proposed Action -the water tunnels- of	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. Note that the preferred alternative (Alternative 4A) does not include BDCP or an HCP. Therefore, an evaluation of alternatives to take is no longer needed.

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		Central Valley fall and late fall-run Chinook salmon (p. 9-90); Central Valley steelhead (p. 9-98); Sacramento splittail (p. 9-104); white and green sturgeon (p. 9-112); and Pacific and River Lamprey (p. 9-121). The appendix to Chapter 9 also concedes that the through-Delta alternative would result in greater net economic benefits to the water exporters than would result from development of the water tunnels. (Chapter 9, appendix A, Table 9.A-2 at p. 9.A-4). The BDCP proponents, however, load up their so-called through-Delta alternative with construction features not included in the Responsible Exports Plan and then label the through-Delta alternative as resulting in greater take than the BDCP Proposed Action during construction. Likewise, Draft EIR/EIS alternative 5 which includes a 3000 cfs tunnel is not the Portfolio alternative. Alternative 5 (Take alternative D) comes from the BDCP Steering Committee back in 2010. (BDCP Draft EIR/EIS Executive Summary, p. ES-29).	
674	19	None of the positive water supply availability action measures in the Responsible Exports Plan alternative or the Portfolio alternative have been included as alternatives or portions of alternatives in the BDCP Draft EIR/EIS currently out for public review and comment. The water tunnels proponents have tunnel vision confined to the sole alternative of developing new upstream conveyance.	Please see Master Response 4, Chapter 3, and Appendix 3A of the EIR/EIS for additional detail on the BDCP and the alternatives involving an HCP component. Appendix 3A thoroughly explains why various proposals were not analyzed in detail in the EIR/EIS, including concepts that would require actions that are beyond the scope of the proposed project, such as changes in the SWP and CVP water facilities and contracts as described by this commenter. For more information regarding alternatives to the proposed project please see Master Response 4.
674	20	There is no consideration of the opportunity cost that would result from construction and operation of the Water Tunnels costing many billions of dollars. Those billions of dollars would be lost to developing such modern water supply measures as conservation and recycling.	Redirecting funding from the proposed water conveyance project to water conservation or water recycling would not meet the project's purpose and need. Please see Master Response 3 regarding the project's purpose and need. Please also see Master Response 4 regarding the alternatives development process and why alternatives that did not include the water conveyance facility were not included. Please also see Master Response 6 regarding the effectiveness of water demand management and its ability to meet the purpose and need of the proposed project. It should be noted 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 agricultural and municipal/industrial water conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). For additional information regarding storage, please see Master Response 37.
674	21	The failure to include a range of reasonable alternatives violates CEQA. An EIR must "describe a range of reasonable alternatives to the project . . . Which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." 14 California Code of Regulations (CEQA Guidelines) Section 15126.6(a). "[T]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." Section 15126.6(b). Recirculation of a new Draft EIR/EIS will be required by CEQA Guidelines section 15088.5(a)(3) because the Responsible Exports Plan alternative and other alternatives that would reduce rather than increase exports have not been previously analyzed but must be analyzed as part of a range of reasonable alternatives.	The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. Please see Master Response 3 for information on the purpose and need for the proposed project. It is projected that long-term water deliveries from the federal and state water projects under the Proposed Project would be about the same as the average annual amount of water that would be diverted under the No Action Alternative (i.e. 2025 conditions without the Proposed Project). Regarding development of alternatives for the EIR/EIS, a description of the process the Lead Agencies followed to develop and screen alternatives is provided in Master Response 4. The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of

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			alternatives fully complies with both CEQA and NEPA.
674	22	EIR conclusions must be supported by substantial evidence. "Argument, speculation, unsubstantiated opinion or narrative" "does not constitute substantial evidence." CEQA guidelines, Section 15384. All that the BDCP Draft EIR/EIS contains to support the Preferred Project alternative is argument, speculation, unsubstantiated opinion, narrative and saying "we don't know." For example, the Draft EIR/EIS made "no determination (ND)" findings under NEPA as to whether the water tunnels, even after "mitigation," would have adverse impacts on spawning, incubation habitat, and migration conditions for winter-run Chinook salmon (Draft EIR/EIS, Executive Summary p. ES-73) and spring-run Chinook salmon (p. ES-75); and migration conditions for fall-run Chinook salmon (p. ES-77), steelhead (p. ES-79), green sturgeon (p. ES-81), and white sturgeon (p. ES-83. A new Draft EIR/EIS must be prepared and recirculated because "the draft EIR[/EIS] was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." CEQA Guidelines Section 15088.5(a)(4). The rules under NEPA are similar. Under the NEPA Regulations, "This [alternatives] section is the heart of the environmental impact statement. The alternatives section should sharply define the issues and provide a clear basis for choice among options by the decision- maker and the public. 40 C.F.R. Section 1502.14. The EIS alternatives section is to "Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated." Section 1502.14(a). Moreover, if "a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion. The agency shall make every effort to disclose and discuss at appropriate points in the draft statement all major points of view on the environmental impacts of the alternatives including the proposed action." Section 1502.9(a). Instead of discussing all major points of view, lost in the 40,000 pages of BDCP Plan and Draft EIR/EIS advocacy and speculation by the consultants who prepared the documents are any alternatives reducing exports and increasing flows instead of constructing and operating expensive new upstream diversions with the capacity to increase exports and reduce flows. Under NEPA as well as CEQA, recirculation of a new Draft EIR/EIS will be required because of the extreme deficiencies in the Draft EIR/EIS out for public review at this time. The deficiencies in the Draft EIR/EIS cannot and will not be evaded by responses to comments in a Final EIR/EIS.	Please see Master Response 38. It explains that the EIR/EIS is the result of many years of collaboration and analysis necessary to review a project that would impact the Delta and water supplies for millions for Californians. The size and complexity of the document reflect an unprecedented effort to analyze a proposed project, no action alternative and 17 alternatives. Please also see Master Response 4. It explains that the alternatives in the EIR/EIS represent a legally adequate "reasonable range" of alternatives. Master Response 4 also provides an overview of how alternatives were selected and explains how the lead agencies' selection of alternatives was circumscribed to some extent by the 2009 Delta Reform Act. Additionally, the Final EIR/EIS included a CEQA and NEPA conclusion for each impact.
674	23	With respect to the Endangered Species Act, we have repeated several times over the past year that the failure of the federal agencies to have prepared the ESA required Biological Assessments and Opinions violates both the ESA Regulations (50 C.F.R. Section 402.14(a) "at the earliest possible time" requirement and the NEPA Regulations (40 C.F.R. Section 1502.25(a) "concurrently with and integrated with" requirement. (FOR January 14, 2014 comment letter and its four attachments). The missing Biological Assessments and Biological Opinions would be essential to any meaningful public review and comment on a project claimed to be responsive to crashing fish populations.	A biological opinion is not required prior to the release of the Draft BDCP/CWF EIR/EIS. For the Proposed Action, the USFWS and NMFS will conduct an internal ESA section 7 consultation prior to issuance of an Section 10(a)(1)(B) permit for the Proposed Action. These federal agencies will coordinate the ESA consultation process and other environmental review processes, such as the National Environmental Policy Act (NEPA), consistent with federal regulations. In addition, the USFWS and NMFS will consult with the Reclamation to complete biological opinions or a joint biological opinion prior to federal action to carry out the proposed project. The Biological Assessment has been completed and formal consultation with NMFS and USFWS is underway.
674	24	As conceded by BDCP Chapter 9, Alternatives to Take, the analysis of take alternatives	The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and

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		must explain "why the take alternatives [that would cause no incidental take or result in take levels below those anticipated for the proposed actions] were not adopted." (BDCP Plan, Chapter 9, pp. 9-1, 9-2). Here, the lead agencies failed to even develop let alone adopt alternatives reducing exports and increasing flows to eliminate or reduce take. The agencies ignored the Responsible Exports Plan (Reduced Exports Plan version) alternative and the Portfolio alternative that were handed to them on a silver platter a full year before they issued the Draft Plan and Draft EIR/EIS for public review and comment. In short, the fundamental flaws in the alternatives sections in the BDCP Draft EIR/EIS and Chapter 9 of the BDCP plan have led to a Draft EIR/EIS and Alternatives to Take analysis "so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded."	the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. Please see Master Response 3 for information on the purpose and need for the proposed project. It is projected that water deliveries from the federal and state water projects under the Proposed Project would be similar to the average annual amount of water that would be diverted under the No Action Alternative (i.e. 2025 conditions without the Proposed Project). Regarding development of alternatives for the EIR/EIS, a description of the process the Lead Agencies followed to develop and screen alternatives is provided in Master Response 4. The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA.
674	25	The most important and fundamental planning decision in the history of the Delta will be whether or not to, on the one hand, finally begin to reduce exports and increase flows or, on the other hand, to develop massive, new upstream conveyance from the Delta. An epic choice will be made between those two basic options. The BDCP Plan and Draft EIR/EIS are hopelessly deficient because they fail to illuminate in any way whatsoever the bases for making the epic choice that will determine many important things including whether five or more endangered and threatened species of fish become extinct. Extinction is forever.	The range of alternatives includes operations criteria which result in reductions in SWP and CVP water deliveries south of the Delta as compared to the Existing Conditions and the No Action Alternative. The No Action Alternative and Alternatives 4A, 4H1, 4H2, 4H3, 4H4; 5; 6A, 6B, 6C; 7; 8; and 9 would result in less SWP and CVP water deliveries south of the Delta than under Existing Conditions. Similarly, Alternatives 6A, 6B, 6C; 7; 8; and 9 would result in less SWP and CVP water deliveries south of the Delta than under the No Action Alternative. As exports are reduced, Delta outflows increase. The range of alternatives included in the EIR/EIS would result in a wide range of changes in Delta outflows as compared to the Existing Conditions and the No Action Alternative. The No Action Alternative and Alternatives 2A, 2B, 2C; 4H2, 4H3, 4H4; 5; 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under Existing Conditions. Similarly, Alternatives 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under the No Action Alternative. For more information regarding purpose and need please see Chapter 2 of the FEIR/EIS and Master Response 3.
674	26	The consensus diagnosis for the Delta estuary is dire. The California Environmental Water Caucus prescribes more river flows and reduced fresh water exports to help the Delta recover. The EWC's plan demonstrates how water supply reliability can be improved while reducing exports from the Bay Delta Estuary. Many of our recommendations have been presented to the Delta Stewardship Council as part of Alternative 2 for the Delta Plan. We have now packaged this series of related actions into a single alternative for evaluation in any future NEPA or CEQA evaluations, or by the State Water Resources Control Board. The actions are largely based on the EWC report California Water Solutions Now, (www.ewccalifornia.org), which can be referenced for supporting details. This package of actions (The RX Plan) represents the EWC alternative to the BDCP. The RX Plan includes a unique combination of actions that will open the discussion for alternatives to the currently failed policies which continuously attempt to use water as though it were a limitless resource. The RX Plan is about far more than just reduced exports. The uniqueness of this Plan is that while it will reduce the quantity of water exported from the Bay Delta estuary, in order to protect the health of the estuary's habitat and fisheries with increased inflows and outflows, it also contains actions that will reduce the demand for water and increase supplies for exporters south of the Delta in order to compensate for the reduced south-of-Delta exports. It is the only extant plan that will modernize existing facilities in the Bay-Delta with improved fish screens at the	Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. For more information regarding alternatives to the proposed project please see Master Response 4. 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 agricultural and municipal/industrial water conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). For additional information regarding storage, please see Master Response 37. The potential for adding fish screens to the existing south Delta intake at Clifton Court Forebay was evaluated by Department of Water Resources and found to not be feasible, as described in Section 3A.7 of Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, of the EIR/EIS. With regard to levees and flood protection issues, please see Final EIR/EIS, Appendix 6A.

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		South Delta, levees reinforced above the PL84-99 standard, and significantly increased flows in order to recover habitat and fish stocks, while avoiding the huge infrastructure costs of tunnels under the Delta. It will also provide increased self-reliance for south-of-Delta water users through inter-regional water transfers and south of Delta groundwater storage. The reinforced levees will provide increased reliability of the water supplies through the Delta. And it will accomplish the legislated goals of estuary restoration and water reliability for billions of dollars less than currently contemplated plans.	
674	27	California is in the grip of a water crisis of our own making. Like all problems that humans create, we have the potential to use the crisis as an opportunity to make positive and long-lasting changes in water management. The crisis is not a water shortage - California has already developed sufficient water supplies to take us well into this century - the real crisis is that this supply is not used efficiently or equitably for all Californians, nor is it used wisely to sustain the ecosystems that support us.	As described in Chapter 1, Introduction, to the FEIR/EIS, the proposed project was developed in response to conflicts on the use of water for ecological, agricultural, and municipal water supplies within the requirements of regulatory and legal constraints, facility capacity constraints, and variable hydrological conditions. For more information regarding purpose and need please see Chapter 2 of the FEIR/EIS and Master Response 3. More than two-thirds of the residents of the state and more than two million acres of highly productive farm land receive water exported from the Delta watershed. The proposed project aims to provide a more reliable water supply, in a way more protective of fish. However, the project proponents have no authority to designate what water is used for. One of the State Water Resources Control Board's (State Water Board's) charges is to ensure that the State's water is put to the best possible use and that this use is in the best interest of the California public. This charge is reflected in part by the designation of beneficial uses established through the State Water Board's planning process. These beneficial uses are identified in each Water Quality Control Plan (Basin Plan) issued by the State Water Board.
674	28	The opportunity - and the basis for our positive vision - is that economically and technologically feasible measures are readily available to provide the water needed for our future. Our vision includes providing clean water for families to drink, providing water to improve the environmental health of our once-magnificent rivers, recovering our fisheries from the edges of extinction, fostering healthy commercial and recreational fisheries and a thriving agricultural industry, ensuring that all California communities have access to safe and affordable drinking water, and contributing significantly to the state's largest industries: recreation and tourism. [Footnote 1: California's Rivers A Public Trust Report. Prepared for the State Lands Commission. 1993. P. 47. http://www.slc.ca.gov/Reports/CA_Rivers_Rpt.html] [Footnote 2: California Travel and Tourism Commission. California Travel Impacts by County. 2008 Preliminary State Estimates. Total direct travel spending alone was $96.7 billion in 2008. ES-2. http://tourism.visitcalifornia.com/media/uploads/files/editor/Research/CAImp08pfinal.pdf.] We need to make significant changes in our water management practices in order to provide the favorable outcomes that we describe in this report. These changes are based on the following Principles for a Comprehensive California Water Policy, developed by the Planning and Conservation League and the Environmental Justice Coalition for Water to guide California water policy reform. [Footnote 3: Aquafornia: the California Water News Blog of the Water Education Foundation. Http://aquafornia.com/archives/8374.]	The items identified in this comment are similar to the requirements for consideration in the FEIR/EIS as identified in the Delta Reform Act and listed in Section 1.4.3 of Chapter 1, Introduction, of the FEIR/EIS. For more information regarding the proposed project's compliance with the Delta Reform Act please see Master Response 31.
674	29	California must respect and adjust to meet the natural limits of its waters and waterways, including the limits imposed by climate change.	The item identified in this comment is similar to the requirements for consideration in the Final EIR/EIS as identified in the Delta Reform Act and listed in Chapter 1 of the Final EIR/EIS. The Delta Reform Act indicated

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			that the EIR/EIS must analyze the potential effects of climate change and sea level rise on changes in precipitation and runoff patterns on both the conveyance alternatives and habitat restoration activities.
674	30	Every Californian has a right to safe, sufficient, affordable, and accessible drinking water. California's ecosystems and the life they support have a right to clean water and to exist and thrive, for their own benefit and the benefit of future generations.	The Lead Agencies acknowledge your comment. The comment does not raise an issue with the 2015 RDEIR/SDEIS or the 2013 DEIR/DEIS.
674	31	California must maximize environmentally sustainable local water self-sufficiency in all areas of the State, especially in the face of climate change.	The proposed project was considered as only part of a state-wide response to 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 local water self-sufficiency such as conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Master Response 8 and Section 1.C.3 of Appendix 1C, Demand Management Measures).
674	32	The quality and health of California's water must be protected and enhanced through full implementation and enforcement of existing water quality, environmental, and land use regulations and other actions, and through new or more rigorous regulations and actions as needed.	The amount of water DWR can pump 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 USFWS (2008) and NMFS (2009) biological opinions 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 biological opinions. In addition to permitting constraints on daily operations of the SWP and CVP, DWR must maintain proper performance and bypass flows across fish screens when endangered and threatened fish species are present within the north Delta facilities area. The intake fish screens drive the overall size of the intake structure on the riverbank, and would be sized to permit water to flow through the screens within a predetermined flow regime set by California Department of Fish and Wildlife, USFWS, and NMFS fish screen criteria. For Alternative 4A, the EIR/EIS describes whether concentrations of various water quality constituents are expected to increase or decrease with the project, relative to existing conditions and the No Action Alternative. To the extent that concentrations of various water quality constituents are expected to increase, Chapter 8 describes whether these increases are expected to result in impacts to beneficial uses of water in the Delta. For constituents for which adverse impacts were expected, mitigation and other commitments, such as additional evaluation and modeling and consultation with water purveyors to identify additional measures to avoid and minimize or offset these impacts, were introduced to address those impacts. Additionally, adding intakes in the North Delta will allow for operational flexibility that can improve natural flow in the Delta and avoid impacts to migratory fish based on real time data and operations Construction of the Proposed Project water conveyance facilities would be sequenced over more than 10 years. Construction of individual components (e.g. intakes, tunnels) would range from one to six years. Temporary construction-related impacts include noise, visual, and transportation, among others. The construction-related impacts are disclosed in individual resource area chapters in the EIR/EIS. As part of the planning and environmental assessment process, the project proponents will incorporate environmental commitments and best management practices (BMPs) into the action alternatives to avoid or minimize potential adverse effects (a NEPA term) and potential significant impacts (a CEQA term). The project proponents will implement these environmental commitments as part of the project construction activities. In other words, these commitments will be satisfied even if not separately imposed by the permitting agencies. If permitting agencies impose additional measures or modifications, those will also be adhered to as part of the permit(s). The project proponents will coordinate planning, engineering, design and construction, operation, and maintenance phases of the alternative with the appropriate agencies. For more information regarding Environmental Commitments please see Appendix 3B of the EIR/EIS.

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674	33	All Californians must have immediate and ready access to information and the decision-making processes for water.	Please refer to Chapter 32 in the EIR/EIS and Master Response 40 for information related to outreach, transparency of the planning process, and stakeholder engagement.
674	34	California must institute sustainable and equitable funding to ensure cost-effective water reliability and water quality solutions for the state where cost-effective includes environmental and social costs.	Please refer to Master Response 5 regarding costs and funding of the project.
674	35	Groundwater and surface water management must be integrated, and water quality and quantity must be addressed on a watershed basis.	The FEIR/EIS analysis includes considerations of changes in surface water and groundwater conditions in an integrated manner, including quantity and quality, within the Delta watershed (as discussed in Chapter 5, Water Supply, Chapter 6, Surface Water, Chapter 7, Groundwater, and Chapter 8, Water Quality). The CALSIM II and CVHM models include consideration of the integrated nature of surface water and groundwater.
674	36	California's actions on water must respect the needs and interests of California Tribes, including those unrecognized Tribes in the State.	The Action alternatives 1 through 9 would not affect the availability of water supplies to California tribes or any other senior water rights holder. The Action alternatives would only change the delivery patterns of water rights issued by the State Water Resources Control Board to DWR and Reclamation for the SWP and CVP operations, respectively. For more information regarding tribal issues please see Master Response 21.
674	37	California must overhaul its existing, piecemeal water rights policies, which already over-allocate existing water and distribute rights without regard to equity.	The State Water Resources Control Board, not DWR, is responsible for decisions relating to water rights. DWR holds water rights approved by the State Water Resources Control Board but does not have the power or authority to issue water rights to others. Additionally, the proposed project does not seek any new water rights nor include any regulatory actions that would affect water rights holders other than DWR, Reclamation, and SWP and CVP contractors. Importantly, all water exported by the SWP and CVP is the subject of the existing water rights of those two agencies. Exports do not come at the expense of other water rights holders. The proposed project and its alternatives analyzed in the EIR/EIS only include the use of water from existing SWP and CVP water rights or voluntary water transfers from other water rights holders. The proposed project and its alternatives do not reduce the protections for other water right holders. Please see Master Response 26.
674	38	A major influencing factor in future California water solutions will be the impact of global climate change. Based on the scientific information available, the natural limits of our water supply will become more obvious, the economics of water policies will change significantly, and our ability to provide sustainable water solutions for all Californians will become more challenging. Unless we manage our water more efficiently and account for the current and future effects of global climate change, the costs of providing reliable water to all users will overwhelm our ability to provide it.	The EIR/EIS analyzed the action alternatives as compared to the Existing Conditions which provides an analysis of water supply effects to the SWP and CVP and several other water supplies within the Delta watershed under projected climate change conditions in the Year 2060 conditions. Alternatives 4A, 2D, and 5A also were evaluated under projected climate change conditions in the Year 2025 conditions. The action alternatives address methods to more efficiently manage SWP and CVP water supplies. Non-SWP and non-CVP water supplies are assumed to be managed in accordance with a continuation of existing policy and management under the No Action Alternative because changes in those water supplies are not consistent with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS). Please also refer to Master Response 19 regarding climate change.
674	39	In addition to the commonly accepted NEPA and CEQA requirements for any Delta Estuary plan, there are five fundamental criteria that any plan for recovering the health of the Bay Delta Estuary and fish species must successfully meet. Those criteria are: 1. A water availability analysis must be conducted to align water needs with availability. 2. A benefit/cost analysis must be conducted to determine economic desirability of any plan. 3. Public trust and sociological values must be balanced against the value of water	NEPA and CEQA are federal and state environmental planning laws that require substantive and procedural requirements to be fulfilled prior to project approval by a public agency. 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. Please refer to Master Response 3 for the Purpose and Need and Master Response 28 for a discussion of the proposed project's Operational Criteria. Please refer to Chapter 5 of the EIR/EIS for information related to water supply. The proposed project is costly, but proponents have assessed the benefits. Notably, the water contractors

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		exports. 4. Existing water quality regulations must be enforced in order to recover the Estuary. 5. The plan must meet the NCCP recovery standard for fish species. All of the current and past plans for the Delta estuary have failed, partly because the responsible state and federal authorities have refused to apply or to test their projects with these above criteria. The Environmental Water Caucus would welcome this Responsible Exports Plan being judged by these pragmatic and acceptable criteria.	benefitting from the proposed project and their constituents will bear all costs associated with constructing new conveyance facilities and mitigating for the impacts of those facilities. Expenditures of public money from other sources would be limited to restoration activities beyond those needed to mitigate the impacts of facility construction. Please see Master Response 5 for more information on project costs and funding. Please refer to Chapter 32 in the 2013 EIR/EIS and Master Response 40 regarding the adequacy of outreach conducted for California WaterFix and the BDCP and Master Response 13 regarding compliance with the public trust doctrine. Information about water quality standards and existing enforcement is provided in Chapter 8 of the EIR/EIS and additional information is provided in Master Response 14 regarding water quality.
674	40	Climate models indicate that climate change is already affecting our ability to meet all or most of the goals enumerated in this report and must be integrated into the implementation of the recommendations. The main considerations are: -More precipitation will fall as rain rather than snow and will result in earlier runoff than in the past. [Footnote 4: National Wildlife Federation and the Planning and Conservation League Foundation. On the Edge: Protecting California's Fish and Waterfowl from Global Warming. 10-11. www.pcl.org/projects/globalwarming.html.] -Less snow will mean that the current springtime melt and runoff will be reduced in volume. -Overall, average precipitation and river flow are expected to decrease. A recent paper in Frontiers in Ecology and the Environment [Footnote 5: National Wildlife Federation and the Planning and Conservation League Foundation. On the Edge: Protecting California's Fish and Waterfowl from Global Warming. 10-11. www.pcl.org/projects/globalwarming.html.] predicts that the average Sacramento River flow will decrease by about 20 percent by the 2050s. -Precipitation patterns are expected to become more erratic including both prolonged periods of drought and greater risks of flooding. -Sea level rise will impact flows and operations within the Delta, endanger fragile Delta levees, and increase the salinity concentration of Suisun Bay and the Delta, as well as increase the salinity concentrations of some coastal groundwater aquifers. These changing conditions could affect all aspects of water resource management, including design and operational assumptions about resource supplies, system demands, performance requirements, and operational constraints. To address these challenges, we must enhance the resiliency of natural systems and improve the reliability and flexibility of the water management systems.	The anticipated hydrologic changes due to climate change (increased temperatures and more years of critical dryness, increased water temperatures, changes in precipitation and runoff patterns, sea level rise, and tidal variations) will constrain and challenge future water management practices across the state, with or without the proposed project. The state is addressing climate change through strategies and a decision-making framework as outlined in the California Climate Adaptation Strategy and Adaptation Planning Guide. However, no single project and indeed none of the project alternatives would be able to completely counteract all of the impacts of climate change. The State of California has acknowledged that sea level rise threatens coastal and near coastal resources (such as the Delta and Delta water supplies) and that adaptation and resiliency planning to protect these resources from expected levels of sea level rise is appropriate. (OPC, 2013) http://www.opc.ca.gov/2013/04/update-to-the-sea-level-rise-guidance-document/ (CCC, 2013) http://www.coastal.ca.gov/climate/SLRguidance.html EO S-3-05. http://gov.ca.gov/news.php?id=1861 EO S-13-08 http://gov.ca.gov/news.php?id=11036 AB 32 also mentions SLR as a threat to California. As described in the EIR/EIS, all of the action alternatives and No Action Alternative were analyzed in the future with assumptions for future climate change and sea level rise. California Waterfix would help to address the resilience and adaptability of the Delta to climate change through water delivery facilities combined with a range of operational scenarios, measures focused on the protection, restoration, and enhancement of the Delta ecosystem and measures to reduce other stressors, as described in Appendix 3B. In addition to the added water management flexibility created by new water diversions and operational scenarios, California Waterfix would improve habitat, increase food supplies and reduce the effects of other stressors on the Delta ecosystem. By improving and expanding available habitat, the proposed project would increase resilience and adaptability to climate change by making alternative habitat available during periods of high stress, such as very high or low freshwater inflow or very high salinity intrusion. Multiple analyses were performed in the proposed project to test the robustness of the alternatives to a range of potential future conditions. Water supply, aquatic and terrestrial resources were all analyzed with projected future conditions. The proposed project will likely remain in place and function far into the future when salinity intrusion may require less frequent use of the south Delta pumps. Far from being stranded assets, the tunnels will be part of the state's strategy in adapting to climate change. More information on ways in which the BDCP/California WaterFix proposes to improve resiliency and adaptability of the Delta to climate change can be found in Chapter 29, Climate Change, EIR/EIS and

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			Appendix 3E of the EIR/EIS. Please also refer to Master Response 19.
674	41	Drought is a consistent and recurrent part of California's climate. Multiple- year droughts have occurred three times during the last four decades. [Footnote 6: California Drought Update. May 29, 2009. P.5. http://www.water.ca.gov/drought/docs/drought_update.pdf.] In creating a statewide drought water bank, there is a clear need for a long-term version of a drought water bank. California's experience of multiple-year droughts should force state and local water and land use authorities to recognize the recurrence of drought periods and to put more effective uses of water in place permanently. The Governor's current policy on water conservation [Footnote 7: 20x2020 Water Conservation Plan DRAFT, April 30, 2009. Executive Summary. Http://www.swrcb.ca.gov/water_issues/hot_topics/20x2020/index.shtml.] should be mandatory for all water districts and become a permanent part of water policy, rather than a response to current dry conditions. Only by educating the public, recognizing limits, and learning to use the water we do have more efficiently can Californians expect to handle future drought conditions reasonably.	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, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures).
674	42	It is imperative that water policies and practices are designed to avoid compounding existing or creating new disproportionately adverse effects on low income Californians and communities of color. Conversely, water policies and practices must anticipate and prepare for anticipated disproportionately adverse effects and to provide equitable benefits to these communities, particularly those afflicted by persistent poverty and which have been neglected historically. For example, water moving south through the California Aqueduct and the Delta Mendota Canal flow past small valley towns that lack adequate or healthy water supplies. We know that under conditions of climate change and drought, catastrophic environmental changes will occur in California. Environmental justice requires that water policies and practices designed to account for climate change and drought include a special focus on preventing catastrophic environmental or economic impacts on environmental justice communities. Other, specific environmental justice water issues include: -Access to safe, affordable water for basic human needs. -Access to sufficient wastewater infrastructure that protects water quality and prevents overflows and other public health threats. -Restoration of water quality so that environmental justice communities can safely feed their families the fish they catch in local waters to supplement their families' diets. -Equitable access to water resources for recreation. -Equitable access to statewide planning and funding to ensure that in addition to safe affordable water, and wastewater services, environmental justice communities benefit equitably from improved conservation, water recycling and other future water innovations that improve efficiency and water quality. -Mitigation of negative impacts from the inevitable reallocation of a portion of the water currently used in agriculture - the state's biggest water use sector - to water for cities and the environment. Reallocation will reduce irrigated acreage, the number of farm-related jobs, and local tax revenues.	Please refer to Master Response 3, Purpose and Need, regarding the purpose and need for this project, including the need to increase water supply reliability, and protect the state's water supply against the effects of climate change. Please also see Section 28.5.1.2 in Chapter 28 regarding the methodology for the Environmental Justice chapter's analysis, which describes what impacts are listed and analyzed in this chapter, per the EPA's Toolkit for Assessing Potential Allegations of Environmental Injustice. Impacts listed in Chapter 28 were identified by first identifying all adverse effects in other resource chapters, and then reviewing them to determine if any of those environmental consequences may disproportionately affect an environmental justice population. As described in Section 28.5.3.1, the proposed project would not result in disproportionately adverse effects on environmental justice populations with regards to impacts related to water supply, surface water, groundwater, water quality, soils, fish and terrestrial resources, agricultural resources, recreation, transportation, energy, paleontological resources, and public health. With regards to the commenter's statement about transporting water next to communities that lack adequate or healthy water supplies, the proposed project would not result in that type of impact. The proposed project would decrease total exports of SWP and CVP water as compared to Existing Conditions and No Action Alternative in the summer and early fall months; and increase exports in the wet winter months when the river flows are high to improve conditions for aquatic resources in the Delta. The water would be stored at locations south of the Delta during the high flow periods to allow reductions in deliveries to SWP and CVP water users in drier periods. Changes in water delivery or reliability related to the project would not directly result in effects on environmental justice populations because water supply changes alone would not be adverse without considering the secondary socioeconomic effects that could potentially result from such a reduction. The Proposed Project would result in similar SWP and CVP deliveries as under the Existing Conditions and No Action Alternative; and Alternatives 6A, 6B, 6C, 7, and 8) would decrease average annual water supply deliveries south of the Delta and water supply reliability. For those alternatives that would result in average annual reductions in SWP and CVP deliveries south of the Delta, potential disproportionate effects on environmental justice populations are referenced in the Socioeconomics section of Chapter 28. Socioeconomic impacts that would disproportionately affect environmental justice populations, such as temporary and permanent regional economic effects (e.g. jobs lost) during construction and operations and maintenance of the water conveyance facilities are described in this section. Additionally, socioeconomic mitigation, where applicable, is described in Chapter 16, Socioeconomics.

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		-Mitigation of third party impacts, including impacts on farm workers, associated with land conversion. -Ideally, mitigation will be based on a comprehensive plan to transition local rural economies to new industries such as solar farms and other clean energy business models and provide the necessary job training and policies necessary to enable environmental justice community members to achieve the transition. -Protection from the impacts of floods and levee breaks, including provisions for emergency and long-term assistance to renters displaced by floodwaters.	
674	43	Many of California's Historical Tribes have a deep and intrinsic relationship with California's rivers, lakes, streams and springs. This relationship goes to the very core of their origin, cultural, and spiritual beliefs. Many of the Tribes consider the fish that reside in these waters as gifts from their creator, and the fish are necessary to the continued survival of their people and their cultural and spiritual beliefs. Historically, California's water policy has failed to recognize the importance of the needs of one of its greatest natural and cultural resources - its Historical Tribes - and has only sought to manage water for economic gain. California water policies and practices must change to provide sufficient water to support fisheries and their habitats for both cultural and economic sustainability, and provide for the restoration of and access to those fisheries for its Native Peoples.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. For additional information about Native American outreach efforts, including identification and analysis of impacts on archaeological sites, Traditional Cultural Properties, and cultural significance of biological resources, please see Master Response 21.
674	44	The Precautionary Principle states that: "Where there is scientific evidence that serious harm might result from a proposed action but there is no certainty that it will, the precautionary principle requires that in such situations action be taken to avoid or mitigate the potential harm, even before there is scientific proof that it will occur." [Footnote 8: A. I. Schafer, S. Beder. Role of the precautionary principle in water recycling. University of Wollongong. 2006. 1.1.] Numerous actions recommended in this report fit that criteria and the precautionary principle is therefore implicit throughout the report recommendations.	Since 2006, the Proposed Project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. Proposed project impacts and their associated mitigation measures are discussed in each Resource Area chapter of the Final EIR/EIS. Please see Appendix 3B for Environmental Commitments.
674	45	California's human population is expected to continue to increase from the current population of more than 37 million to 49 million by 2030 and 59 million by 2050. [Footnote: 9. California Department of Finance, Demographic Research Unit. 2009. Table 1. http://www.dof.ca.gov/research/demographic/reports/#projections.] In 2008, 75 percent of the population growth came from natural growth (births) and 25 percent came from immigration, both foreign and interstate. In each of the data sources utilized in this report, population increases have been factored into the conclusions, unless otherwise noted.	A major portion of Chapter 30 is the translation of additional M&I water into additional people in each region. This estimate assumes that water supply is the only thing controlling population in an area (i.e., it is an estimate of the maximum possible growth inducement effect). Even though growth is already expected to occur, the analysis assumes that the projected growth could not occur without more reliable or additional water supply.
674	46	Numerous scientific and legal investigations have identified Delta export pumping by the state and federal projects as one of the primary causes of the decline of the health of the Delta estuary and its fish. They include the California Fish and Game Commission's 2009 listing of longfin smelt under the Endangered Species Act; the US Fish and Wildlife Service's 2008 Biological Opinion for delta smelt; the National Marine Service June 4, 2009 Biological Opinion on Central Valley Project (CVP) and State Water Project (SWP) Operations, the State Water Resources Control Board's Bay-Delta Water Quality Control Plan and Water Rights Decision 1641; the CALFED Bay-Delta Program's 2000 Ecosystem Restoration Program Plan; and the Central Valley Project Improvement Act's	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. As described in the analysis of the Proposed Project, Alternative 4A, in the Final EIR/EIS, less south Delta export pumping under the Proposed Project has the potential to reduce delta smelt entrainment loss below Existing Conditions. The need to adaptively manage operations is recognized in Chapter3 of the Final EIR/EIS. Please see Master Response 33. The amount of water DWR can pump 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 USFWS (2008) and NMFS (2009) biological opinions and State Water Resources Control Board Water Right Decision 1641 (D-1641), subject to

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		Anadromous Fish Restoration Program. The guidelines of the Fish and Wildlife Service's Biological Opinion require reduced pumping in order to minimize reverse flows and the resultant fish kills during times of the year when delta smelt are spawning and the young larvae and juveniles are present. The long-term decline of the delta smelt coincides with large increases in freshwater exports out of the Delta by the state and federally operated water projects, (Figure 1). CALFED's Ecosystem Restoration Program reminds us that "the more water left in the system (i.e., that which flows through the Delta into Suisun Bay and eventually the ocean), the greater the health of the estuary overall; there is no such thing as 'too much water' for the environment." [Footnote: 10. Delta Vision Final Report. 2008. State of California Resources Agency. P. 41. http://deltavision.ca.gov/BlueRibbonTaskForce/FinalVision/Delta_Vision_Final.pdf.]	adjustments made pursuant to the adaptive management process as described in the 2008 and 2009 biological opinions. In addition to permitting constraints on daily operations of the SWP and CVP, DWR must maintain proper performance and bypass flows across fish screens when endangered and threatened fish species are present within the north Delta facilities area. The intake fish screens drive the overall size of the intake structure on the riverbank, and have been numbered and sized to permit water to flow through the screens within a predetermined flow regime set by California Department of Fish and Wildlife and NMFS fish screen criteria. Please see Appendix 3F and Appendix 5A of the EIR/EIS.
674	47	The main input to the Delta - the Sacramento River, which provides 70 percent of Delta inflow in average years [Footnote: 11. Delta Vision Final Report. 2008. State of California Resources Agency. P. 41. http://deltavision.ca.gov/BlueRibbonTaskForce/FinalVision/Delta_Vision_Final.pdf.] - does not provide sufficient water for all the present claimants except in wet years, and climate change is expected to decrease flows in the future. The system cannot provide full delivery of water to the most junior Central Valley Project and State Water Project contract holders in most years. Recent court-ordered water export limits that protect endangered fish species, the continuously deteriorating Delta earthen levees and the potential adverse effects of climate change on water supplies combine to make Delta water supply reliability a roll of the dice. According to the recent National Marine Services Biological Opinion, the proposed actions by the CVP and SWP to increase export levels will exacerbate problems in the Delta. [Footnote 12: National Marine Fisheries Service, Southwest Region. June 4, 2009. Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project. Page 629. http://swr.ucsd.edu/ocap/NMFS_Biological_and_Conference_Opinion_on_the_Long-Term_Operations_of_the_CVP_and_SWP.pdf.] We do not believe that the water exporters' goals of maintaining or increasing Delta exports are attainable; neither are the junior water rights holders' expectations that they should have a full contracted water supply each year, especially in view of the collapse of the Delta's fisheries and the impacts of climate change.	The EIR/EIS evaluates the changes in the SWP and CVP water contract deliveries under the action alternatives as compared to the Existing Conditions and the No Action Alternative within the upper limits of the contract amounts. DWR and Reclamation are responsible to deliver up to the full contract amounts in accordance with their authorizations for the SWP and CVP, respectively. The alternatives were developed to deliver SWP and CVP water up to the upper limit of legal SWP and CVP contractual water amounts, with the understanding that full contract amounts would not be delivered on average for the alternatives considered in the EIR/EIS. The range of alternatives includes alternatives which result in reductions in SWP and CVP water deliveries south of the Delta as compared to the Existing Conditions and the No Action Alternative. The No Action Alternative and Alternatives 4A, 4H1, 4H2, 4H3, 4H4; 5; 6A, 6B, 6C; 7; 8; and 9 would result in similar or less SWP and CVP water deliveries south of the Delta than under Existing Conditions. Similarly, Alternatives 4A; 4H4; 6A, 6B, 6C; 7; 8; and 9 would result in less SWP and CVP water deliveries south of the Delta than under the No Action Alternative. The alternatives were developed to deliver SWP and CVP water up to the upper limit of legal SWP and CVP contractual water amounts, with the understanding that full contract amounts would not be delivered on average for the alternatives considered in the EIR/EIS.
674	48	[Att 1: Historic Delta Exports and abundance of fish population graph.] [Footnote 13: Environmental Defense Fund. 2008. Finding the Balance. P. 3. http://www.edf.org/documents/8093_CA_Finding_Balance_2008.pdf]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
674	49	Strategic alternatives to the recent high levels of Delta water exports should now be the highest priority considerations for the state's water planning - especially in tandem with aggressive water use efficiency measures. The two are closely linked.	The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta.

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			For more information regarding demand management please see Master Response 6. For more information regarding beneficial use please see Master Response 34.
674	50	Over time, annual Delta outflows have been reduced on average by one half, [Footnote 14: CALFED Ecosystem Restoration Program. 2008. Stage 2 Implementation Draft. P. 21. http://www.delta.dfg.ca.gov/erp/reports_docs.asp] with associated declines in native fish abundance. Export pumping from the Delta is a major cause of reduced outflows, but not the only one. Diversions for Central Valley Project contractors upstream of the Delta, combined with non-project (that is, non-federal, non-state) diversions, account for a significant portion of the reduction in outflow. In fact, 31 percent of upstream water is diverted annually before reaching the Delta. [Footnote 15: CALFED Ecosystem Restoration Program. 2008. Stage 2 Implementation Draft. P. 20. http://www.delta.dfg.ca.gov/erp/reports_docs.asp] In the 1990s, under the threat of federal intervention, California increased the required outflow to the Bay, but not enough to restore the Delta ecosystem or prevent further declines.	The action alternatives represent a range of Delta outflow criteria that include existing requirements under the 2008 USFWS BO and 2009 NMFS BO to criteria based upon proportional flows from the streams in the Delta watershed with SWP and CVP water rights. The No Action Alternative and Alternatives 2A, 2B, 2C; 2D; 4A, 4H2, 4H3, 4H4; 5; 5A; 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under Existing Conditions. Similarly, Alternatives 6A, 6B, 6C; 7; 8; and 9 would result in greater average annual Delta outflow than under the No Action Alternative.
674	51	Over the years, a number of processes have identified the need to dramatically improve outflows in order to recover listed species to a sustainable level and restore ecosystems in the Bay-Delta. From 1988, when the State Water Resources Control Board (SWRCB) proposed - but withdrew without public discussion - standards that would have required an average increase in outflow of 1.5 million acre-feet over the lower diversion levels of the period before the late 1980s, to 2009, when the California Legislature adopted a new policy of reducing reliance on the Delta for water supply uses, the need for greater outflow and reduced exports has been acknowledged - but not achieved. In 2010, the State Board was required to develop flow criteria that will fully protect public trust resources in the Delta. In all these years, no information has been developed that would contradict the Board's 1992 draft finding that maximum Delta pumping in wet years should not exceed 2.65 million acre-feet in order to provide the necessary outflows to protect fish and the Bay-Delta ecosystems. [Footnote 16: California Department of Fish and Game. 1992. Testimony on the Sacramento-San Joaquin Estuary to SWRCB Hearings on Bay Delta Water Quality Hearings. Page 11.] The rebuttable presumption, consistent with the evidence of the last two decades and with the new state policy to reduce Delta water supply reliance, is that a total export number of no more than 3 million acre-feet in all water year types is prudent. The Environmental Water Caucus organizations believe that a number at or near this level should now be used by the state and federal governments in planning and permitting future Delta export operations - with or without a Peripheral Canal - in order to promote the recovery of the Delta's ecology and its fishery resources and to provide healthy Delta outflows to San Pablo and San Francisco Bays.	Alternative 8 in the Final EIR/EIS would result in a long-term average delivery of .1 million acre-feet/year.
674	52	The Delta Flows Criteria promulgated by the State Water Resources Control Board (SWRCB) clearly indicates that the state has reached - and exceeded - the amount of water that can responsibly be diverted from the Bay Delta and estuary. As a result, this plan anticipates future limitations on Delta exports below the level of the 2000-2007 time periods in its plan to meet Delta ecosystem restoration goals. The recent Public Policy Institute of California report reinforces this: "given the extreme environmental degradation of this region, water users must be prepared to take less water from the Delta, at least until endangered fish populations recover."	As described in Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, of the Final EIR/EIS, one of the potential alternatives considered in Appendix 3A was based upon the State Water Resources Control Board 2010 Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem. This potential alternative was not evaluated in detail because the flow recommendations in the 2010 report could not be achieved without adverse impacts to cold water management for fisheries in the Sacramento, Feather, and American rivers without reductions in non-SWP and non-CVP water rights diversions. The purpose and need of this EIR/EIS would not allow changes to non-SWP and non-CVP water rights. However, Alternatives 7 and 8 in the EIR/EIS reflect similar flow criteria in a manner that would only affect SWP and CVP water rights. Development of Alternatives 7 and 8 also consider development of flow

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		As indicated in the recent SWRCB report, [Footnote 17: State Water Resources Control Board and California Environmental Protection Agency. Draft Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem. July 2010. Pp. 5.] in order to preserve the attributes of a natural variable system to which native fish species are adapted, many of the criteria developed by the State Water Board are crafted as percentages of natural or unimpaired flows. These criteria include: - 75% of unimpaired Delta outflow from January through June; - 75% of unimpaired Sacramento River inflow from November through June; - 60% of unimpaired San Joaquin River inflow from February through June. - This compares with the historic flows over the last 18 to 22 years, which have been: - About 50% on average from April through June for Sacramento River inflows; - Approximately 30% in drier years to almost 100% of unimpaired flows in wetter years for Delta outflows; - Approximately 20% in drier years to almost 50% in wetter years for San Joaquin River inflows. In 2014, the State Board is required to develop flow criteria that will fully protect public trust resources in the Delta and estuary. In all the years since 1988, no information has been developed that would contradict the Board's 1992 draft finding that maximum Delta pumping in wet years should not exceed 2.65 million acre-feet in order to provide the necessary outflows to protect fish and the Bay-Delta and estuary ecosystems. The rebuttable presumption, consistent with the evidence of the last two decades and with the new state policy to reduce Delta water supply reliance, is that a total export number of no more than 3 million acre-feet in all water year types, except for drought years, is prudent.	criteria as a percentage of unimpaired flows. The State Water Resources Control Board's flow criteria recommendations and how they were used to inform the BDCP planning process are also discussed in Appendix 3I, BDCP Compliance with the 2009 Delta Reform Act. Appendix 3A also explains that the Lead Agencies employed a "bookend" approach to analyzing alternatives. Alternative 8 in the EIR/EIS would result in a long-term average delivery of .1 million acre-feet/year.
674	53	The current approach of managing the Delta for water supply will almost certainly lead to intense pressures to make increased exports the major goal of a Peripheral Canal or tunnel while the health of the Delta and Estuary will be a lower priority. One of the main objectives of this Responsible Exports Plan is to decrease the physical vulnerability and increase the predictability of Delta supplies, not to increase average annual Delta exports. The current fallacy of the BDCP to increase exports while somehow recovering fish species and ecosystems leads directly to a warped scientific program as pointed out by The Bay Institute in their recent Briefing Paper on the BDCP Effects Analysis. [Footnote 18: The Bay Institute and Defenders of Wildlife. The BDCP Effects Analysis, Briefing Paper. February 2012. http://www.bay.org/assets/BDCP%20EA%20Briefing%20Paper%2022912.pdf]	The concept of providing increased predictability is part of the Project Objectives and Purpose and Need for the action alternatives as indicated in Chapter 35, Glossary, of the Final EIR/EIS, under the definition of "water supply reliability." This term is defined as "The occurrence of water supplies of sufficient quality and certainty to enhance or sustain a diverse portfolio of economic activity and ecosystem health and maintain quality of life." The alternatives were developed to deliver SWP and CVP water up to the upper limit of legal SWP and CVP contractual water amounts, with the understanding that full contract amounts would not be delivered on average for the alternatives considered in the Final EIR/EIS. Please see Master Response 3.
674	54	Recent letters from the Environmental Protection Agency and the Bureau of Reclamation indicate that the EPA believes that the (BDCP) EIS/EIR will need to include a significant analysis of alternatives reflecting reduced Delta inflow and reduced exports [Footnote 19: http://www.epa.gov/region9/water/watershed/sfbaydelta/pdf/EPA_Comments_BDCP_3rdNO_051409.pdf] and that a significant increase in exports out of the Delta is	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 agricultural and municipal/industrial water conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). The concept of providing increased predictability is part of the Project Objectives and Purpose and Need for

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		inconsistent with recent state legislation (to reduce reliance on the Delta). [Footnote 20: http://www.epa.gov/region9/water/watershed/sfbay-delta/pdf/EpaR9CommentsBdcpPurpStmt6-10-2010.pdf] Changing the infrastructure will not solve the problem of a shrinking Delta water supply. A vigorous debate is now underway over whether a new isolated conveyance facility to move water around or under the Delta should be constructed - a revised version of the Peripheral Canal. Even those who support a new facility (and dual conveyance) as a solution to improve environmental conditions and water supply reliability, including the Public Policy Institute, [Footnote 21: Public Policy Institute of California. 2008. Comparing Futures for the Sacramento-San Joaquin Delta. P. 123-124. http://www.ppic.org/content/pubs/report/R_708EHR.pdf] the Delta Vision Blue Ribbon Task Force, and some environmental groups, do not believe that constructing this new facility will generate any new water. Whether or not a new conveyance facility is approved and built, the inexorable trend will be for the reliability of north-to-south water transfers through or around the Delta to decline, and for water users who currently rely on Delta exports to seek alternative sources of supply and to increase their conservation and reuse of that supply.	the BDCP alternatives as indicated in Chapter 35, Glossary, of the Draft BDCP EIR/EIS, under the definition of "water supply reliability." This term is defined as "The occurrence of water supplies of sufficient quality and certainty to enhance or sustain a diverse portfolio of economic activity and ecosystem health and maintain quality of life." The alternatives were developed to deliver SWP and CVP water up to the upper limit of legal SWP and CVP contractual water amounts, with the understanding that full contract amounts would not be delivered on average for the alternatives considered in the EIR/EIS. For more information regarding purpose and need of the proposed project please see Master Response 3. For more information regarding alternatives to the proposed project please see Master Response 4.
674	55	According to the Bay Delta Conservation Plan, [Footnote 22: Bay Development Conservation Plan. http://www.baydeltaconservationplan.com/CurrentDocumentsLibrary/Chapter_3_Conservation_Strategy_Combined_v2.pdf] the version of the Peripheral Canal now under consideration would have the capacity to export 9,000 to 15,000 cubic feet of water per second (112,000 gallons per second) from a series of three to five massive intake structures on the Sacramento River north of the Delta. This almost exactly matches the existing capacity of the combined state and federal pumps. The current approach of managing the Delta for water supply will almost certainly lead to intense pressures to make increased exports the major goal of a Peripheral Canal while the health of the Delta will be a lower priority.	The amount of water DWR can pump 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 USFWS (2008) and NMFS (2009) biological opinions 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 biological opinions. In addition to permitting constraints on daily operations of the SWP and CVP, DWR must maintain proper performance and bypass flows across fish screens when endangered and threatened fish species are present within the north Delta facilities area. The intake fish screens drive the overall size of the intake structure on the riverbank, and have been numbered and sized to permit water to flow through the screens within a predetermined flow regime set by California Department of Fish and Wildlife and NMFS fish screen criteria, as described in Appendix 3F of the EIR/EIS. The Proposed Project proposes to stabilize water supplies, and exports could only increase under certain circumstances in which hydrological conditions result in availability of sufficient water and ecological objectives are fully satisfied. It is projected that water deliveries from the federal and state water projects under the Proposed Project would be about the same as the average annual amount of water that would be diverted under the No Action Alternative (i.e. 2025 conditions without the Proposed Project). It is projected that Delta exports from the federal and state water projects would either remain similar or increase in wetter years and decrease in drier years under Alternative 4A as compared to exports under No Action Alternative (ELT) depending on the capability to divert water at the north Delta intakes during winter and spring months, as presented in Appendix 5A, Section C of the EIR/EIS. Although exports under the Proposed Project would be similar to the amount water exported in recent history, it would make the deliveries more predictable and reliable, while reducing other stressors on the ecological functions of the Delta. Although Alternatives 4A, 2D, and 5A include only those habitat restoration measures needed to provide mitigation for specific regulatory compliance purposes, habitat restoration is still recognized as a critical component of the state's long-term plans for the Delta. Such larger endeavors, however, will likely be implemented over time under actions separate and apart from these alternatives. The primary parallel habitat restoration program is called California EcoRestore (EcoRestore), which will be overseen by the California Resources Agency and implemented under the California Water Action Plan. Additional priority restoration projects will be identified through regional and locally-led planning processes facilitated by the Delta Conservancy. Plans will be completed for the Cache Slough, West Delta, Cosumnes, and South Delta.

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			Planning for the Suisun Marsh region is already complete and a process for integrated planning in the Yolo Bypass is underway. The Delta Conservancy will lead the implementation of identified restoration projects, in collaboration with local governments and with a priority on using public lands in the Delta.
674	56	Reduced dependence on the Delta by south-of-Delta water users would also obviate the need for new conveyance around or under the Delta (a Peripheral Canal or tunnel) and new surface storage reservoirs, avoiding costs of perhaps tens of billions of dollars for taxpayers and the potential for stranded assets resulting from climate change and sea level rise in the Bay-Delta and Estuary. This reorientation will undoubtedly require some south-of-Delta infrastructure enhancements, but not nearly to the magnitude of costs for a Peripheral Canal or tunnels and a new reservoir north of the Delta. Climate change projections indicate that over the longer term global warming will reduce the total amount of precipitation, including significant reductions in Sacramento River water. There is no indication that this has been factored into present plans, and it is possible that new conveyance for Sacramento River water may become a stranded asset.	The anticipated hydrologic changes due to climate change (increased temperatures and more years of critical dryness, increased water temperatures, changes in precipitation and runoff patterns, sea level rise, and tidal variations) will constrain and challenge future water management practices across the state, with or without the proposed project. The state is addressing climate change through strategies and a decision-making framework as outlined in the California Climate Adaptation Strategy and Adaptation Planning Guide. However, no single project and indeed none of the project alternatives would be able to completely counteract all of the impacts of climate change. The No Action Alternative and all of the action alternatives consider future changes in climate change and sea level rise. While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of the EIR/EIS, describes the potential for additional water storage. Please see Master Response 4 regarding the development of alternatives, Master Response 6 for information on Demand Management, Master Response 37 regarding water storage, and Master Response 5 for information on costs and funding of the proposed project.
674	57	Implementation (and funding, if necessary) for the level of reduced exports will depend on the results of the State Water Resources Control Board hearings on Delta flows, which are scheduled to be completed during 2014. Subsequent to those hearings, implementation and funding plans will most likely fall within the purview of the state legislature.	As described in Chapter 6, Surface Water, of the EIR/EIS, the State Water Resources Control Board is conducting a current program to update the Bay-Delta Water Quality Control Plan. Since this program is still under development and the potential outcomes are not known at this time, this program is not included in the analysis. Following completion of the updated Bay-Delta Water Quality Control Plan, SWP and CVP operations would need to be reviewed to determine if the operations continued to comply with the new regulations.
674	58	California has developed huge amounts of water for our cities and farms. Urban users consume 8.7 million acre-feet of water, and agriculture uses 34 million acre-feet in a typical year. (An acre-foot of water is the volume of water required to cover one acre of surface area to a depth of one foot, which is 325,900 gallons.) California has 1,400 major reservoirs with a combined storage capacity of 40 million acre-feet, thousands of miles of canals and enormous energy-consuming pumps to move the water around the state. Despite all this abundance, there are fears of monumental water shortages, amplified by periodic drought conditions and climate change. One-third of water years in California since 1906 are considered dry or critical by the California Department of Water Resources; since 1960, dry or critical years have occurred 37 percent of the time, the increased frequency probably reflecting effects of our warming climate. [Footnote 23: California Data Exchange Center "WSIHIST," Department of Water Resources. Http://cdec.water.ca.gov/cgi-progs/iodir/wsihist] The worst and longest modern droughts have occurred since 1976.	The information included in this comment is consistent with information presented in Appendix 5A and Chapter 5 in the Final EIR/EIS.
674	59	Farmers are concerned that they will be driven out of business for lack of water. In response, politicians want to build more major dams and canals to store and move more water at a time when climate change will most likely make less water available. More	The Final EIR/EIS was developed to address some of the competitive uses of water described in this comment, within the current regulatory and legal constraints that are not addressed by the Project Objectives and Purpose and Need (as included in Chapter 2 of the Final EIR/EIS). Please see Master

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		than 90 percent of our rivers have already been diverted for our use and publicly subsidized farm water has created an insatiable appetite for more. In view of the critical nature of water supply, irrigating water-intensive crops and drainage-impaired lands with huge amounts of water hardly fits a 21st century definition of the "beneficial and reasonable use" criteria called for in state law.	Response 34 regarding beneficial use of water.
674	60	Recommendations made by the Environmental Water Caucus to the Delta Stewardship Council included an aggressive urban water conservation and efficiency program - more aggressive and of longer duration than the 20/20 program - and included both urban and agricultural users as a necessary component for reducing reliance on the Delta and achieving the water supply reliability goals for south-of-Delta users. A more aggressive conservation program also supports the goal of the reduced exports level of this alternative. We intend to continue our advocacy for this type of program with the Delta Stewardship Council.	The assumptions for the No Action Alternative were established for information that was available as of 2009 when the Notice of Preparation and Notice of Intent were published, including Urban Water Management Plans submitted to DWR in 2005. The No Action Alternative includes an additional 177,000 acre-feet/year of water rights diversions upstream of Folsom Lake for senior water rights holders, as presented in Table 5A B.19 in Appendix 5A, Section B, CALSIM II and DSM2 Modeling Simulations and Assumptions. These future water demands in the American River watershed are consistent with water demand projections in the recent Urban Water Management Plans submitted to DWR by 2012 which include approaches to meet the 20 percent per capita urban water use by 2020. State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 6 and Appendix 1C, Demand Management Measures, for further information on demand management measures, including increasing agricultural water use efficiency and water conservation. The proposed project is one part of a diverse portfolio of strategies needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including recycling, desalination, water conservation and storage. Please see Master Response 37 regarding storage.
674	61	Overwhelming evidence shows that a suite of aggressive conservation and water efficiency actions will reduce overall demand and provide cost effective increases in available and reliable water supply. These measures will handle California's water needs well into the foreseeable future and will do so at far less financial and environmental cost than constructing more storage dams and reservoirs. This conclusion is reinforced by the current State Water Plan (Bulletin 160-09), by the Bay Institute's Collateral Damage report, and by actual experience in urban areas and farms.	The assumptions for the No Action Alternative were established for information that was available as of 2009 when the Notice of Preparation and Notice of Intent were published, including Urban Water Management Plans submitted to DWR in 2005. The No Action Alternative includes an additional 177,000 acre-feet/year of water rights diversions upstream of Folsom Lake for senior water rights holders, as presented in Table 5A B.19 in Appendix 5A, Section B, CALSIM II and DSM2 Modeling Simulations and Assumptions. These future water demands in the American River watershed are consistent with water demand projections in the recent Urban Water Management Plans submitted to DWR by 2012 which include approaches to meet the 20 percent per capita urban water use by 2020. The proposed project is one part of a diverse portfolio of strategies needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including recycling, desalination, water conservation and storage. Please see Master Response 37 regarding storage. Please refer to Master Response 6 and Appendix 1C, Demand Management Measures, for further information on demand management measures, including increasing agricultural water use efficiency and water conservation.
674	62	Southern California, with its huge urban populations, can provide the major conservation impetus for water savings and demand reduction, as highlighted by the "Where Will We Get the Water?" report produced by the Los Angeles Economic Development Corporation. [Footnote 24: Los Angeles County Economic Development Corporation (LAEDC). 2008. Where Will We Get the Water? Assessing Southern California's Future Water Strategies. P 6. http://www.laedc.org/consulting/projects/2008_SoCalWaterStrategies.pdf.] This report	The assumptions for the No Action Alternative were established for information that was available as of 2009 when the Notice of Preparation and Notice of Intent were published, including Urban Water Management Plans submitted to DWR in 2005. The No Action Alternative includes an additional 177,000 acre-feet/year of water rights diversions upstream of Folsom Lake for senior water rights holders, as presented in Table 5A B.19 in Appendix 5A, Section B, CALSIM II and DSM2 Modeling Simulations and Assumptions. These future water demands in the American River watershed are consistent with water demand projections in the recent Urban Water Management Plans submitted to DWR by 2012 which include

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		shows a potential savings and demand reduction combination of approximately 1,700,000 million acre feet. These are potential savings that can be achieved through three main measures: urban conservation, recycling, and storm water capture. The potential recycling savings are larger with more investment in recycling facilities and potential future regulations related to outdoor urban usage. Southern California should clearly be the main focus for urban conservation measures.	approaches to meet the 20 percent per capita urban water use by 2020. The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project. 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. Please refer to Master Response 6 and Appendix 1C, Demand Management Measures, for further information on demand management measures, including increasing agricultural water use efficiency and conservation. The lead agencies do not have any authority to impose mandatory water rationing on a statewide basis. Rather, there are dozens of independent water agencies and city water departments in California that exercise authority over their own service areas. Only these individual agencies have the authority to impose rationing on their customers.
674	63	Urban Water Conservation - including installing low-flow toilets and showerheads, high-efficiency clothes washers, retrofit-on-resale programs, rainwater harvest, weather-based irrigation controllers, reducing water for landscaping via drip and xeriscape, more efficient commercial and industrial cooling equipment, and tiered price structures. [Footnote 25: A detailed treatment of urban water conservation is contained in Waste Not, Want Not: The Potential for Urban Water Conservation in California, by the Pacific Institute. http://www.pacinst.org/reports/urban_usage/waste_not_want_not_full_report.pdf.] According to the 2009 State Water Plan, total urban water demand can be reduced by 2.1 million acre-feet with these measures. [Footnote 26: California Department of Water Resources. Update 2009. California Water Plan Update. Bulletin 160-09. V-2, P3-23. http://www.waterplan.water.ca.gov/docs/cwpu2009/0310final/v2c03_urbwtruse_cwp2009.pdf.] The referenced Los Angeles Economic Development Corporation report found that in Los Angeles, Orange, San Bernardino, San Diego, Riverside and Ventura counties, "urban water conservation could have an impact equivalent to adding more than 1 million acre-feet of water to the regional supply" (about 25 percent of current annual use). The same LAEDC report shows that urban conservation is by far the most economical approach, at $210 per acre-foot, and especially compared with new surface storage at $760 to $1,400 per acre-foot.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. The assumptions for the No Action Alternative were established for information that was available as of 2009 when the Notice of Preparation and Notice of Intent were published, including Urban Water Management Plans submitted to DWR in 2005. The No Action Alternative includes an additional 177,000 acre-feet/year of water rights diversions upstream of Folsom Lake for senior water rights holders, as presented in Table 5A B.19 in Appendix 5A, Section B, CALSIM II and DSM2 Modeling Simulations and Assumptions. These future water demands in the American River watershed are consistent with water demand projections in the recent Urban Water Management Plans submitted to DWR by 2012 which include approaches to meet the 20 percent per capita urban water use by 2020. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project. 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. Please refer to Master Response 6 and Appendix 1C, Demand Management Measures, for further information on demand management measures, including increasing agricultural water use efficiency and conservation. With regard to storage, please see Master Response 37.
674	64	Urban Conservation Rate Structures - including the establishment of mandatory rate structures within the Urban Best Management Practices that strongly penalize excessive	The proposed project is one part of a diverse portfolio of strategies needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions,

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		use and reward low water usage customers with lower rates, with the lowest being a lifeline rate to provide water for low income and low-water-using ratepayers. The savings that result from pricing policies are included in the 2.1 million acre-feet reduction cited above.	including recycling, desalination, water conservation and storage. Please refer to Master Response 6 and Appendix 1C, Demand Management Measures, for further information on demand management measures, including increasing agricultural water use efficiency and water conservation. Please see Master Response 37 regarding storage. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
674	65	Agricultural Water Conservation - including the continuing trend towards use of drip, micro sprinklers and similar higher technology irrigation, reduced deficit irrigation, transition to less water-intensive crops, reduced overall farmland acreage, elimination of the irrigation of polluted farmland, and tiered price structures. Conservation measures also include the elimination of indirect water subsidies provided to agriculture for Central Valley Project (CVP) water, which will drive some of the efficiencies shown in Figure 1. Demand reduction of as much as 5 million acre-feet per year could be achieved by 2030, according to Pacific Institute's California Water 2030: An Efficient Future report. [Footnote 27: Pacific Institute. California Water 2030: An Efficient Future. September 2005. http://www.pacinst.org/reports/california_water_2030/ca_water_2030.pdf]	The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project. 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. Please refer to Master Response 6 and Appendix 1C, Demand Management Measures, for further information on demand management measures, including increasing agricultural water use efficiency and conservation. Please see Master Response 37 regarding storage.
674	66	Recycled Water - including the treatment and reuse of urban wastewater, gray water, and storm water, and achievement of the State Water Resources Board goal of increasing water recycling by at least an additional 2 million acre-feet per year by 2030. The 2009 State Water Plan indicates a figure of 2.25 million acre-feet that could be recovered. The L.A. Economic Development Corporation report shows recycled water costs $1,000 per acre-foot.	The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta. It is important to note that the 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 as well as other water supplies such a recycling (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species — all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Action Water Plan please follow http://resources.ca.gov/docs/Final_Water_Action_Plan_Press_Release_1-27-14.pdf. Future committees for the Proposed Project implementation may provide future opportunities for innovative input as well. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. Follow the California Water Plan here: http://www.waterplan.water.ca.gov/. Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, EIR/EIS, describes the range of conveyance alternatives considered in the development of the EIR/EIS. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources.

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			Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage.
674	67	Groundwater treatment, demineralization and desalination - including the treatment of contaminated groundwater and the use of groundwater desalination. The cost of groundwater desalination ranges from $750 to $1,200 per acre-foot.	The Proposed Project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The Proposed Project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the 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 measures to expand supply, including groundwater treatment (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures).
674	68	Conjunctive Management - which engages the principles of conjunctive water use (the planned release of surface stored water to recharge groundwater basins), where surface water and groundwater are used in combination to improve water availability and reliability. It also includes important components of groundwater management such as monitoring, evaluation of monitoring data to develop local management objectives, and use of monitoring data to establish and enforce local management policies. Now that the value of maintaining integrated, healthy hydrologic systems for ecological and economic purposes is well known, the use of conjunctive management should give priority to seriously disrupted groundwater basins. Without scientific studies that are needed to support conjunctive water management, or judicial oversight in some cases, many aquifers and surrounding groundwater can be harmed by the biggest users.	Ongoing conjunctive use management is assumed to continue and to expand in the future throughout California. As described in Chapter 7, Groundwater, in the Final EIR/EIS, the State adopted the Sustainable Groundwater Management Act that includes a groundwater monitoring program and a program for each basin to manage future groundwater conditions.
674	69	Storm Water Recapture and Reuse - The 2008 Scoping Plan for California's Global Warming Solutions Act of 2006 promotes storm water collection and reuse. The plan finds that up to 333,000 acre-feet of storm water could be captured annually for reuse in urban Southern California alone. [Footnote 28: Climate Change Scoping Plan Appendices Volume I. December 2008. Pursuant to AB 32 The California Global Warming Solutions Act of 2006. C-135. http://www.arb.ca.gov/cc/scopingplan/document/appendices_volume1.pdf.] The LAEDC report also found the potential for "hundreds of thousands of acre-feet" of water from storm water capture and reuse in Southern California counties. [Footnote 29: Los Angeles County Economic Development Corporation (LAEDC). 2008. Where Will We Get the Water? Assessing Southern California's Future Water Strategies. P 32-33. http://www.laedc.org/consulting/projects/2008_SoCalWaterStrategies.pdf.] The Los Angeles and San Gabriel Watershed Council has estimated that if 80 percent of the rainfall that falls on just a quarter of the urban area within the watershed (15 percent of the total watershed) were captured and reused, total runoff would be reduced by about 30 percent. That translates into a new supply of 132,000 acre-feet of water per year or enough to supply 800,000 people for a year. [Footnote 30: California Department of Water Resources. Update 2005. California Water Plan Update. Bulletin 160-05. P.21-3. http://www.waterplan.water.ca.gov/previous/cwpu2005/index.cfm]	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta. It is important to note that the 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 as well as other water supplies such a stormwater capture and recycling (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). Please see Master Response 37 regarding storage.
674	70	Based on data from the State Water Plan (Bulletins 160-05 and 160-09), [Footnote 31: California Department of Water Resources. Update 2005. California Water Plan Update. Bulletin 160-05. V2 1-5. http://www.waterplan.water.ca.gov/previous/cwpu2005/index.cfm] the Planning and Conservation League (PCL) [Footnote 32: Planning and Conservation League. 2004.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Future water demands under the SWP and CVP water contract municipal uses are consistent with water demand projections in the recent Urban Water Management Plans submitted to DWR which include approaches to meet the 20 percent per capita urban water use by 2020. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta. It is consistent with other programs to

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		Investment Strategy for California Water. P. 8-11. http://www.pcl.org/projects/investmentstrategy.html] and the Pacific Institute, [Footnote 33: Pacific Institute. 2005. California Water 2030: An Efficient Future. ES-2. http://www.pacinst.org/reports/california_water_2030/ca_water_2030.pdf] the savings that can be achieved from these efficiency scenarios are estimated to be 13 million acre-feet per year (Figure 2). Perhaps the most authoritative report on the subject, the Pacific Institute's California Water 2030: An Efficient Future shows that overall statewide water usage can be reduced by 20 percent below 2000 levels - given aggressive efforts to conserve and reduce usage with readily available technology and no decrease in economic activity. The urban water savings of approximately 5 million acre-feet a year (when including recycled municipal water and part of the groundwater storage) shown in Figure 1 is enough water to support a population growth of almost 30,000,000 people. According to the California Water Plan Update 2009, the state's population can be expected to increase by 22,000,000 over the next 40 years if current population trends hold. Clearly, a well-managed future water supply to take us to 2050 is within reach with current supplies and with an aggressive water conservation program. In order to translate these aggressive efficiency measures into actual demand reductions, we need heightened public awareness of these targets and focused state oversight and coordination of local and statewide actions. Existing success stories from urban communities and on-farm operations reinforce the savings potentials and the need for efficiency-driven policies; they are described in detail in a number of the references cited in this report. The Governor's recent mandate for a 20 percent reduction in per capita urban water use by 2020 is the kind of action that will help this effort, although it may prove insufficient in view of projected population growth. Under the Governor's plan, per capita urban use would be reduced from the current 192 gallons per capita daily to 154 gallons, resulting in an annual savings of 1.74 million acre-feet. The projected water savings shown in Figure 1 are more aggressive than the Governor's plan. A similar mandate should be extended to agriculture, since agriculture uses more than three quarters of the state's developed water supplies. Water savings through efficiency measures can result in direct reductions in the volume of Delta exports since most of the savings would occur in cities and farms south of the Delta. These water savings are necessary to reduce the exports and to restore the stream flows called for in this plan.	provide continued investment by the State and other public agencies in conservation as well as other water supplies (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures).
674	71	[ATT 2: Graph of how much water were saved from different efficiency scenarios that can support millions of people.]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
674	72	The Natural Resources Defense Council's report Transforming Water Use: A California Water Efficiency Agenda for the 21st Century cites the state's successes in energy efficiency as a model for water efficiency while noting that the state lags far behind in water efficiency policies, programs, and funding. A key component of the success in energy efficiency has been the development of a priority system called a Loading Order. [Footnote 34: Natural Resources Defense Council. 2007. Transforming Water Use: A California Water Efficiency Agenda for the 21st Century. P. 2. www.deltavision.ca.gov/BlueRibbonTaskForce/Feb28_29/Handouts/BRTF_Item_5A_HO 2.pdf.] As applied to water policy, a Loading Order system would require demand reductions through improved water efficiency to be the first priority in addressing water supply, the second priority would be developing alternative sources including water	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. However, please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as water storage) that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project. The proposed project is one part of a diverse portfolio of strategies needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including recycling, desalination, water conservation and storage. Please also see Master Response 37 regarding storage.

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		recycling, groundwater clean-up and conjunctive use programs (with priority going to seriously disrupted hydrologic systems or where judicial oversight occurs), and third would be the use of more traditional supply options. A Loading Order approach, if applied to statewide, regional, and local water plans, would shift the emphasis to the more efficient and cost effective approaches advocated in this report. Reducing water use through conservation efficiencies or water recycling also has a favorable impact on energy use, as pointed out by Energy Down the Drain, a report produced by the Natural Resources Defense Council and the Pacific Institute. [Footnote 35: Natural Resources Defense Council and Pacific Institute. 2004. Energy Down the Drain. ES-v. http://www.pacinst.org/reports/energy_and_water/index.htm.] The report makes a strong case for the link between water and energy efficiencies. All of these conservation and efficiency methods are known to produce available water at significantly less cost than constructing new storage dams and reservoirs-the third option in the Loading Order. According to the Los Angeles County Economic Development Corporation (LAEDC) report, [Footnote 36: Los Angeles County Economic Development Corporation (LAEDC). 2008. Where Will We Get the Water? Assessing Southern California's Future Water Strategies. P 32-33. http://www.laedc.org/consulting/projects/2008_ SoCalWaterStrategies.pdf.] water produced from the proposed Sites and Temperance Flat Reservoirs would cost $760 to $1,400 per acre-foot, while conserved or recycled water typically costs between $210 and $1,000 per acre-foot. New surface storage is by far the highest cost alternative per acre-foot of water for all the alternatives examined by the Legislative Analysts Office (LAO) report California Water: An LAO Primer, [Footnote 37: Legislative Analyst's Office. 2008. California's Water: An LAO Primer. P. 67. http://www.lao.ca.gov/2008/rsrc/water_primer/water_primer_102208.aspx.] while providing less total annual yield than most alternatives. Statewide, the costs of all of these efficiency measures will in all probability not exceed the potential $78 billion price tag for the various Peripheral Canal and new surface storage proposals. [Footnote 38: Strategic Economic Applications Company. 2009. The Sacramento San Joaquin Delta - 2 0 0 9, An Exploration of Costs, Examination of Assumptions, and Identification of Benefits, Draft.] For all of these reasons - as well as the historically ecosystem damaging impacts of major dams - EWC member organizations oppose the construction of Sites and Temperance Flat Reservoirs and the raising of Shasta Dam in favor of the more effective efficiency measures described above. Raising Shasta Dam on the Sacramento River would also be illegal because of its impact on the Wild River status of the McCloud River and its damaging impact on Winnemen Wintu sacred areas.	
674	73	Implementation requires legislative to accomplish the following: -Establish a statewide oversight unit responsible for the coordination of the level of supply enhancements and demand reductions called for in this report. This measure can be accomplished with little additional cost to the state by utilizing some of the existing DWR staff, supplemented with additional funding to coordinate the water efficiency program targets. -Pass legislation and provide funding to establish a California water efficiency education and publicity program, similar to other health and safety programs that are sponsored and publicized by the state. The program must ensure the equitable distribution of conservation investments among rural and low income communities. -Adopt the Natural Resources Defense Council's recommendations to the Delta Vision Commission regarding water efficiency Loading Order. That would include a Loading	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 agricultural and municipal/industrial water conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). Please see Master Response 6 for an explanation of why the project does not include additional components such as desalination plans and demand management that would require actions by third parties. Master Response 6 further clarifies the scope of the project. Appendix 1C, Demand Management Measures, provides an overview of water use efficiency programs being implemented to reduce water demand throughout the state and explains why demand management is not included as a project alternative.

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		Order policy through the State Water Control Resources Board, the State Public Utilities Commission and the Legislature that establishes water use efficiency as the top priority as well as a public goods surcharge on every acre-foot of water delivered in California, with the proceeds used to fund or subsidize efficiency programs. Implementation and Funding for the above actions can come from existing or future bond funds, from Title 16 funding, or through regulatory changes. Additionally, since rate payers will bear the ultimate costs of these and other types of changes, rate payers will have to be given a voice in the choices made. Based on the L.A. County Economic Development Corporation report, estimated costs for a statewide program along the lines shown in Figure 2 might range up to $2.7 billion (through 2025), with most of the costs occurring in Southern California urban areas.	
674	74	The California Supreme Court, in the Mono Lake decision, explicitly set forth the state's "affirmative duty to take the public trust into account in the planning and allocation of water resources and to protect public trust uses whenever feasible." Planning and allocation of limited and oversubscribed resources imply analysis and balancing of competing demands. So far we find little effort to balance the public trust obligations and resolve competing demands within the current planning processes (BDCP). One of the significant flaws of previous and unsuccessful Bay-Delta proceedings has been the absence of a comprehensive economic evaluation of the benefits of protecting the estuary and in-Delta beneficial uses compared to the benefits of diverting and exporting water from the estuary. This absence has deprived decision makers and the public of critical information fundamental to reaching informed and difficult decisions on balancing competing demands.	It should be recognized that water rights issued on rivers in the Trinity and Central Valley watersheds include a wide range of beneficial uses from hydropower to municipal, industrial, and agricultural water users. However, not all of the water diverted under the water rights is consumptively used. For example, water diverted for hydropower electric generation is fully returned to the water bodies; and a portion of the water diverted from municipal, industrial, and agricultural water uses is returned to the water bodies. In addition, the amount of water diverted is dependent upon water rights priorities and the need to meet environmental flow and quality requirements. Therefore, it is difficult to compare the total volume of water rights licenses and applications to the total amount of water available in the system. For example, water rights issued to DWR and Reclamation are not fully available to provide water under the SWP and CVP water contracts in many years due to the demands of senior water rights holders and regulatory requirements. Due to the senior water rights and regulations to protect beneficial uses, full contract amounts to SWP and CVP water users are provided only in wetter years. Please see Master Response 13 regarding compliance with the public trust doctrine. Please see Chapter 16 regarding Socioeconomic impacts.
674	75	Beyond protecting California's common property right in public trust resources, the balancing of limited water supplies must address the relative economic value of competing interests. For example, what is the societal value in providing Kern County, comprising a fraction of one percent of the state's population and economy, the same quantity of Delta water as the South Coast, with half the state's population and economy? What is the value to society of using public subsidies to irrigate impaired lands to benefit some 600 landowners, and that, by the nature of being irrigated, discharge harmful quantities of toxic waste that impairs other beneficial uses? What is the economic value of using twice the amount of water to irrigate an orchard in the desert than is required elsewhere? What are the costs and benefits of reclamation, reuse, conservation, and development of local sources? The preceding are only examples of the difficult questions that must be addressed in any allocation of limited resources and balancing of the public trust. Economic analysis is crucial to providing the insight and guidance that will enable and Delta plan to meet its mandate. Without such analysis, we do not believe a Delta plan can successfully or legally comply with its legislative and constitutional obligations.	DWR and Reclamation agree that it is important to balance competing interests and needs for limited water supplies. These competing interests have been considered in the development of the proposed project and are analyzed in the EIR/EIS.
674	76	An excellent description of the public trust type of issues caused by the current operations in the Delta and Estuary are contained in the Bay Institute report "Collateral Damage." [Footnote 39: The Bay Institute. Collateral Damage. March 2012. http://www.bay.org/publications/collateral-damage]	Please see Master Response 13 for a description of how the proposed project satisfies its responsibilities under the public trust doctrine. A discussion of the relationship of the Proposed Project to decisions to be made by the State Board WQCP revisions, including the State Water Resources Control Board hearings on Delta flows is provided in Chapter

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		Implementation and Funding for a balancing of the public trust values will depend on the results of the State Water Resources Control Board hearings on Delta flows, which are scheduled to be completed during 2014. Subsequent to those hearings, implementation and funding plans will most likely fall within the purview of the state legislature.	1 of the EIR/EIS.
674	77	This plan accepts and supports the Delta Protection Commission's recommendation in their Economic Sustainability Plan to: "Improve many core Delta Levees beyond the PL 84-99 standard that addresses earthquake and sea-level rise risks, improve flood fighting and emergency response, and allow for vegetation on the water side of levees to improve habitat. Improvement of most core Delta levees to this higher standard would cost between $2 to $4 billion." [Footnote 40: Draft Executive Summary, Economic Sustainability Plan for the Sacramento-San Joaquin River Delta, March 10, 2011 http://www.delta.ca.gov/res/docs/ESP_ESUM.pdf] There is a plausible public interest in providing public funds to Delta reclamation districts and other Delta interests for levee upgrades since the Delta serves as the water conveyance facility for much of California. Water exporters should be required to identify which levees, if any, they want to fund to a higher standard (for example more earthquake resistant) to protect their water supply, beyond the current standards. Recommendations should also include assisting Delta counties and communities in meeting FEMA/NFIP programs. The plan should also contain a recommendation to support and increase public funding for permanent continuation of existing and highly successful statutory cost-share formula and funding for Delta (Subventions) Levee Program. Public safety and flood protection must remain the top priority of the State Plan of Flood Control, including its levees and bypasses. The levees should be vegetated with native species to help stabilize the levees and support endangered species.	The California Department of Water Resources' Levee Repairs and Floodplain Management Office is responsible for administering levee programs through evaluation and direct rehabilitation of structural deficiencies in California's levee system. Overall levee repairs and improvement programs administered by DWR will continue with available funding. For additional information on the relationship between the proposed project and Flood protections in the Delta, please see Appendix 3E. Although many actions have been initiated to respond to levee failures; many future actions are currently being evaluated by the federal, state, and local agencies. The extent of interruption of the SWP and CVP water supplies in the Delta would depend upon the number of levee failures. As described in Appendix 3E of the EIR/EIS, the extended period of time for levee repairs could require several years depending upon the extent of seawater intrusion towards the flooded Delta islands, and available water in the upstream reservoirs for the flushing actions. As such, flood management, including safety and flood prevention is not a project purpose. While flood management is not a project purpose, it recognized that levee maintenance and safety in the Delta is an important issue for the residents of the Delta and for statewide interests. These actions would occur with or without this Project and are considered in the No Action Alternative. The Economic Sustainability Plan is a document prepared by a separate state agency and addresses a larger project objective than this EIR/EIS. The Economic Sustainability Plan indicated that it was prepared to present measures of the key elements of the Delta economy, develop strategies to enhance the economy, and analyze the impacts of several proposals for consideration during preparation of the Delta Plan by the Delta Stewardship Council. The relationship of the Project to the Delta Plan is described in Appendix 3I, BDCP Compliance with the 2009 Delta Reform Act, of the Draft EIR/EIS. Please also see Master Response 31 regarding compliance with the Delta Reform Act.
674	78	Because earthquake risks to the levees are one of the main justifications for a Peripheral Canal or tunnel in the Delta, and there is evidence that the earthquake risks to the Delta levees may have been exaggerated in previous drafts of the Economic Sustainability Plan, the comparison of costs of the two alternatives ($2 to $4 billion for levee strengthening versus $15-$16 billion for new conveyance) is significant and should be incentive enough to immediately initiate this levee reinforcement program and make catastrophic levee failure a questionable justification for new conveyance.	Please see Master Response 16 regarding seismic risks to levees. Please see the attached link to address why we need to do more than just strengthen levees: http://baydeltaconservationplan.com/news/blog/12-10-25/California_Needs_More_Than_Stronger_Levees.aspx The Economic Sustainability Plan Executive Summary indicated that it was prepared to present measures of the key elements of the Delta economy, develop strategies to enhance the economy, and analyze the impacts of several proposals for consideration during preparation of the Delta Plan by the Delta Stewardship Council. The relationship of the Project to the Delta Plan is described in Appendix 3I, BDCP Compliance with the 2009 Delta Reform Act, of the Draft EIR/EIS.
674	79	Implementation and funding would be in keeping with the Delta Protection Commission's Economic Sustainability Plan, between $2 to $4 billion.	The Economic Sustainability Plan is a document prepared by a separate state agency and addresses a larger project objective than this EIR/EIS. The Economic Sustainability Plan indicated that it was prepared to present measures of the key elements of the Delta economy, develop strategies to enhance the economy, and analyze the impacts of several proposals for consideration during preparation of the Delta Plan by the Delta Stewardship Council. The relationship of the Project to the Delta Plan is described in Appendix 3I, BDCP Compliance with the 2009 Delta Reform Act, of the Draft EIR/EIS. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.

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674	80	A recent report by Larry Walker Associates indicates that a 1996 report by Department of Water Resources and Department of Fish and Game concluded that for every salmon salvaged at the fish protection facilities more than three are lost to predators or through fish screens. [Footnote 41. Larry Walker Associates. A Review of Delta Fish Population Losses from Pumping Operations in the Sacramento-San Joaquin River Delta. January 2010. http://www.srcsd.com/pdf/dd/fishlosses.pdf. Page] The same report also indicated that over a 15 year period (1979-1993), 110 million fish were reported to have been salvaged at the Skinner Fish Facility, the fish protection facility at the SWP. In 2000, the CALFED Record of Decision highlighted the need to improve the fish screens at the South Delta pumps. Between 2000 and 2011, more than 130 million fish have been salvaged at the State and Federal Project water export facilities in the South Delta, according to a more recent DFG report. [Footnote 42: California Department of Fish and Game annual salvage reports for the State Water Project and Central Valley Project's fish facilities, 2000-2011.] Actual losses are far higher. For example, recent estimates indicate that 5-10 times more fish are lost than are salvaged, largely due to the high predation losses in and around water project facilities. [Footnote 43: Larry Walker Associates. A Review of Delta Fish Population Losses from Pumping Operations in the Sacramento-San Joaquin River Delta. January 2010. P. 2. http://www.srcsd.com/pdf/dd/fishlosses.pdf] Additionally, the fish screens are unable to physically screen eggs and larval life stages of fish from diversion pumps. [Footnote 44: DWR. Delta Risk Management Strategy, final Phase 2 Report, Risk Report, Section 15, Building Block 3.3: Install Fish Screens. June 2011. P. 15-18.] The losses of eggs and larval stages of fish, as well as the enormous losses of zooplankton and phytoplankton that comprise the base of the aquatic food chain, go publically unacknowledged and uncounted. As pointed out in the Walker Associates report, the fish protections at the South Delta pumps, including the fish screens and salvage facilities, remain largely unchanged since they were first engineered more than 40 years ago. [Footnote 45: Ibid, Larry Walker Associates,] Currently only about 11-18% of salmon or steelhead entrained in Clifton Court Forebay survive. Based upon numerous studies by DFG, DWR and academic researchers, 75% of fish entering Clifton Court Forebay are lost to predation, 20-30% of survivors are lost at the salvage facility louvers, 1-12% of salvaged fish are lost during handling and trucking plus an additional 12-32% lost to post-release predation. [Footnote 46: Larry Walker Associates. A Review of Delta Fish Population Losses from Pumping Operations in the Sacramento-San Joaquin River Delta. January 2010. P. 2.] As related above, losses to other species, such as delta smelt or the egg and larval stages of pelagic species and salmon fry, are believed to be much higher. For example, some species, like delta smelt, cannot survive salvage transport, and the losses approach 100%.	The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The addition of the North Delta Diversion Facility described under the Proposed Project, Alternative 4A, will reduce the reliance on the south Delta export facilities, thereby reducing entrainment numbers described by the commenter. Please see the entrainment impact mechanisms for individual species in Section 11.4.1.2 of the EIR/EIS for the discussion related to Alternative 4A. The positive-barrier fish screens for the proposed north Delta intakes would be designed to established protection standards for salmonids and delta smelt, and would comply with CDFW, NMFS, and USFWS fish screening criteria. Appendix 3F of the EIR/EIS provides details on the development of intakes and fish screening technology, as well as the Conceptual Engineering Reports (CERs). It is proposed that monitoring and research would be conducted to inform the fish screen design, construction, and operation in order to maximize their effectiveness. Dual operations provides for flexibility that will better protect the fish based on real time data.
674	81	According to the draft BDCP Effects Analysis' Summary of Effects of BDCP on Entrainment of Covered Fish Species, South Delta export facilities could potentially increase entrainment of: -Juvenile steelhead in dry and critical dry years, -Juvenile winter-run Chinook salmon in above normal & below normal years, -Juvenile fall-run Chinook salmon in all below normal & dry years and Fall-run smolts in all years,	The alternatives included in the FEIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The potential increases in entrainment that the commenter is referring to are from a previous administrative draft for the BDCP, as indicated by the date on the cited reference (March 2012). Operations were revised to avoid these potential impacts. The addition of the North Delta Diversion Facility described under the Proposed Project, Alternative 4A, will reduce the reliance on the south Delta export facilities, thereby reducing entrainment numbers described by the commenter. Please see the entrainment impact mechanisms for individual species in Section 11.4.1.2 of the EIR/EIS for the discussion related to Alternative

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		-Juvenile late fall-run Chinook salmon in dry and critical dry years, -Juvenile longfin smelt in above normal, below normal, and dry years and adults in critical dry years, and -Juvenile Sacramento splittail in all years. [Footnote 47: ICF International. BDCP Effects Analysis, Entrainment, Appendix 5.B, Entrainment, Administrative Draft Bay Delta Conservation Plan. March 2012. PP. B.7-2 - B.7-4.] Because of flow requirements and biological constraints affecting diversions from the Sacramento River, exports from the South Delta pumps will remain a significant percentage of total water exports with BDCP. BDCP currently estimates that 50% of State and Federal Project exports would come from the existing South Delta diversion facilities in average water years and as much as 75-84% in dry and critical water years. [Footnote 48: NRDC. A Portfolio-Based BDCP Conceptual Alternative. February 2013. http://switchboard.nrdc.org/blogs/bnelson/Portfolio%20Based%20BDCP%20Conceptual%20Alternative%201-16- 13%20V2.pdf ICF International. BDCP Effects Analysis, Appendix 5.B, Entrainment, Administrative Draft Bay Delta Conservation Plan. March 2012. P. B.0-8. http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/BDCP_Effects_Analysis_-_Appendix_5_B_Entrainment_3-30-2012.sflb.ashx] In fact, BDCP modeling suggests that exports and fish entrainment from South Delta diversions could potentially increase in certain water year types and for critical life stages of certain species. [Footnote 49: ICF International. BDCP Effect Analysis, Appendix 5.B, Entrainment, Administrative Draft Bay Delta Conservation Plan. March 2012. PP. B.0-4 - B.0-11.]	4A.
674	82	The CALFED Bay-Delta Program Programmatic Record of Decision and associated Biological Opinions required the construction of new state-of-the-art fish screens at existing South Delta export facilities in 2000. [Footnote 50: CalFed. Programmatic Record of Decision. August 2000. P. 49. Including Attachment 6A, U.S. Fish and Wildlife, Programmatic Endangered Species Act Section 7 Biological Opinion, P. 36 and Attachment 6B, National Marine Fisheries Service, Programmatic Endangered Species Act Section 7 Biological Opinion, P. 27. http://www.calwater.ca.gov/content/Documents/ROD.pdf] A funding plan was to be completed by early 2003, facilities design completed by the middle of 2004, and operations and performance testing to begin by the middle of 2006. [Footnote 51: Larry Walker Associates. A Review of Delta Fish Population Losses from Pumping Operations in the Sacramento-San Joaquin River Delta. January 2010. P. 18.] However, the explicit commitment to construct new screens was put on hold in 2003 after the state and federal project contractors indicated that they would not pay for them. New South Delta screens are not included as part of the BDCP. As BDCP will continue to rely on the South Delta pumps for a substantial percentage of project exports, new screens must be required to mitigate for project impacts.	This comment addresses Alternative 4 (known also as the BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative. The potential for adding fish screens to the existing south Delta intake at Clifton Court Forebay was evaluated by Department of Water Resources and found to not be feasible, as described in Section 3A.7 of Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, of the EIR/EIS.
674	83	Department of Water Resource's Delta Risk Management Strategy (DRMS) Phase 2 Report found that the South Delta pumping facilities could be successfully screened by multiple in-canal vee-type screens of about 2,500 cfs capacity in each module. These new state-of-the-art South Delta screens, placed at the entrance to Clifton Court Forebay, would eliminate the 75% predation in the Forebay and successfully protect fish longer than about 25 mm in length. [Footnote 52: DWR. Delta Risk Management Strategy, final Phase 2 Report, Risk Report, Section 15, Building Block 3.3: Install Fish	DWR and Reclamation are required to improve fish collection efficiency at the existing south Delta salvage facilities, as part of facility improvements required by the National Marine Fisheries Service 2009 biological opinion on the SWP/CVP. For example, in 2014 Reclamation replaced the secondary louver system with a traveling screen system. These screens provide protection by guiding fish into the holding tanks while catching debris on pegs and transporting debris to a collection system at the work surface. The technology required at the proposed north Delta intakes and the existing south Delta export facilities

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		Screens. June 2011. P. 15-18. http://www.water.ca.gov/floodsafe/fessro/levees/drms/docs/DRMS_Phase2_Report_Section15.pdf] While new screens would be expensive, still require transport of salvaged fish, not totally resolve debris removal issues or eliminate all fish entrainment, they would dramatically reduce the appalling fish losses that occur at present. [Footnote 53: Id. 15.5.2.1 Conclusion at PP. 15-19 & 15-20.]	differ fundamentally. The north Delta intakes would be located on the side of the river channel and so would be designed to comply with CDFW, NMFS, and USFWS fish screening criteria (Appendix 5B Section 3.B.3.3). The south Delta export facilities are located on dead-end channels and requires active collection and salvage of fishes. Screening the intakes at Clifton Court Forebay was analyzed during the water conveyance alternative development process in this EIR/EIS. As described in Appendix 3A, this alternative was eliminated from further evaluation because initial results of recent studies, including information included in the recent NMFS biological opinions, supported a phased approach that would emphasize improvements to operations of fish handling facilities and reduced predator potential within Clifton Court Forebay prior to further analysis of installation of fish screens. Nevertheless, DWR and Reclamation will continue investigating strategies to increase fish salvage efficiency, reduce pre-screen losses, and improve screening efficiencies, consistent with the 2009 biological opinion of the SWP/CVP.
674	84	Modernizing the fish screens at the South Delta facilities is an integral part of the Environmental Water Caucus' RX [Responsible Exports] Plan in order to reduce fish killing at the pumps. The South Delta pumps will continue to be the primary diversion facilities under this RX Plan.	DWR and Reclamation are required to improve fish collection efficiency at the existing south Delta salvage facilities, as part of facility improvements required by the National Marine Fisheries Service 2009 biological opinion on the SWP/CVP. For example, in 2014 Reclamation replaced the secondary louver system with a traveling screen system. These screens provide protection by guiding fish into the holding tanks while catching debris on pegs and transporting debris to a collection system at the work surface. The technology required at the proposed north Delta intakes and the existing south Delta export facilities differ fundamentally. The north Delta intakes would be located on the side of the river channel and so would be designed to comply with CDFW, NMFS, and USFWS fish screening criteria (BDCP Appendix 5B Section 3.B.3.3). The south Delta export facilities are located on dead-end channels and requires active collection and salvage of fishes. Screening the intakes at Clifton Court Forebay was analyzed during the water conveyance alternative development process, as described in the EIR/EIS, Appendix 3A. This alternative was eliminated from further evaluation because initial results of recent studies, including information included in the recent NMFS biological opinions, supported a phased approach that would emphasize improvements to operations of fish handling facilities and reduced predator potential within Clifton Court Forebay prior to further analysis of installation of fish screens. Nevertheless, DWR and Reclamation will continue investigating strategies to increase fish salvage efficiency, reduce pre-screen losses, and improve screening efficiencies, consistent with the 2009 NMFS biological opinion.
674	85	While experience with the existing fish screens at the South Delta have yielded much data on how to design more effective fish screens, modernizing the fish screening designs and operations would also require hydraulic and physical modeling, dimensional testing of dynamic baffling systems, and consideration of future hydrologic conditions associated with climate change. The Environmental Water Caucus supports the development and implementation of significantly modernized, new fish screening facilities with the best available technology, in keeping with original CALFED plans, and at other existing in-Delta diversions. This would include installation of positive barrier fish screens on all diversions greater than 250 cubic feet per second in both the Sacramento and San Joaquin River Basins as well as a significant percentage of smaller and unscreened diversions in these ecosystems.	The potential for adding fish screens to the existing south Delta intake at Clifton Court Forebay was evaluated by Department of Water Resources and found to not be feasible, as described in Section 3A.7 of Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, of the EIR/EIS. Therefore, fish screens in the southern Delta for the SWP and CVP facilities are not proposed as part of BDCP or as part of the proposed action, Alternative 4A.
674	86	An alternative possibility is the use of non-physical barriers to deter fish from entering the intake zones of the South Delta pumps. Non-physical barriers include the use of the following methods: electrical barriers; strobe lights; acoustic fish deterrents; bubble currents; velocity barriers; chemical toxicants; pheromones; and magnetic fields. In view	There are ongoing pilot studies in the Delta to consider long-term use of non-physical barriers to encourage fish to not enter specific stream reaches and continue in a mainstream of channel flow. However, at the Clifton Court Forebay weir and Jones Plant approach channel, the flow momentum in these areas could be stronger than the ability of the fish to avoid swimming through the non-physical barrier. Therefore,

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		of the criticality of recovering fish populations through reduced mortality at the pumps, the feasibility of these types of non-physical barriers should not be overlooked. The Bureau of Reclamation has recorded some research results of the use of non-physical barriers. [Footnote 54: Bureau of Reclamation. Non-Physical Barrier (NPB) for Fish Protection Evaluation: Can an Inexpensive Barrier Be Effective for Threatened Fish? http://www.usbr.gov/research/projects/detail.cfm?id=8740]	non-physical barriers were not considered in the EIR/EIS.
674	87	Implementation and Funding. Based on unpublished CALFED cost estimates improved fish screen facilities at the Banks Pumps would be more than $1 billion in 2007 dollars; the cost estimate for Tracy would be $290 million. [Footnote 55: http://www.water.ca.gov/floodmgmt/dsmo/sab/drmsp/docs/DRMS_Phase2_Report_Section15.pdf]	Fish screens at the south Delta pumps are not proposed as part of BDCP or as part of the preferred alternative (Alternative 4A).However, improvements to south Delta fish salvage facilities and actions to reduce pre-screen mortality of listed fish species will continue as required by recent USFWS and NMFS biological opinions.
674	88	Since the early 1990s, water transfers via market transactions have been used to overcome what some economists and water managers feel is the inflexibility of California water rights priorities-first in time, first in right. Such transfers typically become most visible to the public during drought years, when junior water rights holders like the federal Central Valley Project and the State Water Project face cutbacks as more senior water right holders exert their priority to what water that remains.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Commenter is correct that transfers can help overcome shortages in supply. The demand for such transfers is likely to change in the future with climate change, reductions in available water for contract supplies, and in response to new facilities such as the new water conveyance facilities. These changes are estimated in Chapter 5 and the accompanying appendices. Also see the Master Response 43 regarding water transfers.
674	89	Junior water rights holders attempt to obtain more surface water supplies by offering to purchase water directly from willing sellers, who are usually holders of senior water rights. With groundwater unregulated in California, these willing sellers are able to make large profits by pumping groundwater to irrigate their crops to substitute for the surface supplies they sold to other users. This is a recipe for ecological disaster in the Delta and both ecological and economic disaster in the Sacramento Valley.	Please see the Master Response 43 regarding Water Transfers. As described in Chapter 3, Description of Alternatives, the alternatives considered in the EIR/EIS do not include specific water transfers. The EIR/EIS acknowledges that water transfers would continue in a similar manner as historic transfers and in accordance with State and Federal laws and regulations. The EIR/EIS also acknowledges that the use of water transfers between agencies could increase in the future as SWP, CVP, and other surface water supplies are reduced due to climate change, sea level rise, and increased water demand in the Delta watershed, as described in Appendix 1E and Appendix 5D of the EIR/EIS. Because specific agreements have not been identified for water transfers and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. The analysis of any potential upstream impacts is not a part of this EIR/EIS and must be covered pursuant to separate laws and regulations once the specific transfer has been proposed.
674	90	Water transfers are intended to overcome water rights priorities, but they also have the potential to cause falling groundwater elevations, overdraft (pumped supplies outracing the rate of recharge to the aquifer), land subsidence (where the elevation of the land surface actually falls as emptied aquifers collapse and lose storage capacity), and increased stream flow losses (chasing a falling groundwater table). This has been the experience of agricultural regions in the Santa Clara Valley (before it urbanized into Silicon Valley) and the San Joaquin Valley, as well as in urban groundwater basins of the Los Angeles region. These conditions (falling groundwater elevations, overdraft, land subsidence, and stream flow losses) combined to destabilize once healthy hydrologic systems, which created the exploited conditions that make conjunctive use water strategies possible. This must not be repeated in the Sacramento Valley.	As described in Chapter 3, Description of Alternatives, the alternatives considered in the EIR/EIS do not include specific water transfers. The EIR/EIS acknowledges that water transfers would continue in a similar manner as historic transfers and in accordance with State and Federal laws and regulations. Because specific agreements have not been identified for water transfers and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. The analysis of any potential upstream impacts is not a part of this EIR/EIS and must be covered pursuant to separate laws and regulations once the specific transfer has been proposed. Please see the Master Response 43 regarding Water Transfers.
674	91	The State of California during past droughts has operated a drought water bank program which arranges the sales of Sacramento Valley region surface water to buyers south of the Delta. Two environmental problems arise from this program: First, the water that is sold must be moved through the Delta to be pumped by the dangerous export pumps of	The past drought bank facilitated water transfers during difficult hydrologic conditions following completion of separate engineering and environmental documentation, and if necessary, approval by the SWRCB. As described in Chapter 3, Description of Alternatives, the action alternatives considered in the EIR/EIS do not include specific water transfers. The EIR/EIS acknowledges that water transfers would continue in a

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		the CVP and SWP. Second, landowners selling their surface water may then pump groundwater to irrigate their crops, which causes groundwater elevations to fall for all users. If these conjunctive use programs continue in the Sacramento Valley, its aquifers are in jeopardy. This Valley's agricultural economy, ecology, and surface waters are highly dependent on its natural groundwater abundance.	similar manner as historic transfers and in accordance with State and Federal laws and regulations. The EIR/EIS also acknowledges that the use of water transfers between agencies could increase in the future as SWP, CVP, and other surface water supplies are reduced due to climate change and sea level rise, as described in Appendix 1E and Appendix 5D of the EIR/EIS. Because specific agreements have not been identified for water transfers, drought banks, and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. Please see Master Response 43.
674	92	No net new water transfers should be exported from north of the Delta beyond those of the most senior water rights of the San Joaquin River Exchange Contractors in the San Joaquin Valley. Their supplies are already imported to the San Joaquin Valley as part of normal export operations of the Central Valley Project from the Delta, and the Exchange Contractors have already begun operating a water transfer program consisting of a maximum of 150,000 acre- feet for sale (about 5 percent of Environmental Water Caucus recommended cap on Delta exports). This policy protects the Delta from new export pumping impacts, but it also protects for the long term the groundwater supplies of the Sacramento Valley. Having such a policy in place is the only way for the Valley's farmers to avoid having their groundwater usage go the way of the San Joaquin Valley's in the 19th and 20th centuries. There are other senior water rights holders in the San Joaquin River Basin who are also being approached for dry year water supplies, such as San Francisco seeking to purchase water from irrigation districts along the Tuolumne and Stanislaus rivers.	As described in Chapter 3, Description of Alternatives, the alternatives considered in the EIR/EIS do not include specific water transfers. The EIR/EIS acknowledges that water transfers would continue in a similar manner as historic transfers and in accordance with State and Federal laws and regulations. The EIR/EIS also acknowledges that the use of water transfers between agencies could increase in the future as SWP, CVP, and other surface water supplies are reduced due to climate change, sea level rise, and increased water demand in the Delta watershed, as described in Appendix 1E, Water Transfers in California: Types, Recent History, and General Regulatory Setting, and Appendix 5D, Water Transfer Analysis Methodology and Results, of the EIR/EIS. Because specific agreements have not been identified for water transfers and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. Rather, it provides an analysis of how transfers relate to the conveyance facilities. As indicated in Appendix 5D, the analyses are conservative because it is not known if adequate water would be available from other water users for transfer. As shown in Table 5D-8, the maximum cross-Delta transfers under the action alternatives would be greatest under Alternative 8 because there would be the most available capacity. Any future water transfers will require separate approvals. The analysis of any potential upstream impacts is not a part of this EIR/EIS and must be covered pursuant to separate laws and regulations once the specific transfer has been proposed. With regard to water transfers, please see Master Response 43.
674	93	Water transfers through the Sacramento-San Joaquin-San Francisco Delta and estuary - which include individual water sales transactions, Article 21 State Water Project pumping and the pumping of the Central Valley and the State Water Projects' contracts - play, at times, a significant role in the movement and transfer of water throughout the state and have significant impacts on the ecology of the estuary. The two latter projects provide the largest percentage of transfers through the Delta while water sales and Article 21 pumping in some years is significant.	The comment is correct in indicating that water transfers are a small portion of total Delta exports; and the majority of Delta exports are related to SWP and CVP operations which are not considered water transfers under the SWRCB water rights process. The SWP operations include providing water under Article 21 of the SWP water contracts. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The Proposed Project does not seek any new water rights nor reduction in total water rights issued to DWR and Reclamation. Operations for the Proposed Project would still be consistent with the criteria set by the U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions and State Water Resources Control Board, as described in Chapter 5, Water Supply of the EIR/EIS. As described in Chapter 3, Description of Alternatives, the alternatives considered in the EIR/EIS do not include specific water transfers. The EIR/EIS acknowledges that water transfers would continue in a similar manner as historic transfers and in accordance with State and Federal laws and regulations. Because specific agreements have not been identified for water transfers and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. The analysis of any

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			potential upstream impacts is not a part of this EIR/EIS and must be covered pursuant to separate laws and regulations once the specific transfer has been proposed. With regard to water transfers, please see Master Response 43.
674	94	A new paradigm is needed in California water policy that would simultaneously reduce the transfer pumping through the Delta to a level that maintains a healthy ecosystem and is consistent with the most senior water rights of the Exchange Contractors while providing more logical and reliable sources of water for south-of-Delta water users. Instead of continuing to export extraordinary amounts of water from the Delta, south-of-Delta water users could obtain significant amounts of water from localized south-of-Delta sources in the San Joaquin Valley region. Such south-to-south of Delta trades would avoid the impacts on fish and wildlife species, water quality, ecosystem conditions, flow volumes and directions, and groundwater in the Sacramento Valley that come with excessive Delta export pumping. It would also avoid the groundwater substitution transfers that could ruin the agricultural economy of the Sacramento Valley and the vital streams necessary for already struggling aquatic and terrestrial species. This type of move toward regional self-sufficiency is now state law from passage of the Delta Reform Act of 2009. As of early 2012, however, pending federal legislation would go in the opposite direction and allow more dependence on Delta exports through water sales and surplus water pumping.	Nearly all cross-Delta water transfers currently flow through the Delta from July 1 through September 30 as allowed under the USFWS and NMFS Biological Opinions, and all of legal and regulatory requirements are met. Appendix 1E addresses the regulatory constraints on water transfers through the Delta. Groundwater overdraft in the San Joaquin Valley continues in spite of numerous in-valley transfers. There is an insufficient supply of surface water in that area to serve all of the current demands, and the balance is largely made up through groundwater extraction in excess of natural recharge. Appendix 1.E provides a list of Sacramento Valley counties that regulate groundwater transfers. In addition, Water Code Section 1220 prohibits the export of groundwater from the Delta-watershed unless: (1) the pumping is in compliance with an adopted groundwater management plan, and (2) the plan is approved by a vote in the county or portions of counties that overlie the groundwater basin. The EIR/EIS also acknowledges that the use of water transfers between agencies could increase in the future as SWP, CVP, and other surface water supplies are reduced due to climate change, sea level rise, and increased water demand in the Delta watershed, as described in Appendix 1E and Appendix 5D of the EIR/EIS. Because specific agreements have not been identified for water transfers and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. Rather, it provides an analysis of how transfers relate to the Proposed Project facilities. Any future water transfers will require separate approvals. The analysis of any potential upstream impacts is not a part of this EIR/EIS and must be covered pursuant to separate laws and regulations once the specific transfer has been proposed. With regard to water transfers, please see Master Response 43.
674	95	San Joaquin Valley water users could be incentivized to voluntarily share resources by providing southern Sierra water to south-of-Delta water users through new interties with existing infrastructure, or by providing for the movement of agricultural water from the east side of the San Joaquin Valley, where water is more abundant, to west side agriculture, where the water supply is more limited. This kind of change can be facilitated with efficiency incentives for east side water users and might result in as much as 500,000 acre-feet of additional water for the west side. Although politically difficult, this is an elegantly simple and effective solution for regional self-dependency for south- of-Delta agriculture users and for all of California. This kind of change would have to consider the required outflows to the Delta Estuary from the San Joaquin River.	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 agricultural and municipal/industrial water conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). Water transfers of the type described in this comment would not occur within the project objectives and purpose and need established by the Lead Agencies for this Project. The EIR/EIS also acknowledges that the use of water transfers between agencies could increase in the future as SWP, CVP, and other surface water supplies are reduced due to climate change, sea level rise, and increased water demand in the Delta watershed, as described in Appendix 1E and Appendix 5D of the EIR/EIS. Because specific agreements have not been identified for water transfers and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. Rather, it provides an analysis of how transfers relate to the Proposed Project facilities. Any future water transfers will require separate approvals. The analysis of any potential upstream impacts is not a part of this EIR/EIS and must be covered pursuant to separate laws and regulations once the specific transfer has been proposed. With regard to water transfers, please see Master Response 43. For more information regarding the proposed project objectives/purpose and need and alternatives considered to the proposed project please see Master Response 4.

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674	96	Supplies for the Metropolitan Water District and other south-of- Delta users could be sourced from the natural reservoir that is Tulare Lake by allowing flows from the Kern, Kings, Kaweah, and Tule Rivers to flow into the Tulare basin. This option is being advocated by the San Joaquin Valley Leadership Forum, which has determined that surface storage capacity in the Tulare Lake Basin could be more than 2.5 million acre-feet. This option may require a new Kern-San Joaquin intertie. Reorienting water transfer policies to benefit south-of-Delta water users will require further detailed analysis to confirm its feasibility; however, the potential for these measures to comply with the state requirement to reduce reliance on the Delta to the level recommended above deserves serious consideration.	With respect to the need for additional storage south of the Delta, the proposed Project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians that will include continued investment by the State and other public agencies in storage, conservation, or other measures to expand supply and storage, as described in Appendices 1B and 1C. With regard to storage, please see Master Response 37.
674	97	A Water Transfer Matrix and a set of Water Transfer Principles are included in the referenced Environmental Water Caucus report California Water Solutions Now. As called for in the California Water Code, transfers that use State, regional or a local public agency's facilities require that the facility owner determine that the transfers not harm any other legal user of water, not unreasonably affect fish and wildlife, and not unreasonably affect the overall economy of the county from which the water is transferred. Unfortunately, there is no enforcement mechanism except litigation, which is an onerous burden for the public. This is a particular concern in the Sacramento Valley, where existing healthy aquifers could be over drafted by willing sellers in order to supply the same San Joaquin irrigators who caused the existing overdraft conditions in the San Joaquin areas. In addition, the State Water Plan points out that "some stakeholders worry that state laws and oversight of water transfers may not be adequate to protect the environment, third parties, public trust resources, and broader social interests that may be affected by water transfers, ".. And transfers that involve pumping groundwater, crop idling, or crop shifting." The EWC plan would come down on the side of county of origin protections and the "precautionary principle" in order to protect existing healthy groundwater aquifers north of the Delta estuary.	The comments cite the requirement to make certain findings under the California Water Code. As described in Appendix 1.E, Water Code Section 1810 et seq. provides that a public entity may not deny a bona fide transferor of water access to available conveyance capacity if the conveyance of transfer water will not adversely affect the beneficial uses or quality of water in the facility and the conveyance can be provided without injuring any other legal user of water, without unreasonably affecting fish, wildlife, or other instream beneficial uses and without unreasonably affecting the overall economy or the environment of the county from which the water is being transferred. The agency's approval must be supported by written findings. This process of analyzing the transfers and making written findings provides the mechanism for enforcement of this section of the Water Code. Third parties may seek redress in the courts, as the commenter notes, if they determine that there has been an injury or other violation of these criteria. The EIR/EIS also acknowledges that the use of water transfers between agencies could increase in the future as SWP, CVP, and other surface water supplies are reduced due to climate change, sea level rise, and increased water demand in the Delta watershed, as described in Appendix 1E and Appendix 5D of the EIR/EIS. Because specific agreements have not been identified for water transfers and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. Rather, it provides an analysis of how transfers relate to the Proposed Project facilities. Any future water transfers will require separate approvals. The analysis of any potential upstream impacts is not a part of this EIR/EIS and must be covered pursuant to separate laws and regulations once the specific transfer has been proposed. The commenter cites a matrix, which recommends, for north-to-south through Delta transfers that they should be limited to no more than 3 million acre-feet total, without groundwater substitution, and no water transfers for drainage impaired farmland. Historically, cross-Delta water transfers have been less than 0.5 million acre-feet/year and are a small portion of the total SWP and CVP Delta exports. Therefore, it appears that the matrix applies to all water exported from the Delta. As stated above, ongoing operations of the SWP and CVP are not water transfers, and involve re-diversion of water rights water diverted from upstream rivers. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The Proposed Project does not seek any new water rights nor reduction in total water rights issued to DWR and Reclamation. The SWP and CVP operations do not include use of water generated from groundwater or by groundwater substitution. Water transfers that make water available from upstream sources, including groundwater substitution, must undergo separate engineering and

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			environmental documentation and are not part of this Project. With regard to water transfers, please see Master Response 43.
674	98	Selenium, boron, molybdenum, mercury, arsenic and various other salts and minerals are highly concentrated in the soils of the Delta-Mendota Service Area and the San Luis Units of the Central Valley Project, as well as portions in the Kern and Tulare basins served by the State Water Project. Descriptions of these soils are presented in the 1990 joint federal and state report known as "The Rainbow Report." [Footnote 56: U.S. Department of the Interior, California Resources Agency. September 1990. A Management Plan for Agricultural Subsurface Drainage and Related Problems on the Westside San Joaquin Valley. P. 2-3. http://www.water.ca.gov/pubs/groundwater/a_management_plan_for_agricultural_subsurface_drainage_and_related_problems_on_the_westside_san_joaquin_valley/rainbowreportintro.pdf] The San Luis Act of 1960 requires a drain system as a condition of approval of the San Luis Unit CVP contracts, which includes the Westlands Water District. Initially, the Bureau of Reclamation planned to build a San Luis Master Drain to the Bay-Delta from these lands, but construction of the drain to the Delta was stopped after 93 miles were completed to the Kesterson Reservoir near Los Banos. The US Geological Survey recently estimated that even if the San Luis Drain were completed, irrigation of the San Luis Unit of the CVP were halted, and 42,500 pounds of selenium a year were discharged into the Delta, it would take 65 to 300 years to eliminate the selenium already built up in valley groundwater. [Footnote 57: Presser, Theresa S. and Samuel N. Luoma. 2007. Forecasting selenium discharges to the San Francisco Bay-Delta Estuary: Ecological effects of a proposed San Luis Drain Extension. The US Geological Survey, Professional Paper 1646. Abstract P. 1. http://pubs.usgs.gov/pp/p1646/]	The Natural Resources Agency and DWR staff will continue seeking improvements and refinements to the current proposal in order to enhance species benefits and to avoid, reduce or mitigate for negative impacts to people, communities, sensitive species and habitats. The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species — all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Action Water Plan please follow http://resources.ca.gov/docs/Final_Water_Action_Plan_Press_Release_1-27-14.pdf. Future committees for the Proposed Project implementation may provide future opportunities for innovative input as well. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. Follow the California Water Plan here: http://www.waterplan.water.ca.gov/. As described in the EIR/EIS Chapter 8, selenium criteria were promulgated by the State Water Resources Control Board and San Francisco Bay Regional Water Quality Control Board for all of San Francisco Bay and the portions of the Delta waters in North San Francisco Bay, including portions of the Delta, and Suisun Bay, Carquinez Strait, San Pablo Bay, and the Central San Francisco Bay. The U.S. Environmental Protection Agency Action Plan for Water Quality Challenges in the San Francisco Bay/Sacramento-San Joaquin Estuary requires development of a new site-specific numeric selenium criteria to protect aquatic and terrestrial species dependent on the aquatic habitats of the Bay Delta Estuary. The new criteria being developed by the State Water Resources Control Board and San Francisco Bay Regional Water Quality Control Board could be more stringent than the existing selenium water quality criteria and require actions that would decrease allowable concentrations of selenium in surface waters of the Bay Delta Estuary and may set allowable levels of selenium in the tissue of fish and wildlife. Applicable selenium objectives for water in the affected environment are summarized in Chapter 8 and associated appendices, and selected benchmarks for assessment of selenium in whole-body fish, bird eggs, and fish fillets are presented in the appendices. For more information regarding updated selenium analysis please see the Chapter 8 appendices. It should be noted that the Project includes continuation of deliveries of SWP and CVP water contract water under the Existing Conditions, No Action Alternative, and all action alternatives. Changes in the contract conditions are not considered in these alternatives because it would not be consistent with the Project Objectives or the Purpose and Need statements (see Chapter 2 of the EIR/EIS). With respect to drainage issues in the western San Joaquin Valley, in August 2015, Westlands Water District and the United States agreed upon a settlement involving several litigations related to drainage service to lands served by the San Luis Unit of the CVP. The settlement is contingent upon Congressional authorization of enabling legislation and therefore is not specifically included in the alternatives in the EIR/EIS. With regards to water quality, please see Master Response 14.
674	99	Since the late 1960s and 1970s, the State Water Project and Central Valley Project have been supplying water to approximately 1.3 million acres of drainage impaired land on the west side of the San Joaquin Valley; this is a clear violation of the State	The proposed project includes continuation of deliveries of SWP and CVP water contract water under the Existing Conditions, No Action Alternative, and Alternatives 1 through 9. Changes in the contract conditions are not considered in these alternatives because it would not be consistent with the Project Objectives or

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		Constitution's prohibition against unreasonable use of the state's water. [Footnote 58: California Constitution. Article 10, Section 2. http://www.leginfo.ca.gov/.const/.article_10.] Eliminating or reducing the irrigation of this land would save up to 2 million acre-feet of water in most years. [Footnote 59: Pacific Institute. 2008. More with Less: Agricultural Water Conservation and Efficiency in California. P.7. http://www.pacinst.org/reports/more_with_less_delta/index.htm]	the Purpose and Need statements (see Chapter 2 of the EIR/EIS). With respect to drainage issues in the western San Joaquin Valley, in August 2015, Westlands Water District and the United States agreed upon a settlement involving several litigations related to drainage service to lands served by the San Luis Unit of the CVP. The settlement is contingent upon Congressional authorization of enabling legislation and therefore is not specifically included in the alternatives in the EIR/EIS.
674	100	Farmers and water districts throughout the Western San Joaquin Valley try to reduce their drainage water. However, retiring these lands from irrigated agriculture remains by far the most cost-effective and reliable method to eliminate harmful drainage discharges to water bodies and aquifers. The Westlands Water District has already retired 100,000 acres; a recent federal report discusses an option to retire 300,000 acres of drainage-impaired lands... [Footnote 60: U.S. Geological Survey. 2008. Technical Analysis of In-Valley Drainage Management Strategies for the Western San Joaquin Valley, California] Any long-term solution to the west side's drainage problem must be centered on larger-scale land retirement, complemented by selective groundwater pumping, improved irrigation practices, and application of new technologies where appropriate. Any approach that is not founded on land retirement will ultimately continue to store and concentrate selenium and salts in the shallow aquifers, where they may be mobilized by flood events or groundwater transport.	Long-term solutions to selenium and salt issues in the San Joaquin Valley are beyond the scope of the project, and are being addressed by other regulatory initiatives (i.e., the selenium TMDL and CV-SALTS). The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
674	101	Taking much of these badlands out of production would reduce demand for Delta water diversions and significantly improve water quality in the San Joaquin River. A planned program of land retirement and other drainage volume reduction actions should also provide for mitigation for impacts to the farm labor community. Even if irrigation deliveries continue, these lands will ultimately go out of production because of drainage impairment, as pointed out in the federal Rainbow Report. A far better use of these impaired farmlands would be to provide state or federal incentives for the production of solar energy farms.	State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for or what types of agricultural practices are used, nor do they have the authority to regulate land uses in areas where such practices take place. Please refer to Master Response 34 regarding the potential uses of water delivered via BDCP proposed conveyance facilities.
674	102	In keeping with the legislature which has expressly declared that permanent protection of the Delta's natural and scenic resources is the paramount concern to present and future residents of the state and nation, habitat restoration projects should be aimed at public lands as a first priority. Habitat restoration projects must consider connectivity between areas to be restored and existing habitat areas needed for the full life cycle of species targeted to benefit from the restoration project. Where feasible, restoration should be accomplished along with levee reinforcement and where possible, restoration projects should emphasize the potential for water quality improvement. Restoration projects should also incorporate input from affected Delta landowners.	The principles and priorities stated in the comment have all been incorporated in the EIR/EIS. Nearly all lands incorporated in or acquired as part of the previously defined BDCP conservation reserve system are expected to be public lands, though some private lands, such as lands owned by a land trust, may also qualify for inclusion in the reserve system and may be valuable for protection of some special-status species and habitats. The biological goals and objectives include a number of objectives specifying connectivity, and all species are protected with regard to the needs of various life history stages. Levee integrity, flood protection, water quality issues, and landowner participation are all values emphasized in relevant conservation measures; see CM5, CM12, and CM21 for especially relevant examples in the action alternatives. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative and does not involve an HCP. However, DWR and Reclamation 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.
674	103	Priorities for restoration should include the following areas, since they would meet most of the criteria described above: - Cache Slough Complex - Cosumnes River-Mokelumne River Confluence	I Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative and does not involve an HCP. However, DWR and Reclamation 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. Alternative 4A. Instead, the proposed project includes habitat restoration necessary to mitigate significant environmental effects under CEQA and meet

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		- Cosumnes River ground water basin depletion - Lower San Joaquin River Floodplain - Suisun Marsh - Yolo Bypass Although the Environmental Water Caucus has not estimated the amount of acreage that would be involved in the priority areas, our priorities would go to the 50,000 acres of public lands, and our estimate would be well below the more than 100,000 acres called for in the BDCP plan. That plan is impractical from the viewpoint of costs and from the opposition it will engender among residents and landowners in the Delta. Any resulting plans would need to heavily involve residents of the Delta, something that has not been accomplished to date.	the regulatory standards of ESA Section 7 and California Endangered Species Act (CESA) Section 2081(b). The EIR/EIS analysis of Alternatives 1 through 9 in the Draft EIR/EIS anticipated prioritization of future habitat restoration in the areas discussed in this comment. During the development of the alternatives, the land available for habitat restoration was determined through an analysis of land suitability and to minimize the need to relocate communities, transportation facilities, or major utilities. It should be noted that habitat restoration in Suisun Marsh and Yolo Bypass is considered to be implemented in the No Action Alternative in the Final EIR/EIS.
674	104	Floodplains benefit the people and ecology of California in numerous ways. Floodplains are extremely productive ecosystems that support high levels of biodiversity and provide valuable ecosystem services. [Footnote 61: Postel, Sandra. Richter, Brian. 2003. Rivers for Life. Island Press. P 20-21. http://islandpress.org/bookstore/details.php?sku=1-55963-444-8.] The floodplain of a river is a relatively level area on both sides of the stream channel that carries excess waters the channel cannot handle at various times. During a flood, the floodplain becomes the additional part of the stream to do the extra work for the stream channel. The floodplain allows flood waters to spread out, thus reducing the flood water's potential energy. As a result, less damage occurs downstream. If the flood plain is not allowed to work properly and the channel is narrowed, dredged, or rip wrapped the stream is forced to handle more of the flow and damage occurs. Channelization and dredging have caused the disappearance of the river's healthy sandbars and islands. Flood plains contain wetlands which function to slow and filter flood water, thus improving water quality. Wetlands also provide habitat for a diversity of wildlife. Floodplains, therefore, are extremely productive ecosystems that support high levels of biodiversity and provide valuable ecosystem services. Studies have shown that healthy floodplains can have an extremely high monetary value due to these ecosystem services, which also include flood attenuation, fisheries habitat, groundwater recharge, water filtration, and recreation.	The comment provides an assessment of the benefits of floodplains. It does not raise any environmental issue related to the EIR/EIS.
674	105	To function properly, floodplains must, by definition, periodically flood. Floodplains store floodwaters that recharge groundwater supplies, maintain proper instream flows, prevent bed-bank scour, are a source of organic carbon, and support a healthy population of aquatic species essential to both ecosystems and our economy. (See photo. [Footnote 62: Sommer T.R., Nobriga M. L., Harrell B., Batham W., Kimmerer W. J. 2001. Floodplain rearing of juvenile Chinook salmon: evidence of enhanced growth and survival. Canadian Journal of Fisheries and Aquatic Sciences. P. 325-333. http://iep.water.ca.gov/AES/Sommer_et_al_2001.pdf]) The extent of functional floodplains in California has been dramatically reduced from historical conditions because levees, dams, flood control projects, and development have reduced or eliminated connectivity between rivers and floodplains. To reverse these losses, numerous agencies and organizations have spent significant resources to restore floodplains while simultaneously minimizing future flood risk.	The comment is an assessment on the utility and history of floodplains in California. It does not raise any environmental issue related to the EIR/EIS.

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674	106	With climate change, we can expect to have less snowpack, quicker spring snow melts, and increased flood pressures. Establishing natural floodplains connected with our rivers and avoiding development in floodplains will become more critical to community sustainability in the future. The current restoration plans for the Yolo Bypass, including more frequent use of the Yolo Bypass, and similar conservation actions are encouraged as a part of this plan.	Yolo Bypass improvements are included in Alternatives 1A, 1B, 1C, 2A, 2B, 2C, 4, 3, 5, 6A, 6B, 6C, 7, 8, and 9. With respect to the analysis of Alternatives 2D, 4A, and 5A presented in the Final EIR/EIS, Yolo Bypass habitat restoration is considered to be included in the No Action Alternative and the Alternatives 2D, 4A, and 5A. As described in Chapter 3 of the EIR/EIS, the Yolo Bypass improvements are currently being defined under the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Implementation Plan being completed by DWR and Reclamation, and a separate flood management programs being completed by DWR and regional flood management agencies. Assumptions were included in the EIR/EIS for the No Action Alternative and proposed project for the purpose of hydrologic modeling. Separate engineering and environmental documentation will be completed for improvements to the Yolo Bypass, which would require separate permitting by the USACE.
674	107	The following actions need to be included with any planned floodplain restoration: - Where possible, remove or at least set levees back from riverbanks to allow for floodwaters to expand into the floodplain. - Where it is not possible to remove levees, they should at least be vegetated with native riparian vegetation to provide the maximum achievable ecosystems functions. - Make the purchase of floodplains or flowage easements a top priority for flood control agencies and prevent new levees from being constructed and development in floodplains.	Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative and does not involve an HCP that includes floodplain restoration along the Sacramento and San Joaquin Rivers systems. However, DWR and Reclamation 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. Alternative 4A. Instead, the proposed project includes habitat restoration necessary to mitigate significant environmental effects under CEQA and meet the regulatory standards of ESA Section 7 and California Endangered Species Act (CESA) Section 2081(b). As described in Chapters 3 and 6 of the EIR/EIS, facilities along the levees would be designed to avoid increased flood potential compared to Existing Conditions or the No Action Alternative in accordance with the requirements of USACE, CVFPB, and DWR. The USACE, CVFPB, and DWR would require that any construction that would disturb existing levees to be designed in a manner that would not adversely affect existing flood protection. Facilities to be constructed along the levees would be designed to provide flood neutrality during construction and operations. Facilities located along the levees, including cofferdams at the intake locations, would be designed to provide continued flood management at the same level of flood protection as the existing levees; or if applicable, to a higher standard for flood management engineering and permitting requirements if the standards are greater than the existing levee design. The levee design criteria would consider the most recent criteria, including new guidelines for urban and rural levees. The design flood elevation would need to consider sea level rise to reduce impacts. Additionally, DWR would consult with local reclamation districts to ensure that construction activities would not conflict with reclamation district flood protection measures. The Proposed Project does not include additional levee modifications except as necessitated at construction locations.
674	108	[ATT 3: Photo of Chinook fish in floodplain that grew faster than those in the river.]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
674	109	Ensure that low-income communities impacted by floodplain restoration are involved in the development of restoration plans, and that any impacts of restoration are fully mitigated.	The new proposed project, Alternative 4A, substantially reduces the habitat restoration footprint and does not include Conservation Measure 2 (Yolo Bypass Enhancements) and Conservation Measure 5 (Seasonally Inundated Floodplain Restoration). Instead, the proposed project includes habitat restoration necessary to mitigate significant environmental effects under CEQA and meet the regulatory standards of ESA Section 7 and California Endangered Species Act (CESA) Section 2081(b). Yolo Bypass Enhancements and habitat restoration in Suisun Marsh are assumed to occur as part of the No Action Alternative because they are required by the existing biological opinions. Please see Chapter 13, Land Uses, Chapter 16, Socioeconomic, and Chapter 28, Environmental Justice, in the FEIR/EIS for impacts to land use, socioeconomics, and minority and low-income populations, respectively. With regards to environmental justice, please see Master Response 27.

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674	110	Implementation and Funding. Costs might be approximately $1.6 billion, based on half of the comparable restoration costs of BDCP from 2010 documentation. [Footnote 63: Highlights of the BDCP, pamphlet published December 2010]	Please refer to Master Response 5. Please also note that BDCP and large-scale habitat restoration is no longer included in the Proposed Project, Alternative 4A. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative and does not involve an HCP component.
674	111	The urban preference that was eliminated as a component of State Water Project contracts due to the Monterey Amendments, must be reinstated. California should return to its original plan of giving priority to the water needs of its burgeoning population rather than giving farm water equal priority, per the Monterey Amendments changes.	The proposed project does not propose any changes to the SWP water contract provisions and guidelines by which water deliveries are allocated among those entities receiving water from the SWP. Please see Master Response 34 regarding the potential uses of water delivered via the conveyance facilities. As stated in the Introduction to the Monterey Plus FEIR, "the Monterey Amendment resulted from a package deal of negotiated concessions that required achieving all of the above objectives in order to settle significant disputes among the contractors. Both agricultural and M&I contractors gave up rights or benefits to make the agreement work. Both had to also gain new rights or benefits or there would have been no reason to sign the agreement." To the extent that the commenter may disagree with this policy outcome, such disagreement is noted.
674	112	The contracted amounts of water for Central Valley Project and State Water Project Table A users are unrealistically high and must be brought in line with historic firm yield experience, as required in the contracts. The overall water supply reductions forecasted with global climate change adds to the urgency to bring these contracted amounts in line with current realities and for future planning.	The proposed project includes continuation of deliveries of SWP and CVP contract water under the Existing Conditions, No Action Alternative, and all action alternatives. Changes in the contract conditions are not considered in these alternatives because it would not be consistent with the Project Objectives or the Purpose and Need statements (see Chapter 2 of the Final EIR/EIS). Under the range of alternatives considered in the EIR/EIS full contract amounts are not delivered in the majority of times to the SWP and CVP water contractors, as presented in Figures C-13-1 through C-13-13 in Appendix 5A, Section C, of the EIR/EIS.
674	113	The pumping of Article 21 (so-called surplus) water is unnecessary and has proven to be damaging to the fisheries and ecology of the estuary, especially the pumping of this surplus water in dry years, which should never be permitted. In reviewing the different types of water transfers that can occur throughout the state, some are more logical and favorable from an ecosystem and cost viewpoint, while others are clearly damaging by the same two criteria.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Article 21 water is not transfer water. The commenter provides the opinion that the export of Article 21 water by the SWP is unnecessary and damaging. As with all SWP water, Article 21 water is supplied under existing SWP water rights permits, and is pumped from the Delta under the same environmental, regulatory, and operational constraints that apply to all SWP supplies.
674	114	The Kern Water Bank - initially a public asset - has been inappropriately turned over to private interests as a part of the Monterey Amendments and must be reestablished as a state entity under the ownership and operational control of the Department of Water Resources (DWR) for the benefit of all Californians, as it was when DWR purchased the land for the bank in the 1980s. When combined with the reinstatement of the urban preference in the State Water Project, this change would enhance water supply reliability for urban Southern California users and would eliminate profiteering from the public's water by private corporate interests.	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised. The Existing Conditions, No Action Alternative, and action alternatives assume the continued use of the Kern Water Bank by the Kern County Water Agency. Any changes in ownership or use would be subject to future engineering and environmental studies and are not considered in the EIR/EIS.
674	115	Supplies for south-of- Delta users and the Metropolitan Water District could be sourced from the natural reservoir that is Tulare Lake by allowing flows from the Kern, Kings, Kaweah, and Tule Rivers to flow into the Tulare basin. This option is being advocated by the San Joaquin Valley Leadership Forum, which has determined that surface storage capacity in the Tulare Lake Basin could be more than 2.5 million acre-feet. [Footnote 64: San Joaquin Valley Leadership Forum, www.sjvwlf.org] The concept would require bi-directional conveyance with both the Kern Canal and the California Aqueduct.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. 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 EIR/EIS. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as water storage) that were not carried forward for analysis in this document due to the fact that they required actions beyond the scope of the proposed project.
674	116	The restoration of the Tulare Lake basin in the San Joaquin Valley is a unique opportunity to provide for the quality, quantity, and reliable regional sourcing and use of water for agricultural, economic development and environmental needs on a	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 EIR/EIS. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as water storage) that were not carried forward for

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		self-sufficiency basis. At one time, Tulare Lake was the largest freshwater body west of the Mississippi River storing up to 25 million acre feet. The concept proposal put forth by the San Joaquin Valley Leadership Forum is based upon technical, financial, and environmental analysis which is superior to the only other storage proposal currently under study within the San Joaquin Valley - known as Temperance Flat on the Upper San Joaquin River above Millerton Lake/Friant Dam. As an example, the restoration of just 10% of the historic Tulare Lake would be nearly twice the surface storage capacity of Temperance Flat - let alone the fact that the Tulare Lake basin provides ground water storage capabilities as well - and Temperance does not. Another important distinction between Temperance Flat versus Tulare Lake is the fact that the Tulare Lake basin can support the collection and management of flood waters from at a minimum of four south Sierra river systems - Kings, Kaweah, Tule, and Kern - as well as the upper San Joaquin. Temperance Flat would only support the flood waters of the upper San Joaquin River. There is a possibility of ground contaminants in the basin that may be at harmful levels. The feasibility study would need to examine this potential issue closely. California does not need another set of impaired lands similar to what already exists in the west side of the San Joaquin. Implementation. This proposed concept should be evaluated as part of this "Responsible Exports" plan. The preliminary concept described by the San Joaquin Valley Leadership Forum is estimated to cost $800 million. Implementation and Funding. According to the San Joaquin Valley Leadership Forum plan, under $1 billion.	analysis in this document due to the fact that they required actions beyond the scope of the proposed project. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
674	117	California's Porter-Cologne Act of 1969 and the 1972 federal Clean Water Act both were enacted with the goal of restoring the quality of our water resources. These resources have been seriously degraded by over a century of heavy industry and agriculture, the indiscriminate extraction of natural resources, and the continued discharge of inadequately treated sewage. Progress in reversing this degradation has been slow. While upgrades to wastewater treatment and discharge requirements for industrial polluters have improved water quality in many areas, the fact remains that almost 700 reaches of California waterways are still unable to support beneficial uses, including providing potable water supply and supporting ecosystem health. These problems have contributed to ecosystem crashes in San Joaquin Valley Rivers and the Delta, severe groundwater depletion and contamination in the San Joaquin Valley [Footnote 65: National Marine Fisheries Service. 2009. Endangered Species Act Section 7 Consultation Biological Opinion Environmental Protection Agency Registration of Pesticides Containing Carbaryl, Carbofuran, and Methomyl. P. 481-483. http://www.epa.gov/espp/litstatus/effects/comments-2nd-draft.pdf.] and Central Coast that impacts low-income rural communities, and ocean pollution. Though state and federal laws already give regulators ample powers to improve water quality, this authority has not been exercised sufficiently to protect the health of the state's waterways or its residents. The continuing acceptance of agricultural waivers by Regional Water Quality Control Boards is a major contributor to the state's impaired waterways.	The amount of water DWR can pump from the new north Delta facilities is set by Federal regulating agencies, ESA compliance and project design. Operations for the Proposed Project would still be consistent with the criteria set by the USFWS (2008) and NMFS (2009) biological opinions 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 biological opinions. The Proposed Project does not seek any new water rights nor reduction in total water rights issued to DWR and Reclamation. In addition to permit constraints on daily operations of the SWP and CVP, DWR must maintain proper performance and bypass flows across fish screens when endangered and threatened fish species are present within the north Delta facilities area. The intake fish screens drive the overall size of the intake structure on the riverbank, and have been numbered and sized to permit water to flow through the screens within a predetermined flow regime set by California Department of Fish and Wildlife and NMFS fish screen criteria, as described in Appendix 3F of the EIR/EIS. Chapter 8 of the EIR/EIS describes whether concentrations of various water quality constituents are expected to increase or decrease with the project, relative to existing conditions and the No Action Alternative. To the extent that concentrations of various water quality constituents are expected to increase, Chapter 8 describes whether these increases are expected to result in impacts to beneficial uses of water in the Delta. Intakes in the North Delta will allow for operational flexibility that can improve natural flow in the Delta and avoid impacts to migratory fish based on real time data and operations Discussion of the main environmental attributes affecting individual covered species is provided in Appendix 2.A of the 2013 public draft BDCP. Effects of the proposed water conveyance and associated restoration activities on general resource areas are discussed in Chapter 11 of the EIR/EIS. Where impacts are

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			determined to be significant, environmental commitments will be implemented to avoid and/or offset these effects, where possible. As part of the planning and environmental assessment process, the project proponents will incorporate environmental commitments and best management practices (BMPs) into the action alternatives to avoid or minimize potential adverse effects as described in Appendix 3B of the EIR/EIS. The project proponents will implement these environmental commitments as part of the project construction activities. In other words, these commitments will be satisfied even if not separately imposed by the permitting agencies. If permitting agencies impose additional measures or modifications, those will also be adhered to as part of the permit(s). The project proponents will coordinate planning, engineering, design and construction, operation, and maintenance phases of the alternative with the appropriate agencies.
674	118	Diverting Sacramento River flows for export without significantly protecting existing groundwater basins and increasing the amount of fresh water flow dedicated to reaching San Francisco Bay, as currently planned for BDCP, will only degrade water quality and habitat conditions and aggravate the negative impact on Delta aquatic and terrestrial species. On the other hand, a future scenario that places less emphasis on the Delta as a water supplier and allows more water to be left instream, can dramatically reduce the environmental and water quality effects of exporting water - whether through or around the Delta. Although increasing flows, as described in this "Responsible Exports" alternative, will improve many aspects of Delta water quality, this plan must continue to pursue specific and targeted water quality actions in order to contribute to restoring the health of the Delta. Implementation and Funding. Implementation will depend on the results of the State Water Resources Control Board hearings on Delta water quality and flows, which are scheduled to be completed during 2014.	In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The proposed project does not seek any new water rights or reduction in total water rights issued to DWR and Reclamation. The Proposed Project described in this EIR/EIS does not include conveyance of groundwater or conveyance of cross-Delta water transfers. Subsequent water transfers would need to be evaluated after separate engineering and environmental documentation. The North Delta will allow for operational flexibility that can improve natural flow in the Delta and avoid impacts to migratory fish based on real time data and operations. Impacts on Delta outflows (fresh water flowing to the Bay) are not significant. Model simulation results for the proposed project alternative (4A) indicate that long-term average and wet year peak outflows would increase in winter months with a corresponding decrease in spring months because of the shift in system inflows caused by climate change and increased Delta exports as compared to Existing Conditions. In other year types, Alternative 4A would result in higher or similar outflow because of the spring outflow requirements. In summer and fall months, Alternative 4A would result in similar or higher outflow because of changes in export patterns and OMR flow requirements and export reductions in fall months, and also because of the Fall X2 requirements in wet and above normal years. The incremental changes in Delta outflow between Alternative 4A and Existing Conditions would be a function of both the facility and operations assumptions and the reduction in water supply availability due to increased north of Delta urban demands, sea level rise and climate change. Results for the range of changes in Delta Outflow under Alternative 4A are presented in more detail in Appendix 5A, Section C, of the EIR/EIS. Please also see Appendix C of the RDEIR/SDEIS Supplemental Modeling Requested by State Water Resources Control Board Related to Increased Delta Outflows.
674	119	Environmental organizations are generally disappointed with the groundwater monitoring features that were built into the Delta Reform Act of 2009. Earlier drafts of the 2009 legislation required groundwater monitoring and reporting throughout the state, while the final legislation was weakened to make groundwater reporting a voluntary effort. Since groundwater represents 30% of California's water supply in most years, the state must face this politically difficult situation with actions for mandatory groundwater reporting throughout the state. This action needs to include a discussion of the Water Code's requirement for additional South- of-Delta underground storage, and the ability to meet that requirement through	As described in Chapter 7, Groundwater, in the Partially Recirculated Draft EIR/Supplemental Draft EIS, the State-adopted Sustainable Groundwater Management Act includes a groundwater monitoring program. With respect to the need for additional storage south of the Delta, the BDCP is just one element of the state's long-range strategy to meet anticipated future water needs of Californians that will include continued investment by the State and other public agencies in storage, conservation, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). The Existing Conditions, No Action Alternative, and all of the alternatives assume the continued use of the Kern Water Bank which is owned and operated by the Kern Water Bank Authority that includes agencies

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		public control and expansion of the Kern Water Bank.	located in Kern County, as discussed in Section 7.1.13 of Chapter 7, Groundwater, of the EIR/EIS.
674	120	The impacts of the additional capacity for Delta exports as provided by a public Kern Water Bank should be considered here. Given its location, size, and relative cost of development compared to surface storage, the Kern Water Bank is a facility which could greatly assist balanced export controls for the Delta and could be the single greatest improvement to overall state-wide water supply reliability. This plan strongly advocates for the return of the Kern Water Bank to state control as a water management conservation measure.	The proposed project is one part of a diverse portfolio of strategies needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including water conservation and storage. 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.
674	121	Dams have made California a well-watered paradise for most of its human inhabitants. Dams are also killers of river habitats. Although California's vast system of water storage, hydropower and flood control dams has provided enormous economic benefits, it is not without downsides. Dams have been a major factor - in many cases the major factor - in the decline and extinction of numerous fish species, especially anadromous fishes that migrate to and from the ocean and must have access to the more favorable upper reaches of rivers to spawn and rear the next generation [Footnote 66: National Marine Fisheries Service, Southwest Region. June 4, 2009. Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project. Page 660. http://swr.ucsd.edu/ocap/NMFS_Biological_and_Conference_Opinion_on_the_Long-Term_Operations_of_the_CVP_and_SWP.pdf]. Every salmon and steelhead run in Central Valley rivers is either extinct, endangered, or in decline due to the overall habitat destruction and degradation caused by dams. [Footnote 67: Friends of the River. 1999. Rivers Reborn: Removing Dams and Restoring Rivers. P 4-16. http://www.friendsofthereriver.org/site/DocServer/RiversReborn.pdf?docID=224&AddInterest=1004.] A 1985 California Department of Fish and Game study has indicated that the economic losses due to the declines of salmon, steelhead and striped bass which spawn in the Central Valley tributaries at $116,000,000 per year. [Footnote 68: California Department of Fish and Game. 1985. Administrative Report 85-03. http://deltavision.ca.gov/docs/externalvisions/EV8_Allied_Fishing_Group_Vision.pdf]	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised. The upstream SWP and CVP reservoirs would continue to be operated in accordance with SWRCB and CDFW requirements and in accordance with the 2008 USFWS and 2009 NMFS biological opinions under the Existing Conditions, No Action Alternative, and all action alternatives. Please see Master Response 37 regarding why an alternative focused on creating or modifying reservoirs, either in the Delta or elsewhere, was not included in the or EIR/EIS.
674	122	The most serious fishery problem caused by major dams is the blockage of migratory fish passage. Over 95 percent of the historic salmon and steelhead spawning habitat in Central Valley river systems has been eliminated by the construction of large dams on every major river. Fish passage was not a serious consideration in the early part of the last century when most of the major dams were built; there were no Endangered Species Act or National Environmental Policy Act considerations at the time. California Fish and Game Code Section 5937, which mandates that dam operators keep fish in good condition below dams has largely been ignored outside the Mono Basin. The construction of Friant Dam on the San Joaquin River resulted in the extinction of the largest spring-run chinook population in the state. The dam blocked upstream spawning grounds that were known to be the best of the Central Valley Rivers. Figure 3 shows the long- term downward trend for Chinook salmon in the Central Valley.	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 to improve water operations to improve native fish migratory patterns and allow for greater operational flexibility. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), the Proposed Project would not change operating criteria in the upstream reservoirs. No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
674	123	There are numerous solutions available that can provide fish passage around dams. They include construction of fish ladders or upstream fish channels, fish elevators, trap and truck operations, downstream bypasses, removal of smaller fish barriers, and dam removal. All of these techniques have been used at multiple locations with varying success rates. Some of the larger dams on the Columbia River system have been operating fish ladders for many years. While the costs of many of the techniques are	In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), fish passage at upstream dams is not part of the proposed project. For more information regarding purpose and need of the proposed project please see Master Response 3. However, Reclamation is pursuing under a separate project providing fish passage at CVP reservoirs in accordance with the 2009 NMFS Biological Opinion, as described in Appendix 3D of the EIR/EIS.

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		substantial, the economics of industries and recreational activities that depend on healthy rivers and fish stocks can justify the investment. The appropriate comparison by which to measure such costs is the sum of agricultural, industrial, and municipal benefits that accrue via the diversion of tens of millions of acre-feet of water annually.	Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage.
674	124	Tourism and recreation is now California's largest industry at more than $96 billion annually, and river recreation is a large part of that industry. Recreational fishing generates $1.5 billion annually in retail sales and provides thousands of jobs. [Footnote 69: Restore the Delta. April 7, 2009. Press Release. Http://archive.constantcontact.com/fs062/1102037578231/archive/1102546423830.html.]	The proposed project may impact recreational opportunities including impacts on hunting, fishing, swimming, and boating in the Delta during construction. Mitigation is proposed to reduce these impacts; however some impacts may remain significant due to the long-term nature of the temporary construction related impacts. Please see Chapter 15, Recreation, of the EIR/EIS for more detail on the impacts of the proposed project on recreational opportunities and the proposed mitigation. To compensate for the loss of access as a result of constructing the river intakes, the proponents will work with the California Department of Parks and Recreation (DPR) to help insure the elements of the proposed project would not conflict with the elements proposed in DPR's Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh (California Department of Parks and Recreation 2011d) that would enhance bicycle and foot access to the Delta. This would include the helping to fund or construct elements of the American Discovery Trail and the potential conversion of the abandoned Southern Pacific Railroad rail line that formerly connected Sacramento to Walnut Grove. The overall recreation experience for boaters or fishermen in the vicinity of intake construction areas would be reduced during construction activities because of the elevated noise levels as well as visual setting disruptions. These temporary construction-related effects would last for up to 5 years in the vicinity of intake and barge unloading facilities and could alter fish populations such that recreational fishing opportunities in the study area would be affected. Weekday construction would reduce the amount of fish and other wildlife in recreation areas in the vicinity of the intakes, resulting in decreased recreation opportunities related to wildlife and fish, causing recreationists to experience a changed recreation setting. Chapter 15 describes potential impacts on on-water recreation and fishing. Mitigation Measures would reduce impacts on marine navigation by developing and implementing site-specific construction traffic management plans; installing visual barriers between construction work areas and sensitive receptors; applying aesthetic design treatments to all structures; and employing noise-reducing construction practices. The potential impact on covered and non-covered sport fish species from construction activities would be considered less than significant because the proposed project would include environmental commitments (Appendix 3B). Mitigation Measures would also be available to reduce construction-related underwater noise and pile driving effects, to initiate a complaint/response program, and to provide alternative bank fishing access sites. Please see Chapter 16 Socioeconomics of the 2013 Public Draft BDCP for additional information regarding economic impacts to marinas.
674	125	[ATT 4: Graph of Chinook Salmon population on the Sacramento River.] [Footnote 70: California Department of Fish & Game, Native Anadromous Fish & Watershed Branch. GRANDTAB Data Sets. Http://www.calfish.org/IndependentDatasets/CDFGFisheriesBranch/tabid/157/Default.aspx]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
674	126	An important aspect of fish passage above dams is the benefits to Native American Tribes in gaining access to historic cultural resources. These would include: the Winnemen Wintu on the Upper Sacramento, McCloud, and Pit Rivers; the Karuk Tribe on the Klamath; and the California Valley Miwok and Maidu on the American and Feather Rivers.	In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), fish passage at upstream dams is not part of the proposed project. For more information regarding purpose and need of the proposed project please see Master Response 3. However, Reclamation is pursuing under a separate project providing fish passage at CVP reservoirs in accordance with the 2009 NMFS Biological Opinion, as described in Appendix 3D of the EIR/EIS.

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			For additional information about Native American outreach efforts, including identification and analysis of impacts on archaeological sites, Traditional Cultural Properties, and cultural significance of biological resources, please see Master Response 21.
674	127	This plan supports, as a conservation measure, the National Marine Fisheries Service Biological Opinion on Central Valley Project and State Water Project operations that recommends fish passage pilot program plans and analysis for dams connected to the Delta, such as the Sacramento, American and Stanislaus rivers. This plan also encourages the State Water Board to direct the controlling agency of each Central Valley rim dam connected to the Delta to study the feasibility of fish passage for each dam that blocks the passage of listed salmonid species, similar to the NMFS Biological Opinion. [Footnote 71: National Marine Fisheries Service, Southwest Region. June 4, 2009. Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project. Page 660. http://swr.ucsd.edu/ocap/NMFS_Biological_and_Conference_Opinion_on_the_Long-Term_Operations_of_the_CVP_and_SWP.pdf] Costs should be borne by the dam operators since they are the main beneficiaries of the water storage operations.	In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), fish passage at upstream dams is not part of the proposed project. For more information regarding purpose and need of the proposed project please see Master Response 3. However, Reclamation is pursuing under a separate project providing fish passage at CVP reservoirs in accordance with the 2009 NMFS Biological Opinion, as described in Appendix 3D of the EIR/EIS. In addition, the action alternatives assume the same operational criteria for upstream reservoirs as under the Existing Conditions and No Action Alternative. No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
674	128	Salmon, steelhead, and trout need cold water for their existence. As California has grown in size, the dams that have been built on virtually every major river have significantly changed both upstream and downstream river flows; high downstream water temperatures are one of the damaging results. Temperatures of 57-67 degrees Fahrenheit (F) are typically ideal for upstream fish migration and 42-56 degrees (F) are ideal for spawning. Water temperatures over 70 degrees (F) can be lethal to anadromous fish but are common on major rivers in the summer. Some fish populations have been able to adapt and carry on spawning and rearing below these major barriers, though in much smaller numbers than previously. Because farms need the most water in the summer, water behind reservoirs is low by the fall when many of the remaining populations of migrating fish return to the rivers. At that point the lack of cold water is a clear threat to their survival. Many of these fish species are now listed under the federal Endangered Species Act (ESA), and maintaining water temperatures suitable for survival has become a critical part of the actions required under the ESA. This plan supports, as a conservation measure, the National Marine Fisheries Services Biological Opinion recommendations for cold water releases on rivers connected to the Delta, such as the Sacramento, American, and Stanislaus rivers, [Footnote 72: National Marine Fisheries Service, Southwest Region. June 4, 2009. Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project. Pages 590-620. http://swr.ucsd.edu/ocap/NMFS_Biological_and_Conference_Opinion_on_the_Long-Term_Operations_of_the_CVP_and_SWP.pdf.] as well as supporting regulations and legislation to retain sufficient water in other major reservoirs to support fish populations in Delta-connected rivers below dams. The latter would include the Trinity River, so long as the current management plan protections for the Trinity are complied with.	The Proposed Project and all other action alternatives assume the same operational criteria for upstream reservoirs as under the Existing Conditions and No Action Alternative. These operational criteria include compliance with cold water pool and downstream temperature and flow criteria for the CVP reservoirs in accordance with the 2009 NMFS Biological Opinion, as described in Appendix 3D of the EIR/EIS. In drier years, it is difficult to consistently meet the temperature criteria due to low reservoir storage volumes and the need to deliver water to senior water rights holders. Effects of the range of water temperatures on aquatic resources are presented in Chapter 11 of the EIR/EIS. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
674	129	Agencies that benefit from any new or existing conveyance facilities should pay the full cost of the facilities, including mitigation costs. Costs of fixing the Delta and estuary that are related to existing and planned water	For more information regarding funding of the proposed project please see Master Response 5.

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		delivery systems, including related costs of environmental mitigation and restoration, should be financed by the agencies that deliver water and ultimately should be passed on to their retail customers.	
674	130	Cost responsibilities for land acquisition and restoration of river and Delta floodplains should be distributed 75 percent through a broad-based water use fee (applied to all agencies whose supplies are diverted from a river or the Delta watershed.) and 25 percent through public funds.	For more information regarding funding of the proposed project please see Master Response 5. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative. and does not involve an HCP component. Although Alternative 4A includes only those habitat restoration measures needed to provide mitigation for specific regulatory compliance purposes, habitat restoration is still recognized as a critical component of the state's long-term plans for the Delta. Such larger endeavors, however, will likely be implemented over time under actions separate and apart from these alternatives.
674	131	Agencies that divert water from the Delta should pay their fair share of maintaining and replacing the Delta levees on which they depend and for protecting water conveyance facilities. The share of Delta levee repair costs assigned to these agencies should reflect the extent to which the levee repairs are essential to ensuring uninterrupted diversions.	Levees are an important public safety resource and the proposed project would not change levee policy or replace ongoing programs and grant projects aimed at facilitating and supporting levee improvements in or outside the Delta. It is recognized that levee maintenance and safety in the Delta is an important issue for the residents of the Delta and for statewide interests. Chapters 9, 10, and 11 of the EIR/EIS include discussions on existing levee improvement programs and funding mechanisms, which would not be affected by the Proposed Project.
674	132	In developing funding sources, special care should be taken that low income communities not be impacted by new fees and second, that appropriate set-asides be created to ensure that these communities can access funding needed to comply with new regulations and policies.	Rates charged to water users by individual water agencies receiving SWP or CVP supplies are based on the independent rate-setting policies of those agencies. Implementation of the Proposed Project would not affect how agencies distribute water supply costs among their water customers. For more information regarding cost of the Proposed Project please see Master Response 5.
674	133	The Environmental Water Caucus's Reduced Exports Plan proposes to reduce exports to no more than 3 million acre feet in all years, in keeping with SWRCB flows criteria. The Delta Flows Criteria promulgated by the State Water Resources Control Board (SWRCB) clearly indicates that the state has reached - and exceeded - the amount of water that can responsibly be diverted from the Bay Delta and estuary. As a result, this plan anticipates future limitations on Delta exports below the level of the 2000-2007 time periods in its plan to meet Delta ecosystem restoration goals. The recent PPIC report reinforces this: "given the extreme environmental degradation of this region, water users must be prepared to take less water from the Delta, at least until endangered fish populations recover." Over the years, a number of processes have identified the need to dramatically improve outflows in order to recover listed species to a sustainable level and restore ecosystems in the Bay-Delta and Estuary. During the last three decades both the SWRCB and the state legislature have recognized and acknowledged the need for greater outflow and reduced exports, which have not been achieved. That recognition started in 1988 with the SWRCB's proposed standards that would have required an average increase in outflow of 1.5 million acre-feet over the lower diversion levels of the period before the late 1980's; that proposal was withdrawn without public comment. Similarly, as recently as 2009 the California legislature adopted a new policy of reducing reliance on the Delta for water supply uses. As indicated in the recent SWRCB report, [Footnote 7: State Water Resources Control Board and California Environmental Protection Agency. DRAFT Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem. July 2010. Pp. 5.] in order to preserve the attributes of a natural variable system to which native fish species are	As described in Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, of the EIR/EIS, the range of alternatives provides a range of flow criteria, rates of diversion, and operational criteria. One of the potential alternatives considered in Appendix 3A was based upon the State Water Resources Control Board 2010 Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem. This potential alternative was not evaluated in detail because the flow recommendations in the 2010 report could not be achieved without adverse impacts to cold water management for fisheries in the Sacramento, Feather, and American rivers without reductions in non-SWP and non-CVP water rights diversions. The purpose and need of this EIR/EIS would not allow changes to non-SWP and non-CVP water rights. However, Alternatives 7 and 8 in the EIR/EIS reflect similar flow criteria in a manner that would only affect SWP and CVP water rights. Development of Alternatives 7 and 8 also consider development of flow criteria as a percentage of unimpaired flows. The State Water Resources Control Board's flow criteria recommendations and how they were used to inform the BDCP planning process are also discussed in Appendix 3I, BDCP Compliance with the 2009 Delta Reform Act. Appendix 3A also explains that the Lead Agencies employed a "bookend" approach to analyzing alternatives. The range of alternatives also includes alternatives which result in reductions in SWP and CVP water deliveries south of the Delta as compared to the Existing Conditions and the No Action Alternative. The No Action Alternative and Alternatives 4A, 4H1, 4H2, 4H3, and 4H4; 5 and 5A; 6A, 6B, 6C; 7; 8; and 9 would result in less SWP and CVP water deliveries south of the Delta than under Existing Conditions, as described in Appendix 5A, Section C of the EIR/EIS. Similarly, Alternatives 6A, 6B, 6C; 7; 8; and 9 would result in similar or less SWP and CVP water deliveries south of the Delta than under the No Action Alternative. Alternative 8 in the Draft BDCP EIR/EIS would result in a long-term average delivery 3.1 million acre-feet/year. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta. The proposed project is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or

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		adapted, many of the criteria developed by the State Water Board are crafted as percentages of natural or unimpaired flows. These criteria include: - 75% of unimpaired Delta outflow from January through June; - 75% of unimpaired Sacramento River inflow from November through June, compared with - 60% of unimpaired San Joaquin River inflow from February through June. This compares with the historic flows over the last 18 to 22 years, which have been: - About 50% on average from April through June for Sacramento River inflows; - Approximately 30% in drier years to almost 100% of unimpaired flows in wetter years for Delta outflows; - Approximately 20% in drier years to almost 50% in wetter years for San Joaquin River inflows. In 2014, the State Board is required to develop flow criteria that will fully protect public trust resources in the Delta and estuary. In all the years since 1988, no information has been developed that would contradict the Board's 1992 draft finding that maximum Delta pumping in wet years should not exceed 2.65 million acre-feet in order to provide the necessary outflows to protect fish and the Bay-Delta and estuary ecosystems. The rebuttable presumption, consistent with the evidence of the last two decades and with the new state policy to reduce Delta water supply reliance, is that a total export number of no more than 3 million acre-feet in all water year types, except for drought years, is prudent. The current approach of managing the Delta for water supply will almost certainly lead to intense pressures to make increased exports the major goal of a Peripheral Canal or tunnel while the health of the Delta and estuary will be a lower priority. One of the main objectives of this Reduced Exports Plan is to decrease the physical vulnerability and increase the predictability of Delta supplies, not to increase average annual Delta exports. The current fallacy of the BDCP to increase exports while somehow recovering fish species and ecosystems leads directly to a warped scientific program as pointed out by The Bay Institute in their recent Briefing Paper on the BDCP Effects Analysis. [Footnote 8: The Bay Institute and Defenders of Wildlife. The BDCP Effects Analysis, Briefing Paper. February 2012. http://www.bay.org/assets/BDCP%20EA%20Briefing%20Paper%2022912.pdf] Recent letters from the EPA and the Bureau of Reclamation indicate that the EPA believes that the (BDCP) EIS/EIR will need to include a significant analysis of alternatives reflecting reduced Delta inflow and reduced exports [Footnote 9: http://www.epa.gov/region9/water/watershed/sfbaydelta/pdf/EPA_Comments_BDCP_3rdNO_051409.pdf] and that a significant increase in exports out of the Delta is inconsistent with recent state legislation (to reduce reliance on the Delta). [Footnote 10: http://www.epa.gov/region9/water/watershed/sfbay-delta/pdf/EpaR9CommentsBdcpPurpStmt6-10-2010.pdf] Reduced dependence on the Delta by south-of-Delta water users would also obviate the need for new conveyance around or through the Delta (a Peripheral Canal or tunnel)	other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). For additional information regarding storage, please see Master Response 37. The EIR/EIS analyzed Alternatives 1 through 9 as compared to the Existing Conditions which provides an analysis of water supply effects to the SWP and CVP and several other water supplies within the Delta watershed under projected climate change conditions in the Year 2060 conditions. Alternatives 4A, 2D, and 5A were evaluated under projected climate change conditions in the Year 2025 conditions.

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		and new surface storage reservoirs, avoiding costs of perhaps tens of billions of dollars for taxpayers and the potential for stranded assets resulting from climate change and sea level rise in the Bay-Delta and Estuary. This reorientation will undoubtedly require some south-of-Delta infrastructure enhancements, but not nearly to the magnitude of costs for a Peripheral Canal or tunnels and a new reservoir north of the Delta. Climate change projections indicate that over the longer term global warming will reduce the total amount of precipitation, including significant reductions in Sacramento River water. There is no indication that this has been factored into present plans, and it is possible that new conveyance for Sacramento River water may become a stranded asset. Implementation and funding: Implementation (and funding, if necessary) for the level of reduced exports will depend on the results of the State Water Resources Control Board hearings on Delta flows, which are scheduled to be completed during 2014. Subsequent to those hearings, implementation and funding plans will most likely fall within the purview of the state legislature.	
674	134	The Environmental Water Caucus's Reduced Exports Plan proposes to expand statewide water efficiency and demand reduction programs beyond The Current 20/20 Program and maximize regional self-sufficiency in accordance with the 2009 Delta Reform Act. Recommendations to the Delta Stewardship Council included an aggressive urban water conservation and efficiency program - more aggressive and of longer duration than the 20/20 program - and included both urban and agricultural users as a necessary component for reducing reliance on the Delta and achieving the water supply reliability goals for south-of-Delta users. A more aggressive conservation program also supports the goal of the reduced exports level of this alternative. We intend to continue our advocacy for this type of program with the Delta Stewardship Council. Overwhelming evidence shows that a suite of aggressive conservation and water efficiency actions will reduce overall demand and provide cost effective increases in available and reliable water supply. These measures will handle California's water needs well into the foreseeable future and will do so at far less financial and environmental cost than constructing more storage dams and reservoirs. This conclusion is reinforced by the current State Water Plan (Bulletin 160- 09), by the Bay Institute's "Collateral Damage" report, and by actual experience in urban areas and farms. These water efficiency and water use reduction actions are: - Urban Water Conservation - including installing low-flow toilets and showerheads, high- efficiency clothes washers, retrofit-on-resale programs, rainwater harvest, weather-based irrigation controllers, reducing water for landscaping via drip and xeriscape, more efficient commercial and industrial cooling equipment, and tiered price structures. [Footnote 11: A detailed treatment of urban water conservation is contained in Waste Not, Want Not: The Potential for Urban Water Conservation in California, by the Pacific Institute. Http://www.pacinst.org/reports/urban_usage/waste_not_want_not_full_report.pdf.] According to the 2009 State Water Plan, total urban water demand can be reduced by 2.1 million acre-feet with these measures. [Footnote 12: California Department of Water Resources. Update 2009. California Water Plan Update. Bulletin 160-09. V-2,	The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the Proposed Project, the Lead Agencies recognize that they are important tools in managing California's water resources. It also should be noted that DWR and Reclamation are not authorized to implement urban water conservation, water recycling, groundwater treatment, conjunctive use, stormwater recycling, and many other programs to meet existing and future water demands. These types of projects must be implemented by the water users of all water supplies.

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		P3-23. http://www.waterplan.water.ca.gov/docs/cwpu2009/0310final/v2c03_urbwtruse_cwp2009.pdf.] A Los Angeles Economic Development Corporation report found that in Los Angeles, Orange, San Bernardino, San Diego, Riverside and Ventura counties, "urban water conservation could have an impact equivalent to adding more than 1 million acre-feet of water to the regional supply" (about 25 percent of current annual use). [Footnote 13: Los Angeles County Economic Development Corporation (LAEDC). 2008. Where Will We Get the Water? Assessing Southern California's Future Water Strategies. P 6. http://www.laedc.org/consulting/projects/2008_SoCalWaterStrategies.pdf.] The same LAEDC report shows that urban conservation is by far the most economical approach, at $210 per acre-foot, and especially compared with new surface storage at $760 to $1,400 per acre-foot. - Urban Conservation Rate Structures - including the establishment of mandatory rate structures within the Urban Best Management Practices that strongly penalize excessive use and reward low water usage customers with lower rates, with the lowest being a lifeline rate to provide water for low income and low-water-using ratepayers. The savings that result from pricing policies are included in the 2.1 million acre-feet reduction cited above. - Agricultural Water Conservation - including the continuing trend towards use of drip, micro sprinklers and similar higher technology irrigation, reduced deficit irrigation, transition to less water-intensive crops, reduced overall farmland acreage, elimination of the irrigation of polluted farmland, and tiered price structures. Conservation measures also include the elimination of indirect water subsidies provided to agriculture for Central Valley Project (CVP) water, which will drive some of the efficiencies shown in Figure 1. Demand reduction of as much as 5 million acre-feet per year could be achieved by 2030, according to Pacific Institute's California Water 2030: An Efficient Future report. [Footnote 14: Pacific Institute. California Water 2030: An Efficient Future. September 2005.] - Recycled Water - including the treatment and reuse of urban wastewater, gray water, and storm water, and achievement of the State Water Resources Board goal of increasing water recycling by at least an additional 2 million acre-feet per year by 2030. The 2009 State Water Plan indicates a figure of 2.25 million acre-feet that could be recovered. The LAEDC report shows recycled water costs $1,000 per acre-foot. - Groundwater Treatment, Demineralization and Desalination - including the treatment of contaminated groundwater and the use of groundwater desalination. The cost of groundwater desalination ranges from $750 to $1,200 per acre-foot. - Conjunctive Management - which engages the principles of conjunctive water use (the planned release of surface stored water to recharge groundwater basins), where surface water and groundwater are used in combination to improve water availability and reliability. It also includes important components of groundwater management such as monitoring, evaluation of monitoring data to develop local management objectives, and use of monitoring data to establish and enforce local management policies. Without scientific studies that are needed to support conjunctive water management many aquifers and surrounding groundwater can be harmed by the biggest users. While conjunctive management does not reduce water demand, it does reduce the need for costly new surface storage.	

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		- Storm Water Recapture and Reuse - The 2008 Scoping Plan for California's Global Warming Solutions Act of 2006 promotes storm water collection and reuse. The plan finds that up to 333,000 acre-feet of storm water could be captured annually for reuse in urban southern California alone. [Footnote 15: Climate Change Scoping Plan Appendices Volume I. December 2008. Pursuant to AB 32 The California Global Warming Solutions Act of 2006. C-135. http://www.arb.ca.gov/cc/scopingplan/document/appendices_volume1.pdf.] The LAEDC report also found the potential for "hundreds of thousands of acre-feet" of water from storm water capture and reuse in southern California counties. [Footnote 16: Los Angeles County Economic Development Corporation (LAEDC). 2008. Where Will We Get the Water? Assessing Southern California's Future Water Strategies. P 32-33. http://www.laedc.org/consulting/projects/2008_SoCalWaterStrategies.pdf.] The Los Angeles and San Gabriel Watershed Council has estimated that if 80 percent of the rainfall that falls on just a quarter of the urban area within the watershed (15 percent of the total watershed) were captured and reused, total runoff would be reduced by about 30 percent. That translates into a new supply of 132,000 acre-feet of water per year or enough to supply 800,000 people for a year. [Footnote 17: California Department of Water Resources. Update 2005. California Water Plan Update. Bulletin 160-05. P..21-3. http://www.waterplan.water.ca.gov/previous/cwpu2005/index.cfm] Based on data from the State Water Plan (Bulletins 160-05 and 160-09), [Footnote 18: California Department of Water Resources. Update 2005. California Water Plan Update. Bulletin 160-05. V2 1-5. http://www.waterplan.water.ca.gov/previous/cwpu2005/index.cfm] the Planning and Conservation League (PCL) [Footnote 19: Planning and Conservation League. 2004. Investment Strategy for California Water. P. 8-11. http://www.pcl.org/projects/investmentstrategy.html] and the Pacific Institute, [Footnote 20: Pacific Institute. 2005. California Water 2030: An Efficient Future. ES-2.] the savings that can be achieved from these efficiency scenarios are estimated to be 13 million acre-feet per year (Figure 1). Perhaps the most authoritative report on the subject, the Pacific Institute's California Water 2030: An Efficient Future shows that overall statewide water usage can be reduced by 20 percent below 2000 levels - given aggressive efforts to conserve and reduce usage with readily available technology and no decrease in economic activity. The urban water savings of approximately 5 million acre-feet a year (when including recycled municipal water and part of the groundwater storage) shown in Figure 1 is enough water to support a population growth of almost 30,000,000 people. According to the California Water Plan Update 2009, the state's population can be expected to increase by 22,000,000 over the next 40 years if current population trends hold. Clearly, a well-managed future water supply to take us to 2050 is within reach with current supplies and with an aggressive water conservation program. In order to translate these aggressive efficiency measures into actual demand reductions, we need heightened public awareness of these targets and focused state oversight and coordination of local and statewide actions. Existing success stories from urban communities and on-farm operations reinforce the savings potentials and the need for efficiency-driven policies; they are described in detail in a number of the references cited in this report. The Governor's recent mandate for a 20 percent reduction in per capita urban water use by 2020 is the kind of action that will help this effort, although it may prove insufficient in view of projected population growth. Under the Governor's plan, per capita urban use would be reduced from the current 192	

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		gallons per capita daily to 154 gallons, resulting in an annual savings of 1.74 million acre-feet. The projected water savings shown in Figure 1 are more aggressive than the Governor's plan. A similar mandate should be extended to agriculture, since agriculture uses more than three quarters of the state's developed water supplies. Water savings through efficiency measures can result in direct reductions in the volume of Delta exports since most of the savings would occur in cities and farms south of the Delta. These water savings are necessary to reduce the exports and to restore the stream flows called for in this plan. The Natural Resources Defense Council's report Transforming Water Use: A California Water Efficiency Agenda for the 21st Century cites the state's successes in energy efficiency as a model for water efficiency while noting that the state lags far behind in water efficiency policies, programs, and funding. A key component of the success in energy efficiency has been the development of a priority system called a Loading Order. [Footnote 21: Natural Resources Defense Council. 2007. Transforming Water Use: A California Water Efficiency Agenda for the 21st Century. P. 2. www.deltavision.ca.gov/BlueRibbonTaskForce/Feb28_29/Handouts/BRTF_Item_5A_HO 2.pdf.] As applied to water policy, a Loading Order system would require demand reductions through improved water efficiency to be the first priority in addressing water supply, the second priority would be developing alternative sources including water recycling, groundwater clean-up and conjunctive use programs, and third would be the use of more traditional supply options. A Loading Order approach, if applied to statewide, regional, and local water plans, would shift the emphasis to the more efficient and cost effective approaches advocated in this report. Reducing water use through conservation efficiencies or water recycling also has a favorable impact on energy use, as pointed out by Energy Down the Drain, a report produced by the Natural Resources Defense Council and the Pacific Institute. [Footnote 22: Natural Resources Defense Council and Pacific Institute. 2004. Energy Down the Drain. ES-v. Http://www.pacinst.org/reports/energy_and_water/index.htm.] The report makes a strong case for the link between water and energy efficiencies. All of these conservation and efficiency methods are known to produce available water at significantly less cost than constructing new storage dams and reservoirs-the third option in the Loading Order. According to the Los Angeles County Economic Development Corporation (LAEDC) report, [Footnote 23: Los Angeles County Economic Development Corporation (LAEDC). 2008. Where Will We Get the Water? Assessing Southern California's Future Water Strategies. P 32-33. http://www.laedc.org/consulting/projects/2008_ SoCalWaterStrategies.pdf.] water produced from the proposed Sites and Temperance Flat Reservoirs would cost $760 to $1,400 per acre-foot, while conserved or recycled water typically costs between $210 and $1,000 per acre-foot. New surface storage is by far the highest cost alternative per acre-foot of water for all the alternatives examined by the Legislative Analysts Office (LAO) report California Water: An LAO Primer, [Footnote 24: Legislative Analyst's Office. 2008. California's Water: An LAO Primer. P. 67. http://www.lao.ca.gov/2008/rsrc/water_primer/water_primer_102208.aspx.] while providing less total annual yield than most alternatives. Statewide, the costs of all of these efficiency measures will in all probability not exceed the potential $78 billion price tag for the various Peripheral Canal and new surface storage proposals. [Footnote 25: Strategic Economic Applications Company. 2009. The Sacramento San Joaquin Delta - 2 0 0 9, an Exploration of Costs, Examination of Assumptions, and Identification of Benefits, Draft.] For all of these reasons - as well as the historically ecosystem damaging impacts of major dams - EWC member organizations oppose the construction of Sites and Temperance Flat Reservoirs and the raising of Shasta Dam in favor of the more effective	

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		efficiency measures described above. Raising Shasta Dam on the Sacramento River would also be illegal because of its impact on the Wild River status of the McCloud River and its damaging impact on Winnemen Wintu sacred areas. Implementation and funding: Implementation requires legislative to accomplish the following: - Establish a statewide oversight unit responsible for the coordination of the level of supply enhancements and demand reductions called for in this report. This measure can be accomplished with little additional cost to the state by utilizing some of the existing DWR staff, supplemented with additional funding to coordinate the water efficiency program targets. - Pass legislation and provide funding to establish a California water efficiency education and publicity program, similar to other health and safety programs that are sponsored and publicized by the state. The program must ensure the equitable distribution of conservation investments among rural and low income communities. - Adopt the Natural Resources Defense Council's recommendations to the Delta Vision Commission regarding water efficiency Loading Order. That would include a Loading Order policy through the State Water Control Resources Board, the State Public Utilities Commission and the Legislature that establishes water use efficiency as the top priority as well as a public goods surcharge on every acre-foot of water delivered in California, with the proceeds used to fund or subsidize efficiency programs. Funding for the above actions can come from existing or future bond funds, from Title 16 funding, or through regulatory changes. Additionally, since rate payers will bear the ultimate costs of these and other types of changes, rate payers will have to be given a voice in the choices made.	
674	135	[From ATT 5: Chart of Projected Water Savings]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
674	136	The Environmental Water Caucus's Reduced Exports Plan proposes to provide public trust protections and thorough economic and sociological analyses of reasonable alternatives to various export levels. The California Supreme Court, in the Mono Lake decision, explicitly set forth the state's "affirmative duty to take the public trust into account in the planning and allocation of water resources and to protect public trust uses whenever feasible." Planning and allocation of limited and oversubscribed resources imply analysis and balancing of competing demands. So far we find little effort to balance the public trust obligations and resolve competing demands within the current planning processes (BDCP). One of the significant flaws of previous and unsuccessful Bay-Delta proceedings has been the absence of a comprehensive economic evaluation of the benefits of protecting the estuary and in- Delta beneficial uses compared to the benefits of diverting and exporting water from the estuary. This absence has deprived decision makers and the public of critical information fundamental to reaching informed and difficult decisions on balancing competing demands.	DWR and Reclamation agree that it is important to balance competing interests and needs for limited water supplies. These competing interests have been considered in the development of the proposed project and are analyzed in the EIR/EIS. It should be recognized that water rights issued on rivers in the Trinity and Central Valley watersheds include a wide range of beneficial uses from hydropower to municipal, industrial, and agricultural water users. However, not all of the water diverted under the water rights is consumptively used. For example, water diverted for hydropower electric generation is fully returned to the water bodies; and a portion of the water diverted from municipal, industrial, and agricultural water uses is returned to the water bodies. In addition, the amount of water diverted is dependent upon water rights priorities and the need to meet environmental flow and quality requirements. Therefore, it is difficult to compare the total volume of water rights licenses and applications to the total amount of water available in the system. For example, water rights issued to DWR and Reclamation are not fully available to provide water under the SWP and CVP water contracts in many years due to the demands of senior water rights holders and regulatory requirements. Due to the senior water rights and regulations to protect beneficial uses, full contract amounts to SWP and CVP water users are provided only in wetter years. A discussion of the relationship of the Proposed Project to decisions to be made by the State Board WQCP revisions, including the State Water Resources Control Board hearings on Delta flows is provided in Chapter

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		Beyond protecting California's common property right in public trust resources, the balancing of limited water supplies must address the relative economic value of competing interests. For example, what is the societal value in providing Kern County, comprising a fraction of one percent of the state's population and economy, the same quantity of Delta water as the South Coast, with half the state's population and economy? What is the value to society of using public subsidies to irrigate impaired lands to benefit some 600 landowners, and that, by the nature of being irrigated, discharge harmful quantities of toxic waste that impairs other beneficial uses? What is the economic value of using twice the amount of water to irrigate an orchard in the desert than is required elsewhere? What are the costs and benefits of reclamation, reuse, conservation, and development of local sources? The preceding are only examples of the difficult questions that must be addressed in any allocation of limited resources and balancing of the public trust. Economic analysis is crucial to providing the insight and guidance that will enable and Delta plan to meet its mandate. Without such analysis, we do not believe a Delta plan can successfully or legally comply with its legislative and constitutional obligations. An excellent description of the public trust type of issues caused by the current operations in the Delta and estuary are contained in the Bay Institute report "Collateral Damage." [Footnote 26: The Bay Institute. Collateral Damage. March 2012. http://www.bay.org/publications/collateral-damage] Implementation and funding for a balancing of the public trust values will depend on the results of the State Water Resources Control Board hearings on Delta flows, which are scheduled to be completed during 2014. Subsequent to those hearings, implementation and funding plans will most likely fall within the purview of the state legislature.	1 of the EIR/EIS. Please see Master Response 13 regarding compliance with the public trust doctrine. Please see Chapter 16 regarding Socioeconomic impacts.
674	137	The Environmental Water Caucus's Reduced Exports Plan proposes to reinforce core levees above PL84-99 standards. This plan accepts and supports the Delta Protection Commission's recommendation in their Economic Sustainability Plan to: "Improve many core Delta Levees beyond the PL 84-99 standard that addresses earthquake and sea-level rise risks, improve flood fighting and emergency response, and allow for vegetation on the water side of levees to improve habitat. Improvement of most core Delta levees to this higher standard would cost between $2 to $4 billion." [Footnote 27: Draft Executive Summary, Economic Sustainability Plan for the Sacramento-San Joaquin River Delta, March 10, 2011 http://www.delta.ca.gov/res/docs/ESP_ESUM.pdf] There is a plausible public interest in providing public funds to Delta reclamation districts and other Delta interests for levee upgrades since the Delta serves as the water conveyance facility for much of California. Water exporters should be required to identify which levees, if any, they want to fund to a higher standard (for example more earthquake resistant) to protect their water supply, beyond the current standards. Recommendations should also include assisting Delta counties and communities in meeting Federal Emergency Management Agency/National Flood Insurance Program [FEMA/NFIP] programs. The plan should also contain a recommendation to support and increase public funding for permanent continuation of existing and highly successful statutory cost-share formula and funding for Delta (Subventions) Levee Program. Public safety and flood protection must remain the top priority of the State Plan of Flood Control, including its levees and bypasses. The levees should be vegetated with native	The California Department of Water Resources' Levee Repairs and Floodplain Management Office is responsible for administering levee programs through evaluation and direct rehabilitation of structural deficiencies in California's levee system. Overall levee repairs and improvement programs administered by DWR will continue with available funding. For additional information on the relationship between the proposed project and Flood protections in the Delta, please see Appendix 3E. Although many actions have been initiated to respond to levee failures; many future actions are currently being evaluated by the federal, state, and local agencies. The extent of interruption of the SWP and CVP water supplies in the Delta would depend upon the number of levee failures. As described in Appendix 3E of the EIR/EIS, the extended period of time for levee repairs could require several years depending upon the extent of seawater intrusion towards the flooded Delta islands, and available water in the upstream reservoirs for the flushing actions. As such, flood management, including safety and flood prevention is not a project purpose. While flood management is not a project purpose, it recognized that levee maintenance and safety in the Delta is an important issue for the residents of the Delta and for statewide interests. These actions would occur with or without this Project and are considered in the No Action Alternative. The Economic Sustainability Plan is a document prepared by a separate state agency and addresses a larger project objective than this EIR/EIS. The Economic Sustainability Plan indicated that it was prepared to present measures of the key elements of the Delta economy, develop strategies to enhance the economy, and analyze the impacts of several proposals for consideration during preparation of the Delta Plan by the Delta Stewardship Council. The relationship of the Project to the Delta Plan is described in Appendix 3I, BDCP Compliance with the 2009 Delta Reform Act, of the Draft EIR/EIS. Please see Master Response 16 regarding seismic risks to levees. See also Final EIR, appendix 6A,

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		species to help stabilize the levees and support endangered species. Because earthquake risks to the levees are one of the main justifications for a Peripheral Canal or tunnel in the Delta, and there is evidence that the earthquake risks to the Delta levees may have been exaggerated in previous drafts of the Economic Sustainability Plan, the comparison of costs of the two alternatives ($2 to $4 billion for levee strengthening versus $15-$16 billion for new conveyance) is significant and should be incentive enough to immediately initiate this levee reinforcement program and make catastrophic levee failure a questionable justification for new conveyance. Implementation and funding would be in keeping with the Delta Protection Commission's Economic Sustainability Plan.	BDCP/California WaterFix coordination with Flood Management Requirements. Please see the attached link to address why we need to do more than just strengthen levees: http://baydeltaconservationplan.com/news/blog/12-10-25/California_Needs_More_Than_Stronger_Levees.aspx No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
674	138	The Environmental Water Caucus's Reduced Exports Plan proposes to install improved fish screens at existing Delta pumps. The EWC supports the development and implementation of significantly improved fish screens with the best available technology at the existing Delta Estuary export pumps, in keeping with original CALFED plans, and at other existing in-Delta diversions. This would include installation of positive barrier fish screens on all diversions greater than 250 cubic feet per second in both the Sacramento and San Joaquin River Basins as well as a significant percentage of smaller and unscreened diversions in these ecosystems.	DWR and Reclamation are required to improve fish collection efficiency at the existing south Delta salvage facilities, as part of facility improvements required by the National Marine Fisheries Service 2009 biological opinion on the SWP/CVP. For example, in 2014 Reclamation replaced the secondary louver system with a traveling screen system. These screens provide protection by guiding fish into the holding tanks while catching debris on pegs and transporting debris to a collection system at the work surface. The technology required at the proposed north Delta intakes and the existing south Delta export facilities differ fundamentally. The north Delta intakes would be located on the side of the river channel and so would be designed to comply with CDFW, NMFS, and USFWS fish screening criteria (Appendix 5B Section 3.B.3.3). The south Delta export facilities are located on dead-end channels and require active collection and salvage of fishes. Screening the intakes at Clifton Court Forebay was analyzed during the water conveyance alternative development process and is described in Appendix 3A of the EIR/EIS. This alternative was eliminated from further evaluation because initial results of recent studies, including information included in the recent NMFS biological opinions, supported a phased approach that would emphasize improvements to operations of fish handling facilities and reduced predator potential within Clifton Court Forebay prior to further analysis of installation of fish screens. Nevertheless, DWR and Reclamation will continue investigating strategies to increase fish salvage efficiency, reduce pre-screen losses, and improve screening efficiencies, consistent with the 2009 biological opinion of the SWP/CVP.
674	139	The Environmental Water Caucus's Reduced Exports Plan proposes to keep water transfer within the revised Delta export limits. Water transfers through the Sacramento-San Joaquin-San Francisco Delta and estuary - which include individual water sales transactions, Article 21 State Water Project pumping and the pumping of the Central Valley and the State Water Projects' contracts - play a significant role in the movement and transfer of water throughout the state and have significant impacts on the ecology of the estuary. The two latter projects provide the largest percentage of transfers through the Delta while water sales and Article 21 pumping in some years is significant. A new paradigm is required that would simultaneously reduce the transfer pumping through the Delta to a level that maintains a healthy ecosystem while providing more logical and reliable sources of water for south-of-Delta water users. Instead of continuing to export extraordinary amounts of water from the Delta - with the impacts on fish and wildlife species, water quality, ecosystem conditions, flow volumes and directions, and the condition of groundwater aquifers in the Sacramento Valley - south-of-Delta water users could obtain significant amounts of water from localized	Water transfers are a small portion of total Delta exports; and the majority of Delta exports are related to SWP and CVP operations which are not considered water transfers under the SWRCB water rights process. The SWP operations include providing water under Article 21 of the SWP water contracts. Nearly all cross-Delta water transfers currently flow through the Delta from July 1 through September 30 as allowed under the USFWS and NMFS Biological Opinions, and all if legal and regulatory requirements are met. Appendix 1E addresses the regulatory constraints on water transfers through the Delta. Groundwater overdraft in the San Joaquin Valley continues in spite of numerous in-valley transfers. There is an insufficient supply of surface water in that areas to serve all of the current demands, and the balance is largely made up through groundwater extraction in excess of natural recharge. Appendix 1.E provides a list of Sacramento Valley counties that regulate groundwater transfers. In addition, Water Code Section 1220 prohibits the export of groundwater from the Delta-watershed unless: (1) the pumping is in compliance with an adopted groundwater management plan, and (2) the plan is approved by a vote in the county or portions of counties that overlie the groundwater basin. The EIR/EIS also acknowledges that the use of water transfers between agencies could increase in the future as SWP, CVP, and other surface water supplies are reduced due to climate change, sea level rise, and increased water demand in the Delta watershed, as described in Appendix 1E and Appendix 5D of the

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		south-of-Delta sources in the San Joaquin Valley region. This type of move toward regional self-sufficiency has been a large component of the two most recent State Water Plans (Bulletin 160). As of early 2012, however, pending federal legislation would go in the opposite direction and allow more dependence on Delta exports through water sales and surplus" water pumping. A more favorable scenario than the present and contemplated heavy north-to-south Delta pumping consists of the following changes in supply orientation: - San Joaquin Valley water users could be incentivized to voluntarily share resources by providing southern Sierra water to south-of-Delta water users through new interties with existing infrastructure, or by providing for the movement of agricultural water from the east side of the San Joaquin Valley, where water is more abundant, to west side agriculture, where the water supply is more limited. This kind of change can be facilitated with efficiency incentives for east side water users and might result in as much as 500,000 acre-feet of additional water for the west side. Although politically difficult, this is an elegantly simple and effective solution for regional self-dependency for south-of-Delta agriculture users and for all of California. This kind of change would have to consider the required outflows to the Delta Estuary from the San Joaquin River. - Supplies for the Metropolitan Water District and other south-of- Delta users could be sourced from the natural reservoir that is Tulare Lake by allowing flows from the Kern, Kings, Kaweah, and Tule Rivers to flow into the Tulare basin. This option is being advocated by the San Joaquin Valley Leadership Forum, which has determined that surface storage capacity in the Tulare Lake Basin could be more than 2.5 million acre-feet. This option may require a new Kern-San Joaquin intertie. Reorienting water transfer policies to benefit south-of-Delta water users will require further detailed analysis to confirm its feasibility; however, the potential for these measures to comply with the state requirement to reduce reliance on the Delta to the level recommended above deserves serious consideration. A Water Transfer Matrix and a set of Water Transfer Principles are included in the referenced EWC report California Water Solutions Now. As called for in the California Water Code, transfers that use State, regional or a local public agency's facilities require that the facility owner determine that the transfers not harm any other legal user of water, not unreasonably affect fish and wildlife, and not unreasonably affect the overall economy of the county from which the water is transferred. Unfortunately, there is no enforcement mechanism except litigation, which is an onerous burden for the public. This is a particular concern in the Sacramento Valley, where existing healthy aquifers could be over drafted by willing sellers in order to supply the same San Joaquin irrigators who caused the existing overdraft conditions in the San Joaquin areas. In addition, the State Water Plan points out that "some stakeholders worry that State laws and oversight of water transfers may not be adequate to protect the environment, third parties, public trust resources, and broader social interests that may be affected by water transfers, ".. And transfers that involve pumping groundwater, crop idling, or crop shifting." The EWC plan would come down on the side county of origin protections and the "precautionary principle" in order to protect existing healthy groundwater aquifers north of the Delta Estuary.	EIR/EIS. Because specific agreements have not been identified for water transfers and other non-project voluntary water market transactions, project level analysis of impacts upstream of the Delta is highly speculative and this EIR/EIS does not constitute the CEQA/NEPA coverage required for any specific transaction. Rather, it provides an analysis of how transfers relate to the Proposed Project facilities. Any future water transfers will require separate approvals. The analysis of any potential upstream impacts is not a part of this EIR/EIS and must be covered pursuant to separate laws and regulations once the specific transfer has been proposed. For more information regarding the project objectives/purpose and need and alternatives considered to the proposed project please see Master Response 4. The comments cite the requirement to make certain findings under the California Water Code. As described in Appendix 1.E, Water Code Section 1810 et seq. provides that a public entity may not deny a bona fide transferor of water access to available conveyance capacity if the conveyance of transfer water will not adversely affect the beneficial uses or quality of water in the facility and the conveyance can be provided without injuring any other legal user of water, without unreasonably affecting fish, wildlife, or other instream beneficial uses and without unreasonably affecting the overall economy or the environment of the county from which the water is being transferred. The agency's approval must be supported by written findings. This process of analyzing the transfers and making written findings provides the mechanism for enforcement of this section of the Water Code. Third parties may seek redress in the courts, as the commenter notes, if they determine that there has been an injury or other violation of these criteria The commenter cites a matrix, which recommends, for north-to-south through Delta transfers that they should be limited to no more than 3 million acre-feet total, without groundwater substitution, and no water transfers for drainage impaired farmland. Historically, cross-Delta water transfers have been less than 0.5 million acre-feet/year and are a small portion of the total SWP and CVP Delta exports. Therefore, it appears that the matrix applies to all water exported from the Delta. . Please also see Master Response 43 regarding water transfers. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The Proposed Project does not seek any new water rights or reduction in total water rights issued to DWR and Reclamation. Operations for the Proposed Project would still be consistent with the criteria set by the U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions and State Water Resources Control Board, as described in Chapter 5, Water Supply of the EIR/EIS. 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 agricultural and municipal/industrial water conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). Water transfers of the type described in this comment would not occur within the project objectives and purpose and need established by the Lead Agencies for this Project.
674	140	The Environmental Water Caucus's Reduced Exports Plan proposes to eliminate	The proposed project includes continuation of deliveries of SWP and CVP water contract water under the Existing Conditions, No Action Alternative, and Alternatives 1 through 9. Changes in the contract conditions

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		irrigation water on drainage-impaired farmlands below the bay Delta. Since the late 1960s and 1970s, the State Water Project and Central Valley Project have been supplying water to approximately 1.3 million acres of drainage impaired land on the west side of the San Joaquin Valley; this is a clear violation of the State Constitution's prohibition against unreasonable use of the state's water. Eliminating or reducing the irrigation of this land would save up to 2 million acre-feet of water in most years. Farmers and water districts throughout the Western San Joaquin Valley try to reduce their drainage water. However, retiring these lands from irrigated agriculture remains by far the most cost-effective and reliable method to eliminate harmful drainage discharges to water bodies and aquifers. The Westlands Water District has already retired 100,000 acres; a recent federal report discusses an option to retire 300,000 acres of drainage-impaired lands. Any long-term solution to the west side's drainage problem must be centered on larger-scale land retirement, complemented by selective groundwater pumping, improved irrigation practices, and application of new technologies where appropriate. Any approach that is not founded on land retirement will ultimately continue to store and concentrate selenium and salts in the shallow aquifers, where they may be mobilized by flood events or groundwater transport. Taking much of these badlands out of production would reduce demand for Delta water diversions and significantly improve water quality in the San Joaquin River. A planned program of land retirement and other drainage volume reduction actions should also provide for mitigation for impacts to the farm labor community. Even if irrigation deliveries continue, these lands will ultimately go out of production because of drainage impairment, as pointed out in the federal "Rainbow Report." A far better use of these impaired farmlands would be to provide state or federal incentives for the production of solar energy farms.	are not considered in these alternatives because it would not be consistent with the Project Objectives or the Purpose and Need statements (see Chapter 2 of the EIR/EIS). With respect to drainage issues in the western San Joaquin Valley, in August 2015, Westlands Water District and the United States agreed upon a settlement involving several litigations related to drainage service to lands served by the San Luis Unit of the CVP. The settlement is contingent upon Congressional authorization of enabling legislation and therefore is not specifically included in the alternatives in the EIR/EIS. Long-term solutions to selenium and salt issues in the San Joaquin Valley are beyond the scope of the project, and are being addressed by other regulatory initiatives (i.e., the selenium TMDL and CV-SALTS). The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for or what types of agricultural practices are used, nor do they have the authority to regulate land uses in areas where such practices take place. Please refer to Master Response 34 regarding the potential uses of water delivered via BDCP proposed conveyance facilities.
674	141	The Environmental Water Caucus' Reduced Exports Plan proposes to restore Delta estuary and riverine habitats and integrate floodplains with rivers. In keeping with the Legislature which has expressly declared that permanent protection of the Delta's natural and scenic resources is the paramount concern to present and future residents of the state and nation, habitat restoration projects should be aimed at public lands as a first priority. Habitat restoration projects must consider connectivity between areas to be restored and existing habitat areas needed for the full life cycle of species targeted to benefit from the restoration project. Where feasible, restoration should be accomplished along with levee reinforcement and where possible, restoration projects should emphasize the potential for water quality improvement. Restoration projects should also incorporate input from effected Delta landowners. Priorities for restoration should include the following areas, since they would meet most of the criteria described above: - Cache Slough Complex - Cosumnes River-Mokelumne River Confluence - Cosumnes River ground water basin depletion	The principles and priorities stated in the comment have all been incorporated in the EIR/EIS. Nearly all lands incorporated in or acquired as part of the previously defined BDCP conservation reserve system are expected to be public lands, though some private lands, such as lands owned by a land trust, may also qualify for inclusion in the reserve system and may be valuable for protection of some special-status species and habitats. The biological goals and objectives include a number of objectives specifying connectivity, and all species are protected with regard to the needs of various life history stages. Levee integrity, flood protection, water quality issues, and landowner participation are all values emphasized in relevant conservation measures; see CM5, CM12, and CM21 for especially relevant examples in Alternatives 1 through 9. The EIR/EIS analysis of Alternatives 1 through 9 in the Draft EIR/EIS anticipated prioritization of future habitat restoration in the areas discussed in this comment. During the development of the alternatives, the land available for habitat restoration was determined through an analysis of land suitability and to minimize the need to relocate communities, transportation facilities, or major utilities. It should be noted that habitat restoration in Suisun Marsh and Yolo Bypass is considered to be implemented in the No Action Alternative in the Final EIR/EIS. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative and does not involve an HCP component. However, DWR and Reclamation 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. Alternative 4A, substantially reduces the habitat restoration footprint and does not include Conservation Measure 2 (Yolo Bypass Enhancements)

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		- Lower San Joaquin River Floodplain - Suisun Marsh - Yolo Bypass Although the EWC has not estimated the amount of acreage that would be involved in the priority areas, our priorities would go to the 50,000 acres of public lands, and our estimate would be well below the more than 100,000 acres called for in the BDCP plan. That plan is impractical from the viewpoint of costs and from the opposition it will engender among residents and landowners in the Delta. Any resulting plans would need to heavily involve residents of the Delta, something that has not been accomplished to date. Floodplains benefit the people and ecology of California in numerous ways. The flood plain of a river is a relatively level area on both sides of the stream channel that carries excess waters the channel cannot handle at various times. During a flood, the floodplain becomes the additional part of the stream to do the extra work for the stream channel. The floodplain allows flood waters to spread out, thus reducing the flood water's potential energy. As a result, less damage occurs downstream. If the flood plain is not allowed to work properly and the channel is narrowed, dredged, or rip wrapped the stream is forced to handle more of the flow and damage occurs. Channelization and dredging have caused the disappearance of the river's healthy sandbars and islands. Flood plains contain wetlands which function to slow and filter flood water, thus improving water quality. Wetlands also provide habitat for a diversity of wildlife. Floodplains, therefore, are extremely productive ecosystems that support high levels of biodiversity and provide valuable ecosystem services. Studies have shown that healthy floodplains can have an extremely high monetary value due to these ecosystem services, which also include flood attenuation, fisheries habitat, groundwater recharge, water filtration, and recreation. To function properly, floodplains must, by definition, periodically flood. The extent of functional floodplains in California has been dramatically reduced from historical conditions because levees, dams, flood control projects, and development have reduced or eliminated connectivity between rivers and floodplains. To reverse these losses, numerous agencies and organizations have spent significant resources to restore floodplains while simultaneously minimizing future flood risk. With climate change, we can expect to have less snowpack, quicker spring snow melts, and increased flood pressures. Establishing natural floodplains connected with our rivers and avoiding development in floodplains will become more critical to community sustainability in the future. The current restoration plans for the Yolo Bypass, including more frequent use of the Yolo Bypass, and similar conservation actions are encouraged as a part of this plan. The following actions need to be included with any planned floodplain restoration: - Where possible, remove or at least set levees back from riverbanks to allow for floodwaters to expand into the floodplain.	and Conservation Measure 5 (Seasonally Inundated Floodplain Restoration). Instead, the proposed project includes habitat restoration necessary to mitigate significant environmental effects under CEQA and meet the regulatory standards of ESA Section 7 and California Endangered Species Act (CESA) Section 2081(b). Yolo Bypass Enhancements and habitat restoration in Suisun Marsh are assumed to occur as part of the No Action Alternative because they are required by the existing biological opinions. Yolo Bypass improvements are included in Alternatives 1A, 1B, 1C, 2A, 2B, 2C, 4, 3, 5, 6A, 6B, 6C, 7, 8, and 9. With respect to the analysis of Alternatives 2D, 4A, and 5A presented in the Final EIR/EIS, Yolo Bypass habitat restoration is considered to be included in the No Action Alternative and the Alternatives 2D, 4A, and 5A. As described in Chapter 3 of the EIR/EIS, the Yolo Bypass improvements are currently being defined under the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Implementation Plan being completed by DWR and Reclamation, and a separate flood management programs being completed by DWR and regional flood management agencies. Assumptions were included in the EIR/EIS for the No Action Alternative and proposed project for the purpose of hydrologic modeling. Separate engineering and environmental documentation will be completed for improvements to the Yolo Bypass, which would require separate permitting by the USACE. As described in Chapters 3 and 6 of the EIR/EIS, facilities along the levees would be designed to avoid increased flood potential compared to Existing Conditions or the No Action Alternative in accordance with the requirements of USACE, CVFPB, and DWR. The USACE, CVFPB, and DWR would require that any construction that would disturb existing levees to be designed in a manner that would not adversely affect existing flood protection. Facilities to be constructed along the levees would be designed to provide flood neutrality during construction and operations. Facilities located along the levees, including cofferdams at the intake locations, would be designed to provide continued flood management at the same level of flood protection as the existing levees; or if applicable, to a higher standard for flood management engineering and permitting requirements if the standards are greater than the existing levee design. The levee design criteria would consider the most recent criteria, including new guidelines for urban and rural levees. The design flood elevation would need to consider sea level rise to reduce impacts. Additionally, DWR would consult with local reclamation districts to ensure that construction activities would not conflict with reclamation district flood protection measures. The Proposed Project does not include additional levee modifications except as necessitated at construction locations. Please see Chapter 13, Land Uses, Chapter 16, Socioeconomic, and Chapter 28, Environmental Justice, in the FEIR/EIS for impacts to land use, socioeconomics, and minority and low-income populations, respectively. With regards to environmental justice, please see Master Response 27.

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		- Where it is not possible to remove levees, they should at least be vegetated with native riparian vegetation to provide the maximum achievable ecosystems functions. - Make the purchase of floodplains or flowage easements a top priority for flood control agencies and prevent new levees from being constructed and development in floodplains. - Ensure that low-income communities impacted by floodplain restoration are involved in the development of restoration plans, and that any impacts of restoration are fully mitigated.	
674	142	The Environmental Water Caucus's Reduced Exports Plan proposes to return the Kern Water Bank to state control, restore article 18 urban preference, and restore the original intent of article 12 surplus water in State Water Project contracts. The Monterey Amendments changed significant provisions of the original State Water Project and, as an unintended consequence, increased pressure for exports from the Delta and increased pumping beyond healthy limits. The changes that caused these conditions were: the elimination of Article 18a, the "Urban Preference;" the elimination of Article 18b, the "Paper Water" safeguard; the change of orientation for Article 21 "surplus water;" and the privatization of the Kern Water Bank. As a part of this plan, the following changes should be made in order to reduce reliance on the Delta, to assure Public Trust protections for a public resource, and to provide greater reliance for urban water users in the state's largest population centers. - The urban preference that was eliminated as a component of State Water Project contracts due to the Monterey Amendments must be reinstated. California should return to its original plan of giving priority to the water needs of its bourgeoning population rather than giving farm water equal priority, per the Monterey Amendments changes. - The contracted amounts of water for CVP and SWP Table A users are unrealistically high and must be brought in line with historic firm yield experience, as required in the contracts. The overall water supply reductions forecasted with global climate change adds to the urgency to bring these contracted amounts in line with current realities and for future planning. - The pumping of Article 21 (so-called surplus) water is unnecessary and has proven to be damaging to the fisheries and ecology of the estuary, especially the pumping of this surplus water in dry years, which should never be permitted. In reviewing the different types of water transfers that can occur throughout the state, some are more logical and favorable from an ecosystem and cost viewpoint, while others are clearly damaging by the same two criteria. - The Kern Water Bank - initially a public asset - has been inappropriately turned over to private interests as a part of the Monterey Amendments and must be reestablished as a state entity under the ownership and operational control of the Department of Water Resources (DWR) for the benefit of all Californians, as it was when DWR purchased the land for the bank in the 1980s. When combined with the reinstatement of the urban preference in the State Water Project, this change would enhance water supply reliability for urban Southern California users and would eliminate profiteering from the	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised. The Existing Conditions, No Action Alternative, and action alternatives assume the continued use of the Kern Water Bank by the Kern County Water Agency. Any changes in ownership or use would be subject to future engineering and environmental studies and are not considered in the EIR/EIS. While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once operationalist, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of the 2013 Public Draft EIR/EIS, describes the potential for additional water storage. 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 proposed project. The proposed project does not propose any changes to the SWP water contract provisions and guidelines by which water deliveries are allocated among those entities receiving water from the SWP. Please see Master Response 34 regarding the potential uses of water delivered via the conveyance facilities. As stated in the Introduction to the Monterey Plus FEIR, "the Monterey Amendment resulted from a package deal of negotiated concessions that required achieving all of the above objectives in order to settle significant disputes among the contractors. Both agricultural and M&I contractors gave up rights or benefits to make the agreement work. Both had to also gain new rights or benefits or there would have been no reason to sign the agreement." To the extent that the commenter may disagree with this policy outcome, such disagreement is noted. Under the range of alternatives considered in the EIR/EIS full contract amounts are not delivered in the majority of times to the SWP and CVP water contractors, as presented in Appendix 5A, Section C, of the EIR/EIS. The comment related to Article 21 water does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Article 21 water is not transfer water. The commenter provides the opinion that the export of Article 21 water by the SWP is unnecessary and damaging. As with all SWP water, Article 21 water is supplied under existing SWP water rights permits, and is pumped from the Delta under the same environmental, regulatory, and operational constraints that apply to all SWP supplies.

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		public's water by private corporate interests.	
674	143	The Environmental Water Caucus's Reduced Exports Plan proposes to conduct feasibility study Tulare Basin water storage. Supplies for south-of- Delta users and the Metropolitan Water District could be sourced from the natural reservoir that is Tulare Lake by allowing flows from the Kern, Kings, Kaweah, and Tule Rivers to flow into the Tulare basin. This option is being advocated by the San Joaquin Valley Leadership Forum, which has determined that surface storage capacity in the Tulare Lake Basin could be more than 2.5 million acre-feet. [Footnote 28: San Joaquin Valley Leadership Forum, www.sjvwlf.org] The concept would require bi-directional conveyance with both the Kern Canal and the California Aqueduct. The restoration of the Tulare Lake basin in the San Joaquin Valley is a unique opportunity to provide for the quality, quantity, and reliable regional sourcing and use of water for agricultural, economic development and environmental needs on a self-sufficiency basis. At one time, Tulare Lake was the largest freshwater body west of the Mississippi River storing up to 25 million acre feet. The concept proposal put forth by the San Joaquin Valley Leadership Forum is based upon technical, financial, and environmental analysis which is superior to the only other storage proposal currently under study within the San Joaquin Valley - known as Temperance Flat on the Upper San Joaquin River above Millerton Lake/Friant Dam. As an example, the restoration of just 10% of the historic Tulare Lake would be nearly twice the surface storage capacity of Temperance Flat - let alone the fact that the Tulare Lake basin provides ground water storage capabilities as well - and Temperance does not. Another important distinction between Temperance Flat versus Tulare Lake is the fact that the Tulare Lake basin can support the collection and management of flood waters from at a minimum of four south Sierra river systems - Kings, Kaweah, Tule, and Kern - as well as the upper San Joaquin. Temperance Flat would only support the flood waters of the upper San Joaquin River. There is a possibility of ground contaminants in the basin that may be at harmful levels. The feasibility study would need to examine this potential issue closely. California does not need another set of impaired lands similar to what already exists in the west side of the San Joaquin. Implementation. This proposed concept should be evaluated as part of this Reduced Exports plan. The preliminary concept described by the San Joaquin Valley Leadership Forum is estimated to cost $800 million.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. 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 EIR/EIS. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as water storage) that were not carried forward for analysis in this document due to the fact that they required actions beyond the scope of the proposed project. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
674	144	The Environmental Water Caucus's Reduced Exports Plan proposes to enforce water quality standards in the estuary and in impaired rivers. California's Porter-Cologne Act of 1969 and the 1972 federal Clean Water Act both were enacted with the goal of restoring the quality of our water resources. These resources have been seriously degraded by over a century of heavy industry and agriculture, the indiscriminate extraction of natural resources, and the continued discharge of inadequately treated sewage. Progress in reversing this degradation has been slow. While upgrades to wastewater treatment and discharge requirements for industrial polluters have improved water quality in many areas, the fact remains that almost 700 reaches of California waterways are still unable to support beneficial uses, including	The amount of water DWR can pump from the new north Delta facilities is set by Federal regulating agencies, ESA compliance and project design. Operations for the Proposed Project would still be consistent with the criteria set by the USFWS (2008) and NMFS (2009) biological opinions 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 biological opinions. The Proposed Project does not seek any new water rights nor reduction in total water rights issued to DWR and Reclamation. In addition to permit constraints on daily operations of the SWP and CVP, DWR must maintain proper performance and bypass flows across fish screens when endangered and threatened fish species are present within the north Delta facilities area. The intake fish screens drive the overall size of the intake structure on the riverbank, and have been numbered and sized to permit water to flow through the screens within a

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		providing potable water supply and supporting ecosystem health. These problems have contributed to ecosystem crashes in San Joaquin Valley rivers and the Delta, severe groundwater depletion and contamination in the San Joaquin Valley and Central Coast that impacts low-income rural communities, and ocean pollution. Though state and federal laws already give regulators ample powers to improve water quality, this authority has not been exercised sufficiently to protect the health of the state's waterways or its residents. The continuing acceptance of agricultural wavers by Regional Water Quality Control Boards is a major contributor to the state's impaired waterways. Diverting Sacramento River flows for export without significantly protecting existing groundwater basins and increasing the amount of fresh water flow dedicated to reaching San Francisco Bay, as currently planned for BDCP, will only degrade water quality and habitat conditions and aggravate the negative impact on Delta aquatic and terrestrial species. On the other hand, a future scenario that places less emphasis on the Delta as a water supplier and allows more water to be left instream, can dramatically reduce the environmental and water quality effects of exporting water - whether through or around the Delta. Although increasing flows, as described in this "Reduced Exports" alternative, will improve many aspects of Delta water quality, this plan must continue to pursue specific and targeted water quality actions in order to contribute to restoring the health of the Delta.	predetermined flow regime set by California Department of Fish and Wildlife and NMFS fish screen criteria, as described in Appendix 3F of the EIR/EIS. Chapter 8 of the EIR/EIS describes whether concentrations of various water quality constituents are expected to increase or decrease with the project, relative to existing conditions and the No Action Alternative. To the extent that concentrations of various water quality constituents are expected to increase, Chapter 8 describes whether these increases are expected to result in impacts to beneficial uses of water in the Delta. Intakes in the North Delta will allow for operational flexibility that can improve natural flow in the Delta and avoid impacts to migratory fish based on real time data and operations Discussion of the main environmental attributes affecting individual covered species is provided in Appendix 2.A of the 2013 public draft BDCP. Effects of the proposed water conveyance and associated restoration activities on general resource areas are discussed in Chapter 11 of the EIR/EIS. Where impacts are determined to be significant, environmental commitments will be implemented to avoid and/or offset these effects, where possible. As part of the planning and environmental assessment process, the project proponents will incorporate environmental commitments and best management practices (BMPs) into the action alternatives to avoid or minimize potential adverse effects as described in Appendix 3B of the EIR/EIS. The project proponents will implement these environmental commitments as part of the project construction activities. In other words, these commitments will be satisfied even if not separately imposed by the permitting agencies. If permitting agencies impose additional measures or modifications, those will also be adhered to as part of the permit(s). The project proponents will coordinate planning, engineering, design and construction, operation, and maintenance phases of the alternative with the appropriate agencies. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The proposed project does not seek any new water rights or reduction in total water rights issued to DWR and Reclamation. The Proposed Project described in this EIR/EIS does not include conveyance of groundwater or conveyance of cross-Delta water transfers. Subsequent water transfers would need to be evaluated after separate engineering and environmental documentation. Please also see Master Response 43 regarding water transfers. The North Delta will allow for operational flexibility that can improve natural flow in the Delta and avoid impacts to migratory fish based on real time data and operations. Impacts on Delta outflows (fresh water flowing to the Bay) are not significant. Model simulation results for the proposed project alternative (4A) indicate that long-term average and wet year peak outflows would increase in winter months with a corresponding decrease in spring months because of the shift in system inflows caused by climate change and increased Delta exports as compared to Existing Conditions. In other year types, Alternative 4A would result in higher or similar outflow because of the spring outflow requirements. In summer and fall months, Alternative 4A would result in similar or higher outflow because of changes in export patterns and OMR flow requirements and export reductions in fall months, and also because of the Fall X2 requirements in wet and above normal years. The incremental changes in Delta outflow between Alternative 4A and Existing Conditions would be a function of both the facility and operations assumptions and the reduction in water supply availability due to increased north of Delta urban demands, sea level rise and climate change. Results for the range of changes in Delta Outflow under Alternative 4A are presented in more detail in Appendix 5A, Section C, of the EIR/EIS. Please also see Appendix C of the RDEIR/SDEIS Supplemental Modeling Requested

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			by State Water Resources Control Board Related to Increased Delta Outflows.
674	145	The Environmental Water Caucus's Reduced Exports Plan proposes to monitor and report statewide groundwater usage. Environmental organizations are generally disappointed with the groundwater monitoring features that were built into the Delta Reform Act of 2009. Earlier drafts of the 2009 legislation required groundwater monitoring and reporting throughout the state, while the final legislation was weakened to make groundwater reporting a voluntary effort. Since groundwater represents 30% of California's water supply in most years, the state must face this politically difficult situation with actions for mandatory groundwater reporting throughout the state. This action needs to include a discussion of the Water Code's requirement for additional South- of-Delta underground storage, and the ability to meet that requirement through public control and expansion of the Kern Water Bank. The impacts of the additional capacity for Delta exports as provided by a public Kern Water Bank should be considered here. Given its location, size, and relative cost of development compared to surface storage, the Kern Water Bank is a facility which could greatly assist balanced export controls for the Delta and could be the single greatest improvement to overall state-wide water supply reliability. This plan strongly advocates for the return of the Kern Water Bank to state control as a water management conservation measure.	As described in Chapter 7, Groundwater, in the Partially Recirculated Draft EIR/Supplemental Draft EIS, the State-adopted Sustainable Groundwater Management Act includes a groundwater monitoring program. The proposed project is one part of a diverse portfolio of strategies needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including water conservation and storage. With respect to the need for additional storage south of the Delta, the BDCP is just one element of the state's long-range strategy to meet anticipated future water needs of Californians that will include continued investment by the State and other public agencies in storage, conservation, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). 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. Please also see Master Response 37 regarding storage. The Existing Conditions, No Action Alternative, and all of the alternatives assume the continued use of the Kern Water Bank which is owned and operated by the Kern Water Bank Authority that includes agencies located in Kern County, as discussed in Section 7.1.13 of Chapter 7, Groundwater, of the EIR/EIS.
674	146	The Environmental Water Caucus's Reduced Exports Plan proposes to provide fish passage about and below central valley rim dams for species of concern. Dams have made California a well-watered paradise for most of its human inhabitants. Dams are also killers of river habitats. Although California's vast system of water storage, hydropower and flood control dams has provided enormous economic benefits, it is not without downsides. Dams have been a major factor - in many cases the major factor - in the decline and extinction of numerous fish species, especially anadromous fishes that migrate to and from the ocean and must have access to the more favorable upper reaches of rivers to spawn and rear the next generation. Every salmon and steelhead run in Central Valley rivers is either extinct, endangered, or in decline due to the overall habitat destruction and degradation caused by dams. A 1985 California Department of Fish and Game study has indicated that the economic losses due to the declines of salmon, steelhead and striped bass which spawn in the Central Valley tributaries at $116,000,000 per year. The most serious fishery problem caused by major dams is the blockage of migratory fish passage. Over 95 percent of the historic salmon and steelhead spawning habitat in Central Valley river systems has been eliminated by the construction of large dams on every major river. Fish passage was not a serious consideration in the early part of the last century when most of the major dams were built; there were no Endangered Species Act or National Environmental Policy Act considerations at the time. California Fish and Game Code Section 5937, which mandates that dam operators keep fish in good condition below dams has largely been ignored outside the Mono Basin. The construction of Friant Dam on the San Joaquin River resulted in the extinction of the largest spring-run chinook population in the state. The dam blocked upstream spawning	The upstream SWP and CVP reservoirs would continue to be operated in accordance with SWRCB and CDFW requirements and in accordance with the 2008 USFWS and 2009 NMFS biological opinions under the Existing Conditions, No Action Alternative, and all action alternatives. Please see Master Response 37 regarding why an alternative focused on creating or modifying reservoirs, either in the Delta or elsewhere, was not included in the or EIR/EIS. The Proposed Project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water operations for greater operational flexibility. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), the Proposed Project would not change operating criteria in the upstream reservoirs. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/EIS), fish passage at upstream dams is not part of the proposed project. For more information regarding purpose and need of the proposed project please see Master Response 3. However, Reclamation is pursuing under a separate project providing fish passage at CVP reservoirs in accordance with the 2009 NMFS Biological Opinion, as described in Appendix 3D of the EIR/EIS. Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage. The proposed project may impact recreational opportunities including impacts on hunting, fishing, swimming, and boating in the Delta during construction. Mitigation is proposed to reduce these impacts; however some impacts may remain significant due to the long-term nature of the temporary construction related impacts. Please see Chapter 15, Recreation, of the EIR/EIS for more detail on the impacts of the

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		grounds that were known to be the best of the Central Valley rivers. There are numerous solutions available that can provide fish passage around dams. They include construction of fish ladders or upstream fish channels, fish elevators, trap and truck operations, downstream bypasses, removal of smaller fish barriers, and dam removal. All of these techniques have been used at multiple locations with varying success rates. Some of the larger dams on the Columbia River system have been operating fish ladders for many years. While the costs of many of the techniques are substantial, the economics of industries and recreational activities that depend on healthy rivers and fish stocks can justify the investment. The appropriate comparison by which to measure such costs is the sum of agricultural, industrial, and municipal benefits that accrue via the diversion of tens of millions of acre-feet of water annually. Tourism and recreation is now California's largest industry at more than $96 billion annually, and river recreation is a large part of that industry. Recreational fishing generates $1.5 billion annually in retail sales and provides thousands of jobs. An important aspect of fish passage above dams is the benefits to Native American Tribes in gaining access to historic cultural resources. These would include: the Winnemen Wintu on the Upper Sacramento, McCloud, and Pit Rivers; the Karuk Tribe on the Klamath; and the California Valley Miwok and Maidu on the American and Feather Rivers. This plan supports, as a conservation measure, the National Marine Fisheries Service Biological Opinion on CVP and SWP operations that recommends fish passage pilot program plans and analysis for dams connected to the Delta, such as the Sacramento, American and Stanislaus rivers. This plan also encourages the State Water Board to direct the controlling agency of each Central Valley rim dam connected to the Delta to study the feasibility of fish passage for each dam that blocks the passage of listed salmonid species, similar to the NMFS Biological Opinion. Costs should be borne by the dam operators since they are the main beneficiaries of the water storage operations.	proposed project on recreational opportunities and the proposed mitigation. To compensate for the loss of access as a result of constructing the river intakes, the proponents will work with the California Department of Parks and Recreation (DPR) to help insure the elements of the proposed project would not conflict with the elements proposed in DPR's Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh (California Department of Parks and Recreation 2011d) that would enhance bicycle and foot access to the Delta. This would include the helping to fund or construct elements of the American Discovery Trail and the potential conversion of the abandoned Southern Pacific Railroad rail line that formerly connected Sacramento to Walnut Grove. The overall recreation experience for boaters or fishermen in the vicinity of intake construction areas would be reduced during construction activities because of the elevated noise levels as well as visual setting disruptions. These temporary construction-related effects would last for up to 5 years in the vicinity of intake and barge unloading facilities and could alter fish populations such that recreational fishing opportunities in the study area would be affected. Weekday construction would reduce the amount of fish and other wildlife in recreation areas in the vicinity of the intakes, resulting in decreased recreation opportunities related to wildlife and fish, causing recreationists to experience a changed recreation setting. Chapter 15 describes potential impacts on on-water recreation and fishing. Mitigation Measures would reduce impacts on marine navigation by developing and implementing site-specific construction traffic management plans; installing visual barriers between construction work areas and sensitive receptors; applying aesthetic design treatments to all structures; and employing noise-reducing construction practices. The potential impact on covered and non-covered sport fish species from construction activities would be considered less than significant because the proposed project would include environmental commitments (Appendix 3B). Mitigation Measures would also be available to reduce construction-related underwater noise and pile driving effects, to initiate a complaint/response program, and to provide alternative bank fishing access sites. Please see Chapter 16 Socioeconomics of the 2013 Public Draft BDCP for additional information regarding economic impacts to marinas. For additional information about Native American outreach efforts, including identification and analysis of impacts on archaeological sites, Traditional Cultural Properties, and cultural significance of biological resources, please see Master Response 21. No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
674	147	The Environmental Water Caucus's Reduced Exports Plan proposes to retain cold water for fish in reservoirs. Salmon, steelhead, and trout need cold water for their existence. As California has grown in size, the dams that have been built on virtually every major river have significantly changed both upstream and downstream river flows; high downstream water temperatures are one of the damaging results. Temperatures of 57-67 degrees Fahrenheit (F) are typically ideal for upstream fish migration and 42-56 degrees (F) are ideal for spawning. Water temperatures over 70 degrees (F) can be lethal to anadromous fish but are common on major rivers in the summer. Some fish populations have been able to adapt and carry on spawning and rearing below these major barriers, though in much smaller numbers than previously. Because farms need the most water in the summer, water behind reservoirs is low by the fall when many of the remaining populations of migrating fish return to the rivers. At that point the lack of cold water is a clear threat to their survival. Many of these fish species are now listed under the federal Endangered Species Act (ESA), and maintaining water	The Proposed Project and all other action alternatives assume the same operational criteria for upstream reservoirs as under the Existing Conditions and No Action Alternative. These operational criteria include compliance with cold water pool and downstream temperature and flow criteria for the CVP reservoirs in accordance with the 2009 NMFS Biological Opinion, as described in Appendix 3D of the EIR/EIS. In drier years, it is difficult to consistently meet the temperature criteria due to low reservoir storage volumes and the need to deliver water to senior water rights holders. Effects of the range of water temperatures on aquatic resources are presented in Chapter 11 of the EIR/EIS. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.

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		temperatures suitable for survival has become a critical part of the actions required under the ESA. This plan supports, as a conservation measure, the National Marine Fishery Services Biological Opinion recommendations for cold water releases on rivers connected to the Delta, such as the Sacramento, American, and Stanislaus rivers, as well as supporting regulations and legislation to retain sufficient water in other major reservoirs to support fish populations in Delta-connected rivers below dams. The latter would include the Trinity River, so long as the current management plan protections for the Trinity are complied with.	
674	148	The Environmental Water Caucus's Reduced Exports Plan proposes to fund agencies with user fees. Agencies that benefit from any new or existing conveyance facilities should pay the full cost of the facilities, including mitigation costs. Costs of fixing the Delta and estuary that are related to existing and planned water delivery systems, including related costs of environmental mitigation and restoration, should be financed by the agencies that deliver water and ultimately should be passed on to their retail customers. Cost responsibilities for land acquisition and restoration of river and Delta floodplains should be distributed 75 percent through a broad-based water use fee (applied to all agencies whose supplies are diverted from a river or the Delta watershed.) and 25 percent through public funds. Agencies that divert water from the Delta should pay their fair share of maintaining and replacing the Delta levees on which they depend and for protecting water conveyance facilities. The share of Delta levee repair costs assigned to these agencies should reflect the extent to which the levee repairs are essential to ensuring uninterrupted diversions. In developing funding sources, special care should be taken that low income communities not be impacted by new fees and second, that appropriate set-asides be created to ensure that these communities can access funding needed to comply with new regulations and policies.	For more information regarding funding of the proposed project please see Master Response 5. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative and does not involve an HCP component. Although Alternative 4A includes only those habitat restoration measures needed to provide mitigation for specific regulatory compliance purposes, habitat restoration is still recognized as a critical component of the state's long-term plans for the Delta. Such larger endeavors, however, will likely be implemented over time under actions separate and apart from these alternatives. Levees are an important public safety resource and the proposed project would not change levee policy or replace ongoing programs and grant projects aimed at facilitating and supporting levee improvements in or outside the Delta. It is recognized that levee maintenance and safety in the Delta is an important issue for the residents of the Delta and for statewide interests. Chapters 9, 10, and 11 of the EIR/EIS include discussions on existing levee improvement programs and funding mechanisms, which would not be affected by the Proposed Project. Rates charged to water users by individual water agencies receiving SWP or CVP supplies are based on the independent rate-setting policies of those agencies. Implementation of the Proposed Project would not affect how agencies distribute water supply costs among their water customers. The proposed project is costly, but proponents have assessed the benefits as described in the funding sources. Notably, the water contractors benefitting from the proposed project and their constituents will bear all costs associated with constructing new conveyance facilities and mitigating for the impacts of those facilities. For more information regarding funding of the proposed project please see Master Response 5.
675	1	Forget pipes from the Delta to L.A. Especially with Global Warming getting ready to flood the Delta with salt water. Instead build pipes to bring water from the Columbia River to Shasta Lake. I have witnessed huge amounts of clean water exiting the river, unused, into the ocean. Let us use it!	In the 1960s, Southern California water leaders discussed the possibility of routing Columbia River water to Lake Mead, but the idea never progressed past a conceptual stage due to the need for cooperation by Oregon and a possible change in their water laws, Washington, the US Congress, and the enormous costs and environmental impacts of building hundreds of miles of conveyance facilities. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage projects. See Master Response 37 for information on other storage projects that are under consideration at this time. Appendix 3A (Identification of Water Conveyance Alternatives, Conservation Measure 1) of the Draft EIR/EIS, describes the range of conveyance alternatives considered. Refer to Master Response 4 for information on the selection of alternatives analyzed. For other issues raised, refer to Master Responses: Master Response 19 (Climate

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			Change) and Master Response 14 (Water Quality) for global warming and salt intrusion issues, respectively.
676	1	The water tunnels are a terrible idea. The new water forebay near Byron, CA would require a fleet of heavy machinery that would operate for a decade. This would cause noise pollution and potentially fill the region's air with diesel particulates. This could result in terrible air quality that would pose a cancer risk to children, elderly and anyone with existing health problems.	Chapter 22, Air Quality and Greenhouse Gases, quantifies and evaluates criteria pollutants and toxic air containments (TAC) that would be generated as a result of construction activities. The project would implement Mitigation Measures AQ-2a, 2b, 3a, 3b, 4a, and 4b to offset construction-related nitrogen oxides (NOX) and reactive organic gases (ROG) to net zero. The project would likewise implement Mitigation Measures AQ-2c and AQ-12 to eliminate potential non-cancer and cancer risks associated with localized generation of diesel particulate matter (DPM). Please see responses to comment 219-1, 486-11, and 510-1. From Appendix 3B, Section3B.5.5: DWR and contractors hired to construct any conveyance components of the project will implement a site-specific noise abatement plan to avoid or reduce potential construction-, maintenance-, and operation-related noise impacts. This section also includes environmental commitments to reduce noise levels where exceedances are anticipated to occur.
676	2	BDCP is going to destroy families businesses such as the pear farm run by a man on Sutter Island. Some of his trees are 100 years old.	Although both the construction of new physical facilities in the Delta and the restoration of habitat will lead to the conversion of some amounts of agricultural land in the Delta, effects of the BDCP will be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. Effects of the BDCP will be subject to aggressive mitigation efforts. Land that is not directly affected by construction or habitat restoration should remain productive. See Master Response 18 for more information regarding agricultural impact mitigation. Please see Chapter 16, Socioeconomics, of the EIR/EIS, for discussion of potential effects on agricultural production and employment in the Delta.
676	3	The Delta ecosystem is very fragile already from the massive removal of fresh water that is being sent south. Southern California will have to figure out something else as to where their water will come from. No thank you Governor Brown and anyone else who thinks this benefits us.	No issues related to the adequacy of the environmental impact analysis in the EIR/S documentation were raised. The proposed project was developed to meet the rigorous standards of the federal and state ESAs, and as such the proposed project is intended to be environmentally beneficial. 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.
683	1	As a lifelong resident of California, I am well aware of the water issues facing our state. I also agree we need a long term plan for a scarce resource. That plan must address the problem of drought years for all of California which should be conservation or reducing supplies.	In dry water years, Delta exports would continue, but at lower levels (see Appendix 5A, Section C.10, Total Delta Exports, Draft EIR/EIS). Additionally, other sources would supplement these supplies in much the same way they do under current conditions. These other sources include recycled water, groundwater, and storage (see Appendix 5B, Responses to Reduced South of Delta Water Supplies, EIR/EIS, and Chapter 30, Section 30.1.3, Urban Land Use and Water Use by Hydrologic Region, EIR/EIS, for additional information). Please note that the preferred alternative is now Alternative 4A (i.e., the California Water Fix Project) and no longer includes an HCP.
683	2	From reading the EIR for the BDCP and related documents, it is clear that the purpose of diverting water around the Delta is to provide water to water contractors to the south (of Sacramento). The alternatives only listed methods to route water around the Delta -- and nothing else. I would suggest there are other alternatives to this plan that are not listed -- including conservation. Also, it is not clear how much water will be allocated for agriculture and how much for personal use in both the Central Valley and Southern California. For reference, an excerpt from the Executive Summary: "The current and projected future inability of the SWP and CVP to deliver water to meet the demands of certain south-of-Delta SWP and CVP water contractors -- in all water year types and considering ecosystem and species requirements -- is a very real concern.	For more information regarding alternatives to the proposed project please see Master Response 4. The State Water Resources Control Board, not DWR, is responsible for decisions relating to water rights. DWR holds water rights approved by the State Water Resources Control Board but does not have the power or authority to issue water rights to others. Additionally, the proposed project does not seek any new water rights nor include any regulatory actions that would affect water rights holders other than DWR, Reclamation, and SWP and CVP contractors. Importantly, all water exported by the SWP and CVP is the subject of the existing water rights of those two agencies. Exports do not come at the expense of other water rights holders. The proposed project and its alternatives analyzed in the EIR/EIS only include the use of water from existing SWP and CVP water rights or voluntary water transfers from other water rights holders. The proposed project and its alternatives do not reduce the protections for other water right holders.

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		More specifically, there is an overall declining ability to meet defined water supply delivery volumes and water quality criteria to support water users' needs for human consumption, manufacturing uses, recreation, and crop irrigation."	For more information regarding impacts to water quality and its mitigation measures please see Chapter 8 of the FEIR/EIS. For more information regarding purpose and need please see Master Response 2.
683	3	Throughout the EIR/EIS is the statement "improving water supply reliability in the state of California." It is unclear how the BDCP will improve water supply reliability for us in Placer County and those counties to the north. This generic statement needs to be revised through-out the EIR/EIS.	Please refer to Master Response 5.
683	4	Funding -- How much will each alternative cost and who will pay? Those who benefit from any project like this should pay all the costs.	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.
683	5	It is not clear how Folsom Dam or San Juan Water or Placer County Water Agency will be affected by the BDCP. This needs to be made crystal clear (with 100+ year contracts) before proceeding.	Changes in Folsom Lake storage under the action alternatives as compared to the Existing Conditions and No Action Alternative are presented in Tables C-4-1 through C-4-25 of Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS. There would be no changes to deliveries of non-SWP or non-CVP water rights under the action alternatives as compared to conditions without the alternatives. Changes to deliveries of CVP water service contracts to San Juan Water District and Placer County Water Agency are included in the "CVP M&I, Sacramento River Hydrologic Region" entries of Tables C-13-1-1 through 13-25-1 in Appendix 5A, Section C. These values include increases in deliveries to the American River watershed to serve projected population growth that would occur by 2025.
685	1	I am writing you with great hopes that you will do what you can to prevent the construction of the twin tunnels in the Sacramento and Solano Area Delta. I live in Solano County which will be severely affected by the redirection of fresh water from our rivers into these tunnels. I have been aware of this proposal for some time, have attended panels where speakers have introduced both sides of the issue and have come to the conclusion that this proposal will be extremely detrimental to our very important Delta region for the following domino-effect reasons: * Ground water and flowing water salinity levels will be changed and detrimentally affect the ecosystem. * Salinity levels will then affect water tables, available well water, and surrounding soil. * The citizens of Solano County depend on this water as a partial source of our consumable water. * Contamination of soil will affect invaluable Solano (and other) County agriculture. * Delta flora and fauna will certainly be affected by this change in their ecosystem. The Delta is an unusual and invaluable natural resource. Please join our efforts to see that these twin tunnels are either denied or at least postponed until more thorough studies are made that will determine the cause/effect relationships to the above and other concerns that have been expressed by concerned citizens of Solano County and	Please note that the preferred alternative is now Alternative 4A (California WaterFix Project) and no longer includes an HCP. Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. For a detailed discussion on salinity, please see Master Response 14 (salinity). By establishing a point of water diversion in the north Delta and establishing new operating criteria to improve water volume, timing, and salinity, the proposed project would improve native fish migratory patterns and allow for greater operational flexibility. The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. Water deliveries from the federal and state water projects under a fully implemented project would be about the same as the average annual amount diverted in the last 20 years. Refer to Master Responses related to other issues raised by the commenter: Master Response 3 (Purpose and Need), Master Response 14 (Water Quality), Master Response 34 (Beneficial Use of Water), and Master Response 26 (Changes in Delta Exports). For further information on groundwater, soils, and contamination, refer to Chapters 7 (Groundwater), 10 (Soils), and 24 (Hazards and Hazardous Materials) of the Draft EIR/EIS.

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		other counties in California.	
686	1	We, hereby, wish to express our opinion about the proposed tunnels. We do not want the tunnels built. The plan is a disaster for the Delta, for the state of California, and for the U.S. and state taxpayers. BDCP itself is a misnomer -- Bay Delta Conservation Plan -- is not a conservation plan. We are Delta residents and scientists. We agree with the Independent Science Board review and conclusions that the plan makes no sense scientifically. We believe the Plan is not only scientifically flawed, but dangerous to the health of the Delta and its wildlife, and most importantly, our water supply. And, the fiscal ramifications are a complete unknown, despite the already outrageous estimated $60 billion price tag. We do not need to redistribute our decreasing water supplies. We need to put our money toward a readily available supply of water -- the ocean -- and build desalinization plants, as is being done, successfully, world-wide. Today's technology is scientifically sound and more economic than in the past. The tunnel proposal must be stopped, without spending one more penny on a politically-driven proposal that would be a scientific and fiscal disaster.	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. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Since 2006, the project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. For more information regarding purpose and need of the proposed project please see Master Response 3. For more information regarding demand management please see Master Response 6. For more information regarding cost please see Master Response 5.
687	2	I see nothing in subject plan that considers the effect of global warming which our scientists tell us is causing ocean water levels to rise at even high exponential than we had surmised just one short year ago. This phenomenon, left unattended, will very soon turn the entire Bay Area and the Delta into a salt water lake and will deprive millions of people of their homes and livelihood, exacerbated by the draining of the Delta by the BDCP.	Throughout the document the term “climate change” is used instead of “global warming” to describe the phenomenon of gradual warming of the climate system and the myriad of other climatic changes that have already begun to occur and are expect to continue to occur. Please refer to Master Response 19 for a summary of how climate change/global warming has been addressed throughout the document.
687	3	Our concern should primarily be focused on keeping the large quantity of fresh water from going to the sea by way of our river systems and converting our wastewater treatment plants to recycle pure water. Converting WWTP's to recycle potable water is the first and easiest move and something that Southern California can implement immediately to alleviate its water supply problems (www.ediwwtp.com} while Northern California gets busy keeping that 70% of fresh water from going to sea thus saving a few million of the human species from losing their homes and businesses. Simultaneously hundreds and probably thousands of lakes and holding pound sites must be defined and constructed, prioritizing their construction to provide the greatest number of acre foot capacity per dollars expended and doing these first. This action will provide backup for Southern California, Bay and Delta fresh water in dry years.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please see Master Response 4 for discussion of the scope of the proposed project and alternatives (such as water storage) that were not carried forward for analysis in this document due to the fact that required actions beyond the scope of the proposed project. While water storage is a critically important tool for managing California’s water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of the 2013 Public Draft EIR/EIS, describes the potential for additional water storage. Please see Master Response 6 for information on Demand Management and Master Response 37 regarding water storage.
687	4	Returning the Bay and Delta to a fresh water habitat will most certainly eliminate certain species while enhancing the habitat of other species. Overall the restore people will see their precious species of the 1800's increase dramatically and a certain amount of evolvement will take place among some species, which is normal and to be expected.	No issues related to the adequacy of the environmental impact analyses in the EIR/EIS documentation were raised. Please note that the preferred alternative is now Alternative 4A (i.e., the California Water Fix Project) and no longer includes an HCP.
687	5	I should not have to point out that as sources of fresh water are developed and acre feet and other characteristics are known of them, that all water sources in the state must be monitored and controlled by a master computer system.	There are numerous water quality monitoring stations at locations throughout the Delta that are currently operating and will continue to be operational in the future. These stations are operated by the United States Geological Survey, the United States Bureau of Reclamation, the California Department of Water Resources, the Interagency Ecological Program, and numerous local agencies. Monitoring locations already present in Old River near Discovery Bay are sufficient to support and inform these activities with regards to salinity (including both chloride and electrical conductivity) and organic carbon. Monitoring of mercury and

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			selenium will be further defined in site specific monitoring and management plans associated with the restoration areas.
687	6	It is not possible to comment adequately to the current BDCP in a few hundred words. It is best just to say that it is a very bad plan. It lacks vision and the basic consideration of certain laws of nature, laws as simple as water runs downhill and all species evolve. The BDCP could not begin to solve a problem when the problem has never been properly defined or stated. Simply put, we are trying to enhance the availability of a water environment to a given set of the human species with the least negative effect upon the total set of all species, wherein the particular given species is a subset of the human species called Southern Californians (SoCal), and the principal subset of all other species includes but is not limited to the human species called Northern Californians (NorCal). Principally we are concerned with the efficient use of a given quantity of water that is continually recycled through the atmosphere and is returned to the State of California through precipitation and other waters that are returned by boarder states that may drain into California 70% of which is currently being wasted by being returned to the Pacific Ocean by California's river system and we have determined NorCal has more water than it needs except in drought years in which water becomes a problem for NorCal as well as SoCal. Some years ago a Peripheral Canal was built to carry water from Northern California to Southern California but this rather massive structure runs very dry most of the year. Obviously Northern California has not sufficient water to make use of this canal in the manner of which it was designed.	As described in Section 5.3.1 of Chapter 5, Water Supply, the action alternatives in the EIR/EIS only would affect SWP and CVP water operations and would not affect water available to other surface water rights holders in the Delta and other parts of California. Action alternatives would increase flexibility for SWP and CVP operations while reducing adverse impacts to aquatic resources. For example, the action alternatives would result in more water exported in wetter years and less water exported drier water years. For example, in Critical water year types (as shown in Tables C-10-1-14 through C-10-1-25 of Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS), less water would be exported by SWP and CVP under all alternatives except Alternatives 1, 3, and 9 which would either result in similar or less a 2 percent increase as compared to the No Action Alternative.
687	6	Long range planning in water is not a quick fix as put forward in the current BDCP; it requires a long range plan in the order of several hundred years. It is obvious to any person concerned with the long range welfare of all life species that this BDCP in its current form will only lead to another boondoggle of the states resources as was the Peripheral canal before it. This is not a condemnation of the members of the comity, it is a condemnation of the shortsightedness of the State's leadership in their lack of vision. They plan not to be around after the plan is put into practice so what do they care what happens to California when they are out of office? To this I can only say: shame on you. This plan should not be a political issue. I thank you for the opportunity to express in some small measure my concerns, which are many and can hardly begin to be numerated herein, with regard to the BDCP.	Please note that the preferred alternative is now Alternative 4A (i.e., the California WaterFix Project) and no longer includes an HCP, and thus no longer includes a 50 year permit term. California WaterFix will follow the Section 7 Process for federal Endangered Species Act compliance, which does not have a "permit term". Instead the authorization and management of actions under the permit relate to the triggers for re-initiation of consultation with permitting agencies. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts; as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project. Please also see Master Response 4 for a discussion of why certain long range planning actions that are being studied or actively pursued by the State are not discussed in this document and/or are not included as a part of this project. Finally, please see Master Response 36 regarding how the proposed project differs from the Peripheral Canal.
688	1	Our organization, Lao Family Community Empowerment is writing to you to request information about the Bay Delta Conservation Plan in the Hmong language. We have not received any informational materials about the Bay Delta Conservation Plan in Hmong to educate or to provide to our community in Stockton. This is a concern for us because one of our areas of assistance to members are avid fishers and a majority of our families depend on fish for a huge part of their dietary and nutritional needs. We are aware of the possible negative impacts of the Bay Delta Conservation Plan's twin	The Federal Lead Agencies have fully complied with Executive Order 12898. Notably, there is no mandate to "Each Federal agency may, whenever practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English speaking populations." Rather, such translation is optional, and subject to the pertinent federal agency's sense of whether translation if "practicable and appropriate." The California Legislature's intention in enacting the Dymally-Alatorre Bilingual Services Act was to assist "persons who live, work and pay taxes" in the State to more easily obtain information about "public

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		tunnels, which will affect the health, dietary and recreational lifestyle for many families in the Delta region and we would like to know more details about it. The commentary period for the Bay Delta Conservation Plan will end in June and I do not have access to necessary information to make an informed comment and to share with our Hmong constituents. Please send our organization informational materials on the Bay Delta Conservation Plan translated in Hmong.	services" available to them. (Cal. Gov. Code, § 7291, italics added.) Within the Act, section 9295.2 applies to State agencies. Notably, that statute states that "[t]his section shall not be interpreted to require verbatim translations of any materials provided in English by a state agency." (Italics added.) This qualification is consistent with Article 3, section 6, of the California Constitution, which makes English the official language of the State of California. Thus, the Dymally-Alatorre Bilingual Services Act is not intended to apply to environmental impact reports prepared pursuant to CEQA; and even if it were so intended, the Act would not require verbatim translations of the BDCP and related documents. Here, due to the sheer size of the BDCP and the EIR/EIS for the BDCP, translation of the entirety of these documents was impractical and therefore inappropriate. Even so, BDCP and EIR/EIS Fact Sheets were translated into Spanish, Hmong, Cambodian, Tagalog, Chinese (Mandarin), and Vietnamese. Translated fact sheets were posted to the website and hard copies were provided upon request. Additionally, a multilingual toll-free phone line has been established for questions about the BDCP, which includes information in Spanish, Tagalog, Vietnamese and Chinese (Mandarin) in addition to English (based on Census data) as well as Hmong and Cambodian (based on requests). For more information about the work that has been done to make information available to non-English speaking communities, please see Master Response 27. Lay-friendly Highlight documents for both the BDCP and the EIR/EIS were published to provide summary information about the documents and to help readers get acquainted with the documents. The BDCP Highlights and the EIR/EIS Highlights were posted online at http://baydeltaconservationplan.com/AboutBDCP/InformationalMaterials.aspx. Short one-page factsheets on the BDCP and EIR/EIS were also provided online and by request. In addition, 17 narrated informational webinar episodes were posted to the website for both the BDCP and EIR/EIS. These webinars were developed to provide short, easy to understand summaries of key elements of the BDCP and EIR/EIS. Background documents, additional factsheets, and FAQs continue to be available on-line. For more information, please see Master Response 38 regarding the length and complexity of the document.
689	1	Mother Nature raised mountains surround San Joaquin Valley. I am confident this effort involved multiple earthquakes. There is no evidence that salty sea water invaded the Delta. This is because the Delta's waterways and islands were full of fresh water. That is until man changed Nature's handiwork. Man began agricultural operations decades ago by clearing the islands. This allowed the peat soil to dry and strong winds blew away surface materials. To protect agricultural activities soil was heaped along water courses. Oxidation of the peat material and wing continued to remove the detritus. Today the interior of protected islands is 10 to 25 feet below sea level, thus inviting salty sea water to inundate these man-made depressions. Today's efforts should be to restore the Delta to nature's plan: Step 1. Public ownership of all islands. Step 2. Breach the levees. Returning the Delta to capacity with fresh water would negate any threat of salty sea water intrusion. It would also remove all costs of strengthening 1,100 miles of existing levees. Step 3. Lavish praise upon the efficiency of existing fish screens.	15 alternatives and 3 new subalternatives were analyzed in the EIR/S and the RDEIR/RSEIS respectively. Four major alignments have been included in the EIR/S: Through-Delta, East of the Sacramento River, West of the Sacramento River, and a Tunnel under the Delta. Many additional proposals by public and private individuals and organizations have also been evaluated and described in Chapter 3 of the EIR/S and Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Screening the intakes at Clifton Court Forebay was analyzed during the water conveyance alternative development process and is described in the 2013 Public Draft EIR/EIS, Appendix 3A. This alternative was eliminated from further evaluation because initial results of recent studies, including information included in the recent NMFS biological opinions, supported a phased approach that would emphasize improvements to operations of fish handling facilities and reduced predator potential within Clifton Court Forebay prior to further analysis of installation of fish screens. Nevertheless, DWR and Reclamation will continue investigating strategies to increase fish salvage efficiency, reduce pre-screen losses, and improve screening efficiencies, consistent with the 2009 biological opinion of the SWP/CVP. As is detailed in the rationale statement in CM15 Localized Reduction of Predatory Fishes, predation of juvenile salmon and steelhead by non-native fishes such as striped bass is one of the principal causes of mortality for these species during their migration through the Delta, and in some areas may be the leading cause of mortality. (Note that the new preferred alternative, 4A, will implement elements of CM15 (under Environmental Commitment 15) at predator hot spots associated with construction and operations of the proposed water conveyance facilities. See Chapter 3 in the FEIR/EIS for more details.) This fact is widely

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		Step 4. Fish out the bass. Bass eat small fish, i.e., delta smelt. Step 5. To serve federal and state pumps, allow through Delta flow. This would negate any call for a Peripheral Canal or tunnels.	recognized by staff at each of the fish and wildlife agencies. CM15 was therefore developed with the goal of attempting to control this predation at a few recognized "hot spots" where prior studies have identified predation pressure as being particularly intense. Such a control effort has not been attempted before in the Delta. Similar control efforts in other parts of the world have often been ineffective, though there have been some successes. There is therefore large uncertainty about whether CM15 will achieve its goal, and as a result the effects analysis assigns little importance to CM15 in the assessment of purposed project's net effects upon covered species. Accordingly, CM15 has been designed to function as a pilot and research program, measuring the effectiveness of various control strategies and assessing them in an adaptive management context. If those pilot studies indicate that CM15 has low effectiveness, then funding for this measure may be allocated to other, more effective conservation measures. Conversely, if CM15 succeeds in identifying effective control strategies, then it would likely be continued and perhaps expanded in scope, via the adaptive management provisions of purposed project. Regarding development of alternatives for the EIR/EIS, a description of the process the Lead Agencies followed to develop and screen alternatives is provided in Master Response 4.
690	1	My comments are directed at Chapter 14 Agricultural Resources 14.1.1.2 South Delta Restoration Opportunity Area. (Conservation Strategy, CM4, Section 3.4.4.3.1) Approximately 5,000 acres are targeted to become freshwater tidal habitat. I have lived in the Delta all my life. My family began farming here in 1871 and my farm is located on upper Roberts Island within that 5,000 acres. It does not make sense to me how this can be considered "tidal habitat" because most of the acreage in this area is 9'-12' above sea level and we do not have 12' tides. It would be necessary to pump water up and out of the San Joaquin River to make this freshwater habitat. What entity will be paying for that? Technically I don't believe that this 5,000 acres can be considered a Habitat Conservation project.	The Restoration Opportunity Areas are described in BDCP Section 3.2.2. They are what the name implies: areas within which restoration opportunities exist. There is no proposal to convert an entire restoration opportunity area to habitat. For instance, tidal habitat restoration would occur only within areas that are expected to be tidal during the project term. That includes some areas above current sea level, due to expected sea level rise and the tidal range of the Delta, but that only will affect areas up to about 4 feet elevation. Higher elevation areas would not be appropriate for tidal habitat restoration. Also, see revisions to CM4 (BDCP Section 3.4.4) in the Recirculated Draft EIR/EIS, which call for deferring all tidal habitat restoration in the South Delta for approximately 20 years. Numerous comments were received that focused on various elements of the BDCP. 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. Please note that the BDCP is no longer the preferred alternative. The preferred alternative is now Alternative 4A and no longer includes an HCP or conservation measures. Alternative 4A has been developed in response to public and agency input. The EIR/EIS analyzes all alternatives, including Alternative 4A.
690	2	The majority of the 5,000 acres is considered prime farmland. This restoration will take highly productive land out of production in order to allow water to be shipped south to irrigate marginal farmland. This does not protect the agricultural value of the Delta under the coequal goals required by the Delta Reform Act.	While the Lead Agencies agree that much of the agricultural land in the South Delta ROA is considered prime farmland, it is unknown whether, or how much, farmland may be affected by habitat restoration activities implemented under CM4 (or other conservation measures). Additionally, habitat restoration is intended to contribute to the coequal goal of protecting, restoring, and enhancing the Delta ecosystem. Please refer to Master Response 31 for a discussion of BDCP compliance with the Delta Reform Act.
690	3	I am unable to ascertain where the funding will come from for all of the eminent domain payouts that will be required since there is little indication that there are willing sellers. The Habitat Conservation Plan is required to identify funding for its implementation. This information should have been set forth in an Implementing Agreement 60 days prior to the final draft but that has not been done. There are mistakes and inaccuracies in this EIR/EIS and there is no financial commitment to date that has been recorded, so I believe that it should be rejected.	Please see Master Response 5 regarding project funding. The Implementing Agreement was distributed on May 30, 2014. The comment period for the Implementing Agreement coincided with the final 60 days of the comment period for the draft EIR/EIS.

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691	1	The Draft EIR/EIS, while voluminous, lacks summaries and reference guides that would make the document understandable to ordinary readers. Throughout the documents, complicated, redundant, and disconnected analysis, coupled with a lack of clear comparison tables, make well-informed decisions about the alternatives impossible. The law is clear: "Environmental impact statements shall be written...so that decision makers and the public can readily understand them" (Council on Environmental Quality 1502.8) The BDCP Plan and EIR/EIS are in violation of environmental law regarding document content.	The lead agencies believe the EIR/EIS to be fully sufficient in its analysis of the proposed project under both CEQA and NEPA standards. Please see Master Response 38. It explains that the size and complexity of the EIR/EIS reflect an unprecedented effort to analyze a proposed project and 18 alternatives under both state and federal laws for special status species protection However, please note that the BDCP is no longer the preferred alternative. The preferred alternative is now Alternative 4A and no longer includes an HCP. Please also see Master Response 39, which discusses the lead agencies' extensive public outreach effort and the materials that were provided so that the general public could understand the proposed project and its potential impacts.
691	2	Comparisons of the many alternatives (including alternatives discarded in the screening process) are incomplete relative to their unavoidable impacts. Analysis of the CEQA preferred alternative (Alternative 4 - North Delta Diversion - and mitigation actions 2-22) includes a "Summary of Significant and Unavoidable Adverse Impacts" (BDCP EIR/EIS pp 31-9). A similar in-depth analysis of unavoidable impacts should be clearly charted for all other alternatives to allow for accurate comparison. Without such clear disclosure of impacts, the choice of the preferred Alternative 4 cannot be proved to be anything but an arbitrary decision.	The California Environmental Quality Act requires that all alternatives in the EIR be evaluated at the same level of detail. This includes findings of significance such as "Significant and Unavoidable" The summary the commenter is referring to only shows those significant and unavoidable impacts for the CEQA preferred alternative at the time of the 2013 Draft EIR/EIS (Alternative 4), the significance findings for all of the alternatives are found within the resources chapters, 4-31. Within each of these chapters all of the alternatives are evaluated at an equal level of detail and the significance findings, including significant and unavoidable findings are disclosed.
691	3	There is no clear funding mechanism set forth. This violates the Endangered Species Act requirement that habitat conservation plans specify that the applicant "ensure that adequate funding will be provided" to implement conservation actions that minimize and mitigate effects on covered species (USC 1539(a)(2)(A). This further violates the Natural Community Conservation Planning Act which requires that the natural community conservation plans contain "provisions that ensure adequate funding to carry out the conservation actions identified in the Plan" (Fish & Game Code 2820(a)(10)). Funding for mitigation measures 2-22 includes a combination of future California State Water Bonds and Federal Funding which has not been approved. Both funding sources are out of the control of BDCP planners, and as such cannot be construed as "adequate". Section 8.4.2 (p8-122) of the BDCP Public Draft (Actions Required in the Event of a Shortfall in State or Federal Funding) states: "Actions to be considered to address such shortfalls include adjusting the scope of the Plan in proportion to the public funding shortfall." Since the "shortfall" could be in the billions of dollars in funding, to rely upon anticipated "adjusting" does not meet the letter of the NEPA or CEQA requirements. Further, no Implementation Agreement has been signed by project proponents, stipulating exact project funding commitments. Public comments have been solicited on a plan for which there is no financing commitment. Cleary this is in violation of CEQA/NEPA requirements.	Please see Master Response 5 regarding BDCP funding. The draft Implementing Agreement (IA) for the BDCP was released for public review and comment. Like the draft Bay Delta Conservation Plan (BDCP) and its associated draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS), the draft IA is subject to modification and revision, and will not be finalized until the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) processes have been completed. Public comments received on the draft IA will help inform changes that may be made to the agreement prior to execution of a final agreement. Consistent with the NCCPA, the draft IA was being made available for public review and comment for a 60-day period (effective May 30, 2014 through July 29, 2014). Numerous comments were received that focused on various elements of the BDCP. 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.
691	4	With the choice of Alternative 4 (North Delta Diversion) and Mitigation Measures 2-22 the BDCP violates a provision of the 2009 Delta Reform Act, calling for meeting the coequal goals of water supply reliability and ecosystem restoration while protecting the Delta as an evolving place. This provision is set forth in the Water Code Section 85020(b): "protect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place." With over 50 significant and unavoidable and adverse impacts. (listed in Table 31-1 pp 31-9 to 31-13 of Chapter 31 of the Draft EIR/EIS) BDCP violates the intent of the 2009 Delta Reform legislation to protect the Delta as a place.	Please see Master Response 19, Delta as a Place. For more information regarding significant and unavoidable impacts please see Master Response 31. With regards to Cumulative Impacts, please see Master Response 9.

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692	1	On behalf of the Foothill Municipal Water District, I would like to provide the following comments on the draft Bay Delta Conservation Plan (BDCP) and its environmental impact statement/report as released on December 13, 2013. The State Water Project is a vital component of Southern California's water system, providing roughly 30 percent of the region's water needs. As the Southland expands its conservation and local supply efforts, state project water will remain an essential source to replenish groundwater basins and reservoirs and enhance water quality in the region.	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 Water Fix Project) and no longer includes an HCP.
692	2	In recent years, both state and federal water project deliveries have been repeatedly interrupted and reduced due to operational conflicts with threatened and endangered Delta species. Additionally, both projects risk complete failure given the vulnerability of the Delta levee system to catastrophic earthquake and flood events -- threatening water supplies for Southern California, the Bay Area, the Central Coast and the Central Valley for up to three years. 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 solve these challenges and resolve decades of conflicts between agricultural, urban and environmental water users with a comprehensive solution that achieves California's Co-Equal goals of a reliable water supply and a restored Delta ecosystem for the benefit of all water users.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS..
692	3	The release of the public draft BDCP represents an important milestone in this eight-year stakeholder process. In exhaustive detail, the draft BDCP illustrates the complexity of the problems and the need for a comprehensive approach to resolve conflicts in the Delta through a multi-species habitat conservation plan that protects the state's water resources and infrastructure.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
692	4	We [Foothills Municipal Water District] are supportive of the BDCP's proposed twin-tunnel conveyance system that isolates and protects drinking water supplies and helps restore natural flow patterns in the Delta for the benefit of native species, as well as the complementary habitat restoration, water quality and predator control measures outlined in the BDCP. We also support the plan's recognition that changing conditions in the Delta will require ongoing scientific review and real-time monitoring so the plan can effectively adapt over time to emerging science and the evolving ecosystem. The draft plan also provides an important framework for a range of operational outcomes and level of certainty necessary for a final plan to merit investment by participating public water agencies and by the state and federal governments. Key decisions remain relating to specifics on cost allocations, operations, outflow range, financing and other issues; however, the current draft details a workable solution to the challenges facing California's water resources and the Delta.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
692	5	The Metropolitan Water District of Southern California, of which we (Foothill Municipal Water District) are a member, has established six benchmarks for a comprehensive Delta solution, providing the following basis to analyze the draft BDCP. Provide water supply reliability: conveyance options need to provide water supply reliability consistent with DWR's most recent State Water Project Reliability Report (2005). Comment: BDCP has the potential to regain State Water Project supplies and	The 2005 State Water Project Delivery Reliability Report on Table A projected future SWP water deliveries over the long-term average to be 3,570 million 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 million acre-feet/year under the No Action Alternative and a range from 1,430 million to 2,931 million acre-feet/year under the EIR/EIS alternatives (see

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		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 make this project financeable.	Table C-13-26 in Appendix 5A, Section C, CALSIM II and DSM2 Model Results, in the EIR/EIS).
692	6	The Metropolitan Water District of Southern California, of which we (Foothill Municipal Water District) are a member, has established six benchmarks for a comprehensive Delta solution, providing the following basis to analyze the draft BDCP. Improve export quality. Conveyance options should reduce bromide and dissolved organic carbon concentrations. Existing in-Delta intakes cause direct conflict between the need to reduce organic carbon to meet stricter urban drinking water standards, and the need to increase carbon to promote a healthy food web for fish. Comment: Existing in-Delta supplies are in the range of 300 milligrams per liter salinity. Upstream supplies on the Sacramento River are in the range of 100 milligrams per liter salinity. The construction of intakes in the northern Delta, and BDCP's dual conveyance water operations strategy, would improve and protect export water quality.	RDEIR/SDESIS 4.3.4 (4A) describes whether concentrations of various water quality constituents are expected to increase or decrease with the project, relative to existing conditions and the No Action Alternative. To the extent that concentrations of various water quality constituents are expected to increase, 4.3.4 describes whether these increases are expected to result in impacts to beneficial uses of water in the Delta. For constituents for which adverse impacts were expected, mitigation and other commitments, such as additional evaluation and modeling and consultation with water purveyors to identify additional measures to avoid and minimize or offset these impacts, were introduced to address those impacts. Additionally, adding intakes in the North Delta will allow for operational flexibility that can improve natural flow in the Delta and avoid impacts to migratory fish based on real time data and operations Impact WQ-5 in Section 4.3.4, Water Quality, of the RDEIR/SDEIS examines the potential effects on bromide concentrations resulting from facilities operations and maintenance of the proposed project. Increases in exceedances of the 100 µg/L assessment threshold concentration for protecting against the formation of disinfection byproducts in treated drinking water would be 6% or less at all locations assessed, which is considered to be less than substantial long-term degradation of water quality. Further, the use of seasonal intakes for municipal water supply is opportunistic in the areas affected (Antioch and Mallard Island), largely driven by acceptable water quality, and opportunity to use these intakes would remain. As such, the levels of bromide degradation that may occur under the Alternative 4A would not be of sufficient magnitude to cause substantially increased risk for adverse effects on any beneficial uses of water bodies within the affected environment. Bromide is not CWA Section 303(d) listed and thus the minor increases in long-term average bromide concentrations would not affect existing beneficial use impairment because no such use impairment currently exists for bromide. Discussion of the main environmental attributes affecting individual covered species is provided in Appendix 2.A of the 2013 public draft BDCP. Effects of the proposed water conveyance and associated restoration activities on general resource areas are discussed in Ch. 4 of the RDEIR/SDEIS. Resource areas are addressed separately under sections for each of the new project Alternatives, including surface water, groundwater, water quality, fish and aquatic resources, terrestrial biological resources, agricultural resources, air quality and greenhouse gases, public health, and others. Where impacts are determined to be significant, environmental commitments will be implemented to avoid and/or offset these effects, where possible. The Cumulative Impact Analyses that was written for the 2013 Public Draft BDCP EIR/EIS has been revised to include the impacts associated with the new proposed project alternatives and also updates past analyses. Environmental Commitments are to minimize effects to the Delta and its inhabitants and mitigate for loss of habitat to the ecosystem and its species. For more information please see Section 5 Revisions to Cumulative Impact Analyses, Appendix A Chapter 11 Fish and Aquatic Resources, Appendix A Chapter 12 Terrestrial Biological Resources, and Appendix 3B Environmental Commitments, AMMs, and CMs of the RDEIR/SDEIS.
692	7	The Metropolitan Water District of Southern California, of which we (Foothill Municipal Water District) are a member, has established benchmarks for a comprehensive Delta solution, providing the following basis to analyze the draft BDCP. Allow flexible pumping operations in a dynamic fishery environment. Water supply conveyance options should allow the greatest flexibility in meeting water demands by taking water where and when it is least harmful to migrating salmon and in-Delta fish species. All options should reduce the inherent conflict between fisheries and water conveyance. Comment: The new screened intakes proposed by BDCP in the northern	The action alternatives generally result in more positive Old and Middle River Flows (less reverse flows) as compared to the Existing Conditions and No Action Alternative. However, except for Alternative 6 which does not include south Delta intakes, reverse flows would continue under all other alternatives (See Figures C-9-1 through C-9-6 in Appendix 5A, Section C, CALSIM II and DSM2 Model Results, of the EIR/EIS).

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		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.	
692	8	The Metropolitan Water District of Southern California, of which we (Foothill Municipal Water District) are a member, has established benchmarks for a comprehensive Delta solution, providing the following basis to analyze the draft BDCP. Enhance Delta ecosystem: conveyance options should provide the ability to restore fishery habitat throughout the entire Delta and minimize disruption to tidal food web processes, and provide for fluctuating salinity levels. Comment: The modernization of the Delta conveyance system as proposed by BDCP is essential in order for the proposed habitat restoration to have its intended effect.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
692	9	The Metropolitan Water District of Southern California, of which we (Foothill Municipal Water District) are a member, has established six benchmarks for a comprehensive Delta solution, providing the following basis to analyze the draft BDCP. Reduce seismic risks: conveyance options should provide significant reductions in risks to export water supplies from seismic-induced levee failure and flooding. Comment: The twin tunnels to transport northern Delta supplies would protect this critical supply from future disasters. The twin-tunnel subsurface design provides important operational redundancy and reduces risks associated with surface movement -- such as levee failure and liquefaction-- during earthquakes, allowing for the isolation of repairs if needed to specific tunnel segments, rather than compromising the entire Delta water supply with saline ocean water, should there be a multiple island failure. Seismic preparedness is crucial for this vulnerable segment of the statewide water delivery system.	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.
692	10	The Metropolitan Water District of Southern California, of which Foothill Municipal Water District is a member, has established six benchmarks for a comprehensive Delta solution, providing the following basis to analyze the draft BDCP. Reduce climate change risks: conveyance options should reduce long-term risks from salinity intrusion associated with rising sea levels. Intake locations should be able to withstand an estimated 1- to 3-foot sea-level rise in the next 100 years. Comment: The proposed intakes in the northern Delta are upstream of predicted long- term salinity intrusion due to climate change. The future water system must be sized sufficiently to capture water when available in the face of climate change.	As indicated in the comment, the proposed intakes for the proposed project 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. For additional information regarding greenhouse gas emissions and climate change, please see Master Response 19.
692	11	In addition to the Metropolitan 2007 Delta Benchmarks, the draft BDCP raises other issues that merit public comment, including : Governance comment: the final BDCP governance structure must provide for public water agencies to be full participants in the implementation process in a manner that maintains the existing authorities of the state and federal wildlife agencies. Metropolitan must be among the project permittees in order to assure its active participation in BDCP.	Please see Master Response 5 related to the proposed project's governance structure and implementation specifics.
692	12	Assurances Comment: As a Habitat Conservation Plan under Section 10 of the federal Endangered Species Act and a Natural Community Conservation Plan pursuant to Fish and Game Code Section 2800 et seq BDCP offers a path of regulatory stability for both the public water agencies and the wildlife agencies. It is important to better define and describe this regulatory stability so that the final BDCP offers a clearer choice between	This comment addresses Alternative 4 (known also as the 2013 BDCP) or analysis contained within the draft BDCP Effects Analysis. Alternative 4 remains a viable alternative; however, a modified proposed project (Alternative 4A/California WaterFix) is the preferred alternative. For detailed responses on the primary issues being raised with regard to the BDCP or Alternative 4, as well as a discussion of the current status of

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		this approach and today's ineffective species-by- species approach to regulation and ESA enforcement.	the draft BDCP Effects Analysis, please see Master Response 5.
692	13	Co-Equal Goals Comment: The Delta Reform Act of 2009 passed by the California Legislature established the co-equal goals of a reliable water supply for California and ecosystem restoration for the Delta. The BDCP must be implemented in a manner consistent with the co-equal goals.	In its efforts to contribute to the co-equal goals of water supply reliability and ecosystem restoration, the project seeks to protect dozens of species of fish and wildlife in the Delta while also securing reliable water deliveries for two-thirds of Californians. Please see Master Response 31 for more information with the BDCP's compliance with the Delta Reform Act.
692	14	In-Delta impacts comment: we are encouraged by recent changes in the proposed intake/tunnel project that will reduce by 50 percent the overall footprint of the project. While the hydrological simulation model in the BDCP analysis suggests that Delta salinity objectives may be exceeded in some instances, the DEIR/EIS explains that this is due to modeling anomalies. In any event, the Project would be operated to meet all Delta Salinity Standards thus it is not expected to have a significant impact to local agriculture.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
692	15	Habitat restoration, meanwhile, is expected to lead to a net increase of 50,000 local Delta-area jobs. Continued efforts to reduce in-Delta impacts and increase in-Delta benefits of BDCP will improve the final project.	The proposed project is estimated to result in the creation and protection of more than one million full-time equivalent jobs over the project's 50-year implementation period. (A full-time equivalent job is defined as one person working full-time for one year.) Construction and operation of the proposed water facilities and habitat restoration projects would create an estimated 155,090 jobs in the Sacramento-San Joaquin Delta (Delta) region. In addition, reliable water supplies gained through BDCP implementation will protect and save an estimated 980,722 statewide jobs. For more information, please see the BDCP Job Creation and Protection Infographic which can be found here, http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Job_Creation_and_Protection_InfoGraphic_6-23-14.sflb.ashx. Please see Master Response 5 for additional detail on the 2013 BDCP and the alternatives involving an HCP component. Please note the preferred alternative is now Alternative 4A and no longer includes an HCP or conservation measures. Alternative 4A has been developed in response to public and agency input. The EIR/EIS analyzes all alternatives including Alternative 4A.
692	16	Metropolitan Water District of Southern California and its member agencies, retail agencies and ratepayers have been investing in the State Water Project for more than four decades, and 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 project continue to degrade.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
692	17	The state project provides essential water 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 high quality improves regional water quality. State project water also facilitates water recycling and groundwater replenishment. Recycling might otherwise be prohibited since Colorado River water is significantly higher in salinity level and 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 project supplies.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
692	18	The proposed BDCP is the most comprehensive effort ever undertaken to address the chronic water challenges facing the state and federal water projects in a manner that is protective of the Delta environment. We at Foothill Municipal Water District urge the	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.

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		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.	
693	1	The League of Women Voters of California (LWVC) appreciates the opportunity to comment on the Bay Delta Conservation Plan (BDCP, or plan) and its draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). We have analyzed the BDCP from the perspective of our state and national League consensus positions on water resources, agriculture, energy, and land use. Our positions are the result of League studies and long-time member involvement in these issues. Although we acknowledge the considerable financial and technical resources expended on the draft EIR/EIS, we believe the draft EIR/EIS is inadequate because it has resulted in a preferred alternative that is unlikely to meet the coequal goals of ecosystem restoration and water supply reliability. We ask that you not certify the draft EIR/EIS because of the likelihood that the plan will fail to meet both coequal goals, and because of inadequate disclosure of impacts.	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 2009 Delta Reform Act requires that the Sacramento-San Joaquin Delta be managed in a way that balances human needs with those of the Delta ecosystem. The proposed project has been developed over more than seven years in collaboration with agencies, independent scientists and stakeholders to ensure that the conservation strategy meets the requirements of the Delta Reform Act, and ensure that the future management of the Delta meets ecosystem and water supply needs for the Delta and the 25 million Californians who rely on water supplies that flow through the Delta. For more information about compliance with the Delta Reform Act, see Master Response 31 and Final EIR/EIS Appendices 3I and 3J.Please see Master Response 4 for more information on the development of alternatives.
693	2	Over-allocation of waters/water rights within the watersheds feeding into the Delta, plus the maximum contracted flows planned for export to contractors, exceed the long-term hydrologic capacity of this water resource, and the BDCP compounds these mistakes. We find the stated project objective of meeting the full contract amounts of the State Water Project and Central Valley Project unrealistic, given the hydrologic history of California: Restore and protect the ability of the SWP and CVP to deliver up to full contract amounts, when hydrologic conditions result in the availability of sufficient water, consistent with the requirements of State and federal law and the terms and conditions of water delivery contracts and other existing applicable agreements. (Public draft BDCP EIR/EIS, Chapter 2, p. 3). So long as this remains a stated objective, reducing reliance on the Delta will not be achieved.	The proposed project does not seek any new water rights nor include any regulatory actions that would affect water rights holders other than DWR, Reclamation, and SWP and CVP contractors. Please see Master Response 32 for additional information regarding effects on water rights. The proposed project only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. More information on the ranges of BDCP water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Conservation Strategy, 2013 Public Draft BDCP (on page 3.4-17). Detailed limitations and operational criteria can be found in DWR's State Water Resources Control Board Permit D1641 and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits. Please see Master Response 35 regarding water supply and water conservation efforts in areas receiving exports from the Delta. California Waterfix would help to address the resilience and adaptability of the Delta to climate change through water delivery facilities combined with a range of operational scenarios. The project does not propose to fix all of California's water issues. The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species - all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Water Action Plan please follow http://resources.ca.gov/california_water_action_plan/. Future committees for project implementation may provide future opportunities for innovative input as well.

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693	3	The statement from the executive summary of the plan, "The geographic scope of the Plan Area encompasses the Sacramento-San Joaquin Delta, as defined in California Water Code Section 12220 ...," implies that this plan is designed to ignore the actual watersheds of the Sacramento River. The assumption that there will always be water to move through the tunnels is problematic, considering the Department Water Resources climate change models that project the greatest loss of the snowpack will occur in the watershed of the Feather River, source of the water stored behind Oroville Dam.	Comparison of conditions under the No Action Alternative and Existing Conditions in the impact analysis indicates that water supply availability would change due to the effects of climate change and population growth in the upstream Delta watershed, including reduction in SWP and CVP water supplies south of the Delta. As shown in Tables C-11-2 through C-11-12 in Appendix 5A, Section C, of the Final EIR/EIS, there are multiple months under Alternatives 1 through 5, 7, and 8 in which very little water is diverted at the north Delta intakes.
693	4	Failure to Meet the Delta Vision Strategic Plan and the Delta Reform Act of 2009 -- The BDCP is not consistent with the "coequal goals" of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The Delta Vision Strategic Plan [Footnote 1: "Delta Vision Strategic Plan," prepared by the Blue Ribbon Task Force created by Governor Schwarzenegger's Executive Order S-17-06, and released by the State of California Resources Agency, October 208.] calls for the state to "Legally acknowledge the co-equal goals of restoring the Delta ecosystem and creating a more reliable water supply for California" and sets forth the following strategy and actions, among others: Strategy 1.1: Make the co-equal goals the foundation of Delta and water policy making. Action 1.1.1: Write the co-equal goals into the California Constitution or into statute. Action 1.1.2: Incorporate the co-equal goals into the mandated duties and responsibilities of all state agencies with significant involvement in the Delta. Action 1.1.3: Require the achievement or advancement of the co-equal goals in all water, environmental, and other bonds, and operational agreements and water contracts or water rights permits, that directly or indirectly fund activities in the Delta. The subsequent Delta Reform Act of 2009 [Footnote 2: Added by Stats. 2009, 7th Ex. Sess., Ch. 5, Sec. 39. Effective February 3, 2010, as codified in the California Water Code (CWC), Division 35, starting at section 85000.] defines "coequal goals" [Footnote 3: CWC, section 85054] as: "two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."	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. See Master Response 31 and Final EIR/EIS Appendices 3I and 3J for information about compliance with the Delta Reform Act.
693	5	The Delta Reform Act of 2009 also calls for reduced reliance on the Delta through investments in improved regional supplies, conservation, and water use efficiency. We [Footnote 4: CWC, sections 85021 and 85004(b).] believe that large public investments in interbasin water transfers must be informed by a recognition that California's water resources have been over-allocated (see above) by as much as five times. Additional options for water supply reliability should include groundwater management, watershed and forest management for water capture, conjunctive use of surface and groundwater, and more conservation and improved water use efficiencies.	See Response to Comment 693-4. Please see Master Response 4 regarding the range of alternatives analyzed in the EIR/EIS The specific proposals that were considered but ultimately rejected by the Lead Agencies are discussed in Final EIR/EIS Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1. Appendix 3A thoroughly explains why various proposals were not analyzed in the EIR/EIS, including the NRDC Portfolio-Based Proposal, Congressman Garamendi's Water Plan, and other similar concepts that would require actions that are beyond the scope of the proposed project. The proposed project is not the sole project in California tasked with solving California's water supply future. The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species

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			that depend on the Delta. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project.
693	6	We [League of Women Voters of California] believe that the BDCP is not consistent with the Delta Vision Strategic Plan and the Delta Reform Act of 2009, in that it is not a realistic plan that will meet the coequal goal of restoring the Delta ecosystem. In addition to their relying on unrealistic flows of water, we believe that the plan and associated draft EIR/EIS are inadequate for the reasons given in the subsequent sections: Ecosystem Restoration -- The plan is missing updated flow objectives, a key factor in the success of habitat restoration. Water Supply Reliability -- More encouragement is needed for the state, local governments, and urban and agricultural end-users to conserve and improve efficiencies before resorting to dual tunnels under the Delta. Finances -- The BDCP does not demonstrate that funding all elements - in particular, habitat restoration - will be realistically achieved. Governance -- Agencies and advocates for natural resources need to be elevated in the proposed governance structure to ensure that ecosystem restoration actually has coequal status under the BDCP.	Please see Master Response 31 and Final EIR/EIS Appendices 3I and 3J for information about compliance with the Delta Reform Act, and Master Response 5 regarding BDCP funding, governance structure and implementation.
693	7	Ecosystem restoration -- the plan is missing updated flow objectives, a key factor in the success of habitat restoration. The current proposal is to begin construction of a facility with a 9,000 cubic feet per second capacity before an updated determination is made of flows necessary to protect fisheries. The Delta Reform Act mandated completion some years ago of the new flow criteria. While recognizing that these flow criteria may not be considered pre-decisional with regard to consideration of permits, we stress that without them certain important decisions would be left to permittees-permittees whose primary goal is to deliver up to full contract amounts of export water, not to operate the facility to benefit habitat. As long-time advocates of placing limits on water that is exported through and around the Delta, we believe that proceeding with the preferred alternative before updated flow objective are established and implemented will not protect the Bay-Delta ecosystem.	As described in Section 3A.9.4.2 of Final EIR/EIS Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, a potential alternative based upon the State Water Resources Control Board 2010 Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem was considered during development of the range of alternatives to be evaluated in detail in the EIR/EIS. This potential alternative was not evaluated in detail because the flow recommendations in the 2010 report could not be achieved without adverse impacts to cold water management for fisheries in the Sacramento, Feather, and American rivers, and without reductions in non-SWP and non-CVP water rights diversions. The purpose and need of this EIR/EIS would not allow changes to these water rights users. In addition, the 2010 report stated that “Any process with regulatory or adjudicative effects must take place through the State Water Board’s water quality control planning, water rights processes, or public trust proceedings in conformance with applicable law. In the State Water Board’s development of Delta flow objectives with regulatory effect, it must ensure the reasonable protection of beneficial uses, which may entail balancing of competing beneficial uses of water, including municipal and industrial uses, agricultural uses, and other environmental uses.”
693	8	Water supply reliability -- more encouragement is needed for the state, local governments, and urban and agricultural end-users to conserve and improve efficiencies before resorting to dual tunnels under the Delta. We are concerned that construction of the dual tunnels, which represents a substantial investment by beneficiaries, will drastically reduce incentives for urban, agricultural, and other users to do all they can-through conservation, recycling, and development of regional water sources-to reduce reliance on the Bay-Delta freshwater flows. We acknowledge that both urban and agricultural districts have made strides in these areas.	The proposed project is just one element of the state’s long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. 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, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Final EIR/EIS Appendix 1C, Water Demand Management). These projects would also be

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		However, as long as it is easy to move water under the Delta, we see no discernible incentive for the permittees to put the same financial resources into conservation and recycling that they have invested in the BDCP preferred alternative. In acknowledging progress over the past two decades by the urban sector to recycle treated wastewaters, we understand that government leadership-including financial support from the federal, state and local levels-has been important in realizing accomplishments such as the Edward C. Little Water Recycling Facility in the south bay of Los Angeles County. We believe that there is significant additional potential to conserve water and improve water use efficiencies, and that state and local governments must take more action to achieve this potential. For example, in the urban sector, ramped-up efforts to establish a new landscape norm can significantly cut consumption. To reiterate, should efforts be concentrated on the large structural twin tunnels in the preferred alternative, we expect that valuable incentives to maximize conservation and opportunities to develop integrated regional water management planning for efficient water use will be lost.	considered for SWP and CVP water users under the alternatives that provide water supply reductions as compared to the Existing Conditions and the No Action Alternative due climate change/sea level rise and/or the preferred alternative. The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species — all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Action Water Plan please follow http://resources.ca.gov/california_water_action_plan/. Future committees for the Proposed Project implementation may provide future opportunities for innovative input as well. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. Follow the California Water Plan here: http://www.waterplan.water.ca.gov/. Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, Final EIR/EIS, describes the range of conveyance alternatives considered in the development of the EIR/EIS. Appendix 1B, Water Storage, Final EIR/EIS, describes the potential for additional water storage and Appendix 1C, Water Demand Management, Final EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. Please see Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management and Master Response 37 regarding water storage.
693	9	Finances -- the BDCP does not demonstrate that funding all elements - in particular, habitat restoration - will be realistically achieved. We have concerns about the proposed funding for ecosystem restoration over the 50-year life of the preferred alternative. A Habitat Conservation Plan (HCP) is required to identify funding for its implementation; funding must be sufficient for all proposed activities, and all financial contributors and planned allocation of funds must be identified. As we prepare these documents, there is no Implementing Agreement specifying these funding matters, and we will not see one in time for adequate public review before the close of the BDCP and draft EIR/EIS comment period. Initial state funding will largely come from two new water bonds, the first proposed for the 2014 statewide ballot. Federal funding is expected to come mostly from the same sources and authorizations used in the past to support Delta restoration efforts. New federal funding authorizations will also likely be needed to support the BDCP. (BDCP Executive Summary, p. 26) In raising our concerns regarding inadequate financing, we asked the Department of Water Resources (December 6, 2013) if construction of the preferred alternative could begin if voters do not approve the anticipated water bonds. The answer was that full funding for habitat restoration is not required before the water conveyance facility can be built and operated. Again, we find this aspect of the BCDP to be inadequate to ensure that the required goal of habitat restoration can be met.	Please see Master Response 5 regarding BDCP project funding. The preferred alternative, Alternative 4A, does not include an HCP/NCCP and has significantly less habitat restoration proposed. All costs of the proposed project will be paid for by the state and federal water contractors who rely on Delta exports.

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693	10	Governance -- agencies and advocates for natural resources need to be elevated in the proposed governance structure to ensure that ecosystem restoration actually has coequal status under the BDCP. Successful governance and the very best science are central to pursuit of the coequal goals of ecosystem restoration and water supply reliability. We believe the proposed governance system needs to be improved. The fishery agencies, other resource agencies, and non-agency parties impacted by the projects need to be elevated so that they have an equal voice in the top tier of the decision makers and the decision-making process regarding how the state and federal projects are operated and how habitat restoration projects are implemented.	Please see Master Response 5 for a discussion of the governance structure proposed in the 2013 public draft BDCP and a discussion of the feasibility of restoration targets. Note that the regulatory standard for the federal ESA authorizations is not recovery of the covered species. Please also see Master Response 33 for a discussion of the adequacy of the adaptive management program. The federal ESA standard is to "minimize and mitigate the impacts of the taking [of the covered species] to the maximum extent practicable." Only the state NCCP Act requires that applicants contribute to the recovery of the covered species. The preferred alternative, Alternative 4A, no longer includes an HCP. A detailed description of the Collaborative Science and Adaptive Management Program is included in Chapter 3, Description of Alternatives, of the Final EIR/EIS.
693	11	The adaptive management strategy needs to be more fully described. Experiments in tidal marsh and in-delta restoration, alternative fish screen designs, and other elements of any BDCP plan should have a proven record of success before any BDCP alternative goes forward. We do not believe these documents are adequate as a basis for issuing permits. The Endangered Species Act requires that a Habitat Conservation Plan contribute to the recovery of endangered and threatened species, and the California Fish and Game Code requires that a Natural Communities Conservation Plan assist in providing for the conservation of covered species. We are not persuaded that the BDCP can meet those requirements because of problems with the adaptive management strategy and governance.	See Response to Comment 693-10.
693	12	In summary, the League of Women Voters of California believes that, before construction of any large-scale infrastructure for the Bay-Delta, technical and financial resources must be made available to maximize statewide efforts for conservation, recycling, watershed management, regional water supply development, completion of delta habitat restoration already underway, and for any other measure that will reduce reliance on Bay-Delta exports now and in the future. Further, we recommend that the information generated by the current BDCP planning process be utilized by the Department of Water Resources to develop a Bay-Delta management regime that will fairly balance all the needs and uses of water resources in the state, without a bias toward the contractors for the State Water Project and the Central Valley Project.	See Response to Comment 693-8.
694	1	The enclosed comments are directed towards my opposition to the proposed Bay Delta Conservation Plan (BDCP). Re: Twin Tunnel Project. I will admit at this time I have not completely digested the $254 million 40,000-page document, but it proves one thing, that the consultants who drafted it are being well compensated.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
694	2	Historically, water diversions from the Sacramento-San Joaquin Delta Region have resulted in salt water intrusion into the system which has affected the economy, especially agribusiness, habitat and the loss of our fisheries. In 1952 the original water contracts were adopted which stated: (a) During wet years only excessive water may be conveyed out of the Delta.	The commenter does not raise any issues regarding the adequacy of the EIR/EIS or related documents.

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		(b) During dry years no water may be conveyed out of the Delta. These contracts are still in force today, but the terms have been violated continuously.	
694	3	Looking back at the construction of Friant Dam whereby the San Joaquin River was completely diverted to the southern part of the state and the destruction it caused on our salmon, steelhead fisheries and the Kesterson Wildlife Refuge Area due to high selenium levels. Now they want to do the same thing by diverting the Sacramento River through two 40' diameter pipelines. It seems that man would learn from his mistakes, but here we are heading once again in the wrong direction.	The commenter's opposition to the project is acknowledged.
694	4	Political influence is responsible for this huge water grab whereby Southern California water districts will benefit including the Kern County Water District, Westlands Water District and Paramount Farms. This is considered a political payback for their past contributions they have made to elect the past three governors amounting to six figures each. The old saying, "money goes where water flows."	Since 2006, the proposed has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of the proposed project is to make physical and operational improvements to the SWP system in the Delta necessary to restore and protect ecosystem health, water supplies of the SWP and CVP south of the Delta, and water quality within a stable regulatory framework, consistent with statutory and contractual obligations. 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. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project. Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the 2013 Public Draft BDCP EIR/EIS. A Draft BDCP Statewide Economic Impact Report has also been published, which indicates that the BDCP would result in a substantial economic net benefit to the State of California. Please see Master Response 5 for more information on costs and funding. The Proposed Project proposes to stabilize water supplies, and exports could only increase under certain circumstances in which hydrological conditions result in availability of sufficient water and ecological objectives are fully satisfied. It is projected that water deliveries from the federal and state water projects under the Proposed Project would be about the same as the average annual amount of water that would be diverted under the No Action Alternative (i.e. 2025 conditions without the Proposed Project). It is projected that Delta exports from the federal and state water projects would either remain similar or increase in wetter years and decrease in drier years under Alternative 4A as compared to exports under No Action Alternative (ELT) depending on the capability to divert water at the north Delta intakes during winter and spring months. The estimated changes in deliveries for 4A are provided in the RDEIR/SDEIS 4.3.1 and Appendix A Chapter 5 Water Supply. Although exports under the Proposed Project would be similar to the amount water exported in recent history, it would make the deliveries more predictable and reliable, while reducing other stressors on the ecological functions of the Delta.
694	5	My only hope is that the National Marine Fisheries Service takes into consideration that the Sacramento River draws a vast majority of our remaining anadromous fisheries including: green sturgeon, white sturgeon, salmon, steelhead, striped bass and American shad for the propagation of their species. There is very little spawning activity on the San Joaquin River due to poor water quality. In conclusion, I am 77 years old and have spent my entire life out on the Delta waterways where I have observed over the years the loss of habitat and populations of	Numerous comments were received that focused on various elements of the BDCP. 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. 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. The EIR/EIS analyzes all alternatives, including Alternative 4A. The effects of the

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		our fisheries.	preferred alternative, 4A, on fish that use the Sacramento River are described in Chapter 11. Additionally, NMFS and DFW are evaluating the project under ESA and no NEPA or CEQA decision will be made until the ESA consultation is complete.
694	6	The big question is, do we continue to put the largest inland estuary in the western hemisphere in jeopardy or do we make the necessary decisions to bring it back to a healthy viable restoration plan for the enjoyment of future generations? We will never achieve this by adopting this boon doggle. I submit these concerns and comments for your consideration during the review with these thoughts, If you are not part of the solution you can certainly be part of the problem.	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS documentation were raised. The proposed project was developed to meet the rigorous standards of the federal and state ESAs, and as such the proposed project is intended to be environmentally beneficial. 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. The environmental documentation and project approval will be acted upon by the decision makers from each lead agency at the conclusion of the CEQA and NEPA processes.
694	7	[ATT 1: Political cartoon of BDCP]	The comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
695	1	The Bay Delta Conservation Plan that the State proposes ignores the Latin community. One of the things that surprised me when I looked for information about it is that they are expecting public comments on the BDCP report in Spanish, but there is no translation. Apparently, they had conferences where they talked about the impacts of the plan, but it was in English, and they were announced in neither the local news nor other Latino organizations.	The Federal Lead Agencies have fully complied with Executive Order 12898. Notably, there is no mandate to "Each Federal agency may, whenever practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English speaking populations." Rather, such translation is optional, and subject to the pertinent federal agency's sense of whether translation if "practicable and appropriate." The California Legislature's intention in enacting the Dymally-Alatorre Bilingual Services Act was to assist "persons who live, work and pay taxes" in the State to more easily obtain information about "public services" available to them. (Cal. Gov. Code, § 7291, italics added.) Within the Act, section 9295.2 applies to State agencies. Notably, that statute states that "[t]his section shall not be interpreted to require verbatim translations of any materials provided in English by a state agency." (Italics added.) This qualification is consistent with Article 3, section 6, of the California Constitution, which makes English the official language of the State of California. Thus, the Dymally-Alatorre Bilingual Services Act is not intended to apply to environmental impact reports prepared pursuant to CEQA; and even if it were so intended, the Act would not require verbatim translations of the BDCP and related documents. Here, due to the sheer size of the BDCP and the EIR/EIS for the BDCP, translation of the entirety of these documents was impractical and therefore inappropriate. Even so, BDCP and EIR/EIS Fact Sheets were translated into Spanish, Hmong, Cambodian, Tagalog, Chinese (Mandarin), and Vietnamese. Translated fact sheets were posted to the website and hard copies were provided upon request. Additionally, a multilingual toll-free phone line has been established for questions about the BDCP, which includes information in Spanish, Tagalog, Vietnamese and Chinese (Mandarin) in addition to English (based on Census data) as well as Hmong and Cambodian (based on requests). For more information about the work that has been done to make information available to non-English speaking communities, please see Master Response 27. For more information regarding public outreach efforts please see Master Response 40.
695	2	Probably the most alarming is that the nature of the twin tunnels will affect the lifestyles of many families, including mine, in the Delta region, and I would like to know more details. The commenting period, according to this, ends this June and I do not have access to the necessary information in order to give a good comment and read with	For more information regarding the public review period duration please see Master Response 39. For more information regarding public outreach efforts please see Master Response 40. For information on

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		precaution. It is unjust for them to impose such a massive plan as this one without informing the Latin community that has a very long history with the Delta. Our restaurant depends on fresh products, and on the community of Stockton, the biggest community in the Delta. This plan threatens our business and family. I need more information.	environmental justice please see Master Response 27.
699	1	First, establish the minimum amount of water necessary from the Sacramento River and other tributaries to maintain the health of San Francisco Bay and Delta. A baseline of the amount required will then determine how much excess water can be budgeted to other water users, including the proposed new water intake and two tunnels. Determining a water baseline should be the main factor in designing the size of the new water intake and tunnels, as it may be evident the current design could be scaled back. Any amount of water in excess of the baseline would be available to the new plan.	The action alternatives could only change the amount of water diverted under the existing SWP and CVP water rights and the existing and future related regulatory requirements. Reservoir operations and diversions by the SWP and CVP are regulated by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife to protect aquatic resources and other beneficial uses. The amount of water to be diverted is determined by these agencies based upon river water levels and flow, water available in the system, the presence of threatened and endangered fish species, and water quality standards. More information on the ranges of project water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Section 3.6.4.2, North Delta and South Delta Water Conveyance Operational Criteria, EIR/EIS.
699	2	Understanding how much water from the Sacramento River can be budgeted to the water districts paying for the tunnels is paramount in designing the scope of the project. I believe the main water priority is to maintain the health of SF bay and delta, the environment it creates, and the viability of local agriculture. It is the responsibility of our government to see the San Francisco Bay and Delta are not destroyed because too much water is diverted elsewhere. Can the bay and Delta really afford the capability of such a large diversion proposal?	The State Water Resources Control Board regulates water diversions, including diversions for action alternatives, based upon water rights and water quality standards to support beneficial uses within the requirements of Federal and State regulation, as described in Section 5.2.2.2 of Chapter 5, Water Supply, and Section 8.3.2 of Chapter 8, Water Quality, of the EIR/EIS. The beneficial uses in the Delta established by the State Water Resources Control Board include municipal, domestic, industrial, and agricultural water supplies; groundwater recharge; navigation; recreation; warm water and cold water freshwater habitat; shellfish harvesting; and estuarine habitat.
699	3	If decisions regarding the scope of the plan and the amount of water desired by the plan supporters is not reconciled with the a baseline water amount, the San Francisco Bay and Delta and the Sacramento river will be at risk of becoming a lost resource. It is unacceptable to allow the loss of Sacramento River water to the extent that has happened to the former San Joaquin River which no longer flows to the bay due to diversions.	Operation of the water delivery system could not drain the Delta rivers and channels dry, including the Sacramento River. The project facilities, including water intakes and pumping plants would be operated in accordance with permits issued by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife. The project only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. More information on the ranges of project water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Section 3.6.4.2, North Delta and South Delta Water Conveyance Operational Criteria, EIR/EIS. Current limitations and operational criteria for existing facilities can be found in DWR's State Water Resources Control Board Permit D1641 (see http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/decision_1641/index.shtml) and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits (see http://www.usbr.gov/mp/cvo/ocap_page.html).