



October 30, 2015

BDCP/WaterFix Comments
P.O. Box 1919
Sacramento, CA 95812

The Honorable John Laird, Secretary
California Natural Resource Agency
1416 Ninth Street, Suite 1311
Sacramento, CA. 95814

Michael Tucker
National Marine Fisheries Service
Delta Policy and Restoration Branch
650 Capitol Avenue, Suite 5-100
Sacramento, CA. 95814

The Honorable Sally Jewell, Secretary
U.S Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

**FLORIN RESOURCE CONSERVATION DISTRICT COMMENTS ON THE BAY DELTA
CONSERVATION PLAN/CALIFORNIA WATERFIX PARTIALLY RECIRCULATED DRAFT
ENVIRONMENTAL IMPACT REPORT/SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT
STATEMENT (RDEIR/SDEIS)**

Dear Secretaries Jewell and Laird, Mr. Tucker, and BDCP Staff:

The Florin Resource Conservation District (FRCD) hereby provides the following comments on the Bay Delta Conservation Plan/California Water Fix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). These comments focus on the RDEIR/SDEIS and the proposed California WaterFix project (Project) in general.

The Florin Resource Conservation District was formed in 1954 and provides resource conservation services to an area of approximately 151 square miles within Sacramento County. The FRCD also manages the Elk Grove Water District (EGWD), which provides retail water service to approximately 43,000 residents within the City of Elk Grove. The FRCD will be directly affected by the project and it should be noted that two of the intakes, notably in Alternative 4A, are within the jurisdictional boundary of the FRCD.

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FLORIN RESOURCE CONSERVATION DISTRICT COMMENTS ON THE BAY DELTA CONSERVATION PLAN/CALIFORNIA WATERFIX PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT/SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT (RDEIR/SDEIS)

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In general, the FRCD is deeply concerned about the anticipated negative impacts on the economy, ecology, and overall quality of life that this Project will have on the Delta. The Delta is not only the hub of California's water system, but is a region of the State that has tremendous cultural heritage and economic value to California. The proposed Project threatens these virtues and its short and long-term effects could be devastating. Unfortunately, the original DEIR/EIS and the new RDEIR/SEIS are so massive and complicated, it is difficult to gage the extent of these effects and how devastating they actually will be.

The FRCD is also deeply concerned about the anticipated impairment of Delta water quality and the effects on upstream water agencies that could directly affect the EGWD and the Sacramento Region. The water quality impacts in particular threaten aquatic habitat, municipal drinking water supplies, and farming operations in the Delta. It is obvious that this Project is intended to satisfy the thirst in the southern portions of the State at the detriment of the Delta and Northern California, and from a public policy standpoint, this is fundamentally wrong.

Understandably, when the initial Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS) was circulated, thousands of comments were made and these were mostly ignored. We expect thousands more to once again be submitted and this alone should send a clear signal that the Project is fatally flawed. Unfortunately, many agencies, such as the FRCD, do not have the financial strength to dissect this entire document and to counter various technical claims made by its authors. In this regard, the comments tendered by the FRCD focus on obvious deficiencies; we are frightened by what we have not learned as many issues are clouded and obscured in the 8,971 pages, including its attachments and technical reports.

Our further specific comments are as follows:

1. The RDEIR/SDEIS and the California WaterFix does not comply with the Delta Plan

The Delta Plan was prepared by the Delta Stewardship Council pursuant to the 2009 Delta Reform Act. This plan was adopted by the Council only two years ago and its fourteen policies are legally enforceable.

The cornerstone of the Delta Plan is that any Delta solution going forward must meet "Co-equal Goals." The original DEIR/EIS for this project included means to improve habitat conservation, which now has been completely removed and designated as a separate project called California EcoRestore. This is unacceptable.

Obviously, California WaterFix has been intentionally relieved of the burden of habitat restoration and this is a blatant attempt to simply ram the project through the requisite State and Federal permitting process. To ignore this fundamental building block of a Delta solution violates the State and Federal Government's credibility and instills distrust with anyone attempting to accept the findings of the RDEIR/SEIS.

The Delta Plan Policy WR P1 also requires that a Delta solution be intended to reduce reliance

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on the Delta as a water source. California WaterFix, and specifically Alternative 4A in the RDEIR/SEIS, will actually do the opposite. The proposed Project is fundamentally intended to increase the reliability of Delta exports; therefore, it is obvious that the Delta exporters will become more reliant on these deliveries, not less.

2. The RDEIR/SDEIE fails to describe the negative impacts associated with the Project

- a. Alternative 4A (preferred alternative) includes three intakes on the Sacramento River, two 40-foot tunnels approximately 35 miles long, modifications to the Clifton Court Forebay and numerous other appurtenances. The stated diversion capacity of this Project is 9,000 cfs. However, it is our understanding that the tunnels are actually sized to divert 15,000 cfs. If this is true, this once again mars the credibility of the authors and this entire document.
- b. All analyses of alternatives (including 4A) fail to predict the impacts to water quality as it affects municipal drinking water supplies. This notably affects Sacramento County, East Bay Municipal Utilities District, and the City of Stockton. Impacts to water quality, notably higher salinity levels or increases in total organic carbons, have the potential to threaten the drinking water supply to well over a million California residents. Of course, this diversion of water may improve the water quality delivered to Southern California but may do so at the expense of Northern California. Again, this is bad public policy.
- c. The analysis of alternatives fail to predict the impact to water quality as it affects farming and other economic operations in the Delta. Increased salinity levels brought about due to the change in diversion location could negatively affect the crops grown in the Delta and this would lead to significant economic harm and impact on the quality of life within the Delta.
- d. The analysis of alternatives fail to adequately predict fishery impacts, including those to winter-run salmon in the Sacramento River. This Project is certain to cause elevations in salinity, temperature, and turbidity in sections of the Sacramento River, and the Delta, resulting in migrational and spawning interference, and general destruction of aquatic habitat. It should be noted that the modelling used to support the RDEIR/SEIS tends to indicate that these problems will not occur, however this modelling is flawed.

Also, considering that the hydrodynamics are tidally affected at the intake locations, sucking 9,000 cfs out of the river at intakes in close proximity will effectively create a hole in the river and no doubt affect the fish in their ability to sense direction. The operational plan contained in the RDEIR/SEIS fails to propose adequate mitigation in this regard and this would lead to violation of laws that protect endangered species.

- e. The analysis alternatives fail to predict effects on Northern California water agencies and

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users that may need to offset Delta water quality impacts through upstream storage releases. This is of particular concern to the Sacramento water agencies and the associated operations of the Folsom Reservoir. In this regard, there is insufficient evidence to conclude that the project will not injure other legal users of water, including those with area of origin water rights.

Lastly, the revised Chapter 31 in Appendix A still shows 50 significant and unavoidable impacts from California WaterFix. How this number of significant and unavoidable impacts (which are not debated) could be justifiably overridden by an administrative decision is unconscionable. This alone, notwithstanding our concerns above and those which are likely to be submitted by others, ought to demonstrate that California WaterFix and the associated RDEIR/SEIS is not a project beneficial to California and should not be approved.

Thank you for allowing the Florin Resource Conservation District to tender our comments and concerns.



MARK J. MADISON, P.E.
GENERAL MANAGER, FLORIN RESOURCE CONSERVATION DISTRICT

MJM/BK:sp

From: Cindy Robertson <CRobertson@egwd.org>
Sent: Friday, October 30, 2015 1:21 PM
To: BDCPcomments
Cc: Mark Madison
Subject: Florin Resource Conservation District Bay Delta Conservation Plan/California WaterFix Comments
Attachments: Bay Delta Conservation Plan Letter.pdf

To whom it may concern,

Attached is the Florin Resource Conservation District comments on the Bay Delta Conservation Plan/California WaterFix partially recirculated draft environmental impact report/supplemental draft environmental impact statement (RDEIR/SDEIS).

Kind Regards,

Cindy Robertson
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DON L. HANKINS, PH.D.
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29 October 2015

BDCP/California WaterFix Comments
P.O. Box 1919
Sacramento, CA 95812

To Whom It May Concern:

These comments are provided in response to the 2015 Public Review of the RDEIR/SDEIS, hereafter document. It is unfortunate that the length of this document and BDCP are prohibitive for the public to adequately review and provide comments within the established timeframe. It is impossible for a citizen to adequately read through such voluminous text and analysis with the ability to give thorough critical feedback within the allocated review period.

As expressed in previous comments on the BDCP the document provides little evidence that the new alternatives will provide a long-term solution to address water consumption and environmental needs. Specifically, the proposed actions further the short-sighted nature of public policy and environmental management dating back to the beginning of the State of California. The plan fails to address the fact that California's water infrastructure is decrepit and vulnerable due to poor policy and land use decisions (e.g., subsidence in the San Joaquin Valley has compromised SWP and CVP canals). Construction of the proposed tunnels will sell short the opportunities for a real solution to balancing water and environmental concerns in the Delta, and will rob future generations the right to inherit a world in as good or better condition than nature intended. Where are the real solutions that seek to meet sustainable demands on water through water recycling, building design focused on rainwater capture, smart land use planning, arid agricultural land retirement, water policy reform, and ecological restoration focused on intervention actions? While politically these may not be popular, one thing we have seen through the current drought is a willingness to be innovative beyond a mentality that California's water supply is linked solely to an outdated Central Valley Project and State Water Project concept. The document and BDCP fail to recognize the holistic view of the Delta beginning at the sources, which feed into it. The Delta is part of a landscape from summit to sea, and the problems within the Delta are not exclusive to its legal boundary.

1-3 It is alarming that such a limited proportion of the state's population provided comments given the significance of the project to the people and environment.

1-4 NMFS and FWS also need to uphold their Trust responsibilities to Tribes pursuant to PL-93-638. Furthermore, there is no mention of PL 93-638 and other trust responsibilities for federal agencies. Further there is no discussion of CDFG Code 16000, which supports Tribal interests in Trust resources.

1-7 In no way is a created system that is by no means complementary to nature's design sustainable.

1-10 Delta Ecosystem Health and Productivity. Herein lies the problem. The ecosystem cannot exist without a dynamic system. And under this plan there is no intent to restore anything, but where is that stated?

1-11 In acknowledging the influx of sea water, how will locating the tunnels in their planned location alleviate this, and what will further sea level rise (realistically, not to what is modeled here) do to exacerbate this?

1-13 The Endangered Species Act also states that federal agencies should use their authority to recover species. How is BOR contributing to recovery when they are operating a system that runs counter to nature?

1-35 Additional Discussion of Climate Change. It is important to note that the assumptions do not adequately account for sea level rise and other attributes of climate change. The plan does nothing to consider how to make the Delta resilient to climate change. In pre-European times the Delta was dynamic and resilient. It has undergone sea level rise until levees were built.

2-14 Continued reliance on water from the Delta without significant and meaningful restoration to resiliency regardless of the alternative will continue to strain the ecosystem. The human-caused adverse changes to the Delta and contributing watersheds that will perpetuate as a direct, indirect and cumulative impact are thus not less than significant.

2-17 In consideration of emissions, where is the analysis of the growth inducing impacts associated with conveyance of Delta waters. Really the analysis here is global in scope considering the export of commodities.

3-2 Construction of pumping facilities and other modifications to Clifton Court Forebay. It is highly likely any proposed actions in this area will impact traditional cultural properties. Certainly the areas identified for the pumping plant have been used for collection of cultural resources used to make baskets and regalia as well as other cultural purposes. Amongst some of the resources known to be collected from this area are yellow willow, sandbar willow, stinging nettle, creeping wild rye, California hibiscus, dogbane, and many others. As such, the use of this area for this purpose designates it a traditional cultural property. Additionally, numerous species of culturally important fish and wildlife are known from this area. The document and BDCP fail to adequately address the specific impacts to these species of cultural significance not limited to the areas near Clifton Court Forebay. Impacts to these areas would adversely affect the traditional cultural property. Pursuant to PL-93-638 BOR is required to uphold its Tribal trust responsibilities.

Where and what is the footprint of this site on Granville Tract?

Figure 3.2-1 What are the power sources? This project should include development of its own sustainable power. Elsewhere solar panels have been placed over canals to provide power while also minimizing evaporation. Clearly this should be considered here.

3-9 Cultural resources does not address traditional cultural properties or traditional cultural landscapes. It is recommended that the project proponents provide funding to appropriate traditional cultural practitioners of this region to complete a study of these features.

4.1-1 The reduction in mitigation is not providing any benefits to the functions and services the Delta provides. This seems to be cutting corners to get the tunnels built while punting the issue of fish, wildlife and plants off to another plan. Any lands set aside for mitigation should be placed in trust to a Tribal organization whose members have ancestral ties to the Delta.

4.1-2 The intakes are still located within the current range of tidal flux and seawater intrusion. The plan only accounts for a conservative model for sea-level rise and subsequent seawater intrusion. How is this solving any water problem. The models should use the worst case scenario. Further, the planning is short-sighted with respect to the time period of analysis. The CVP has existed for longer than this plan is considering. Removing restoration from this plan and deferring to California EcoRestore is piecemeal. California EcoRestore is not adding much new to the region that doesn't already exist. Many of these areas are already protected, and the agencies managing them have limited success in fulfilling their Trust obligations to restore these lands and fund management thereof. California EcoRestore proposes only 30,000 acres of restoration/enhancement whereas BDCP initially proposed approximately 65,000 acres. Less is not more for a functional ecosystem.

4.1-4 see comment for 3-2

4.1-5 How is it that an HCP is not required under the new alternatives, but is necessary under the other alternatives? This needs to be explained.

4.1-7 (Table 4.1-2) While CFS is good for understanding hydrology and fisheries needs, the layperson would benefit from knowing what percent of flow and what the equivalent acre feet allocation would be under these scenarios.

4.1-15 Deferring the conservation actions to other requirements and initiatives described is piecemeal.

4.1-20 Do not burden existing resources with the responsibility to monitor the outcomes of this project. Funding to monitor and manage in perpetuity needs to be provided by the project proponents through other sources. Who would be involved in collaborative science. The term suggests only like-minded individuals and organizations would be involved.

4.1-38 The list of species is too limited, and this was a problem in the BDCP too. Where is the consideration of species impacted via direct, indirect and cumulative impacts. The list of species impacted by the CVP is more comprehensive.

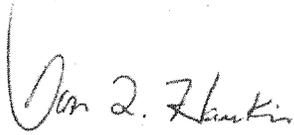
4.2-12 Effects on sea level change Section 6.3.1.1 could not be found.

Fig 28-1 Percent minority. This map illustrates census block data. Further analysis needs to be completed to document how the proposed alternatives impact this landscape from a Native American perspective. The point is that California lacks treaties ceding this land, waters and "resources" to the Federal, state and local governments. Thus, these lands are all within Tribal jurisdiction, and as such this project poses a significant environmental justice issue. In fact, this is a traditional cultural landscape, which has yet to be analyzed by the project proponents. In review of Fig 4.1-1 there are several areas of impacts identified for tunnel material placement or forebays, which are culturally significant or have culturally significant properties.

As a Miwko? (Plains Miwok) traditional cultural practitioner, the proposed project, regardless of alternatives selected is offensive to the environment, culture and metaphysical attributes of this region, which I still uphold the responsibility to steward. In light of this I ran a scenario to evaluate the effects of the overarching intents of the proposed action to assess impacts to the environment, cultural wellbeing, social wellbeing, and economic wellbeing of this region using the Mauri-o-meter <http://maurimeter.com/>; the output of this model suggests the construction of the associated infrastructure and restoration actions will continue to negatively impact the four parameters described. Thus, in no way will any of the proposed alternatives lead to a better Delta for future generations to enjoy. However, I am currently working with the California Indian Water Commission and others to develop alternative models for a resilient Delta and water solutions, and hope the project proponents would be open to additional project alternatives that may come from this initiative.

In closing I still support the no action alternative, and hope the project proponents will develop a meaningful plan to restore resiliency to the Delta and surrounding landscape.

Sincerely,

A handwritten signature in black ink that reads "Don L. Hankins". The signature is written in a cursive style with a large initial "D".

Don L. Hankins, Ph.D.

Cc: Gerald Jones, BIA
Amy Dutschke, BIA
Randy Yonemura, California Indian Water Commission
Rep. John Garamendi

RECIRC 2584

From: Don Hankins <don_hankins@sbcglobal.net>
Sent: Friday, October 30, 2015 2:19 PM
To: BDCPcomments
Subject: Comment letter
Attachments: 3343_001.pdf; ATT00001.txt

Attached are comments on the plan revisions.



SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

October 27th, 2015

BDCP/ WaterFix Comments

P.O. Box 1919

Sacramento, CA 95812

Dear: Secretary Laird:

The San Joaquin Farm Bureau Federation (SJFB) is a private, not for profit, volunteer based organization that is committed to the growth and development of the agricultural industry in the San Joaquin and Delta region since 1914. We are the largest agricultural organization in the county, currently working on behalf of over 3,800 members to find solutions to the unique issues that local farmers face every day. We appreciate the opportunity to comment on the recirculated Draft EIR/EIS for the conveyance project now known as the California WaterFix, formerly the BDCP.

Our detailed comments can be find attached on behalf of all of five of the Delta County Farm Bureaus. Our specific concerns are as follows:

I. The Project Is Inconsistent With The Delta Reform Act

The Delta Reform Act of 2009 established the co-equal goals of water supply reliability and ecosystem restoration and conditioned their achievement on protection and enhancement of Delta resources to include agriculture. Section 29702 (a) states that "The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resources and agricultural values of the Delta as an evolving place." The Delta Reform act also created the Delta Stewardship Council and directed it to develop the Delta Plan. Chapter 5 of the Delta Plan establishes policies and goals to protect Delta agricultural resources (Delta Plan: Pages 183 and 192-198).

The Delta Reform Act of 2009 as explained in Water Code §85021, requires that reliance on the Delta in meeting California's future water needs be reduced. Because this is very large infrastructure project, it is reasonable to assume that if it is built, it would operate in the future. Therefore, the WaterFix should demonstrate that it reduces reliance on the Delta through strategies such as regional self-reliance, local and regional water supply projects, and other strategies, however, none of these are discussed in the preferred Alternative 4A. On the contrary, the WaterFix seems to increase rather than reduce dependence on the Delta as a source of future water. The document fails to address the operational concerns of those within the Delta and offers no concrete operational criteria that is consistent with prevailing California water law and issues of priority. We must see a determination of consistency for every implicated water law and policy consideration. "Adaptive management" for future determination is not sufficient

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to provide interested parties with enough facts regarding the impacts to flow and water quality to make informed comments.

II. Unmitigated Loss Of Agricultural Land

The construction and operation of the project will remove an untold amount of prime farmland from production within the statutory Delta. The San Joaquin County General Plan recognizes the importance of both protecting the Delta and the importance of preserving agricultural land and county code strictly enforces 1:1 mitigation for the loss of agricultural land. The mitigation strategy identified in Alternative 4A is to develop an Agricultural Land Stewardship Plan (ALSP).

The ALSP mitigation is inadequate because it is not defined, and therefore, is not feasible. It is not enforceable nor is it funded. Mitigation as proposed in the RDEIR that is discretionary, deferred, unfunded, not enforceable, ungoverned or where feasibility has not been determined, is per se inadequate.

We are concerned that before comments have been closed on Alternative 4A, the state has moved forward in seeking a permit from the Army Corps of Engineers to store the "reusable tunnel material" without identifying the impacts that will have on the land, soil quality, or possible degradation of water quality.

III. The Degradation of Water Quality Will Lead To Agricultural Losses Within The Delta

The Delta relies on two rivers, the Sacramento River and the San Joaquin River to supply the fresh water necessary to repel salt intrusion into the vast agricultural landscape. The intake on the Sacramento River that will divert fresh water into an isolated conveyance system will undoubtedly affect the salinity of the Delta and lead to significant downstream water quality impacts.

This impact is not adequately analyzed with respect to its effect on agricultural resources.

We are concerned that construction impacts are considered "short term impacts" for which the RDEIR offers no mitigation. The construction of a project of this size will undoubtedly be a lengthy process and the impacts of the short term construction will lead to long term impacts on Delta agriculture, particularly where water quality is concerned. The construction impacts of the WaterFix remain unmitigated and will have lasting impacts on Delta farms.

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Conclusion

In San Joaquin County, agriculture is a \$3 billion dollar industry that strengthens our community by providing employment and a reliable tax base. Farms in the Delta are among some of the oldest in the area, with many families that have been on the land for more than five generations. Over the last two decades, as water exports from the Delta have increased, our farmers have been left with unfulfilled promises of water quality standards that are routinely violated that have led to increased salinity in the water and ever increasing salt buildup in some of the most productive soil in the world. The San Joaquin Farm Bureau sincerely believes that California has a significant water supply deficit, not a conveyance issue. The historical policies that just move water to one area of the state at the expense of another are not sustainable over the long term and do nothing to address the deficiency of overall water supply. There are better, more affordable projects to enhance the available water supply in California such as north of the Delta fresh water storage projects and desalination that enhances regional self reliance. Neither of these key elements is included in the RDEIR for the California WaterFix. The San Joaquin Farm Bureau Federation remains committed to protecting the family farms in the Delta and will continue to advocate that any project in the Delta is in accordance with the Delta Reform Act of 2009.

We wish to express our appreciation for your consideration of our comments and concerns as they relate to the RDEIR for the California WaterFix and the attached comments on behalf of all five Delta County Farm Bureaus.

Sincerely,



President

The Delta Caucus is comprised of the five Delta County Farm Bureaus; Contra Costa, Sacramento, San Joaquin, Solano and Yolo. The five Delta Counties joined to form the Delta Caucus to protect and promote the viability and sustainability of Delta agriculture. On June 1, 2014, we submitted comments to the BDCP DEIR and have attached them to this letter for reference and inclusion as they relate to the RDEIR and California Water Fix.

Our prior comments focused on the tremendous damage that the BDCP would inflict on Delta Agriculture. The revised alternative 4 described in the Recirculated Draft makes minor changes to the BDCP preferred alternative 4 but does not result in any significant reduction in negative impacts to Delta agriculture. The new alternatives 4A, 2D, and 5A eliminate negative impacts to Delta agriculture associated with the conversion of and restrictions on Delta agricultural caused by implementation of BDCP Conservation Measures 2-21. However, new alternatives 4A, 2D, and 5A will still inflict substantial negative impacts on Delta agricultural resources.

As in our prior comments, we will focus on the following:

1. Consistency of the California Water Fix with laws and regulations protecting Delta agricultural resources;
2. Collective negative impacts of California Water Fix on Delta agriculture;
3. Unidentified/minimized impacts;
4. Analysis of proposed mitigation;
5. And inadequate study of alternatives.

Consistency with laws and regulations protecting Delta agricultural resources

New alternatives described in the RDEIR remain inconsistent with County General Plans, the Land and Resource Management Plan and the Delta Economic Sustainability Plan of the Delta Protection Commission and with the Delta Stewardship Council's Delta Plan.

The Delta Reform Act, § 29702 states that "The coequal goals **shall** be achieved in a manner that protects and enhances the unique cultural, recreational, natural resources and agriculture as an evolving place." The new alternatives described in the RDEIR not only do not achieve the co-equal goals as defined in the Delta Reform Act of 2009, but also do major damage to agricultural resources of the Delta by:

1. converting agricultural lands to industrial uses;
2. disrupting agricultural operations during construction;
3. damaging agricultural infrastructure;
4. and changing flow patterns downstream of diversion sites.

The California Water Fix and the new alternatives 4A, 2D and 5A will violate plans and laws enacted to protect agricultural resources in the Delta.

As pointed out on page 11 of the California Department of Water Resources (DWR) permit (33 C.F.R. 325) application to the Army Corps of Engineer submitted on August 24, 2015, "Changes in water inflow and outflow throughout the Delta affect the water quality within the Delta, particularly with regard to salinity. It has been estimated that seawater is pushing 3 to 15 miles farther inland since development began in the Delta over 159 years ago (Contra Costa Water District 6 2010)." Figure 7b of the Delta Vision Report details a steep decline in Delta outflow from 81% of unimpaired flow during 1930-1949 to 48% of unimpaired flow during 1990-2005. During the same time period State Water Project (SWP) and Central Valley Project (CVP) exports (not including Contra Costa Water District diversions) went from 0 to 17% of unimpaired flow and in-Delta watershed diversions (before reaching the Delta) increased from 14% to 31% (some of these are exported from the Delta watershed). It is not surprising that water quality in the Delta and the San Francisco Bay has been severely impacted.

The importance of protecting water quality in the Delta has resulted in plans, decisions and contracts establishing water quality and flow standards. The SWP and CVP are responsible for achieving both flow and salinity standards. DWR is responsible for maintaining standards of the North Delta Water Agency Contract.

Implementation of the preferred alternative 4 as described in the Draft BDCP, would result in reduced Delta outflow, increased seawater intrusion and frequent violations of water quality standards as described in the United States Environmental Protection Commission comment letter dated August 26, 2015.

The Delta Water Fix RDEIR claims that water quality impacts have been reduced to less than significant by removing Conservation measures 2-21 even though it is expected that some of the restoration and conservation activities will still occur under California EcoRestore and by making other adjustments to the models which were used for the BDCP. As pointed out in comments submitted by MBK Engineers and Dan Steiner, the BDCP model provides "very limited useful information to understand the effects of the BDCP." The modeling used in the California Water Fix RDEIR is not reliable as acknowledged on page 2-10 lines 13-15 of the RDEIR, "Finally understanding the uncertainties and limitations in modeling...." The very optimistic and unsubstantiated conclusion on RDEIR page 2-10 lines 25-27 is "Thus, it is likely that some objective exceedances simulated in the modeling would not occur under the real time monitoring and operational paradigm that will be in place to prevent such exceedances." Project proponents continue to assert the California Water Fix will be operated in accordance with biological opinions and D-1641 and therefore current conditions in the Delta will be maintained and significant impacts will be avoided. However, the current water quality conditions required by the Biological Opinions and D-1641 were developed to address impacts created by the current export facilities and do not account for changes in operation by the California Water Fix. Because the California Water Fix will change flow and water quality in and through the Delta, the impacts need to be understood and clearly articulated. Instead the RDEIR relies on inaccurate modeling of BDCP and assumptions to conclude that impacts to water quality will be less than significant.

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The BDCP DEIR and the California Water Fix RDEIR fail to address consistency with the State Plan of Flood Control as required by Water Code Section 85320 (b)(2)(E) which requires that BDCP studies include "the potential effects on Sacramento River and San Joaquin River flood management." The BDCP DEIR and California Water Fix RDEIR rely on inadequacies of Delta levees as a primary reason for building the twin tunnels, yet California Water Fix will rely heavily on dual conveyance (through Delta and North Delta Diversion) and levees will perform a key role in project performance. Levee inadequacies as detailed in the BDCP DEIR and California Water Fix RDEIR are not addressed and therefore the project and the RDEIR are incomplete.

Collective Negative Impacts of the California Water Fix on Delta Agricultural Resources

With the exception of the reduced impacts resulting from removing BDCP conservation measures 2-21 and the questionable reclassification of some impacts from significant and unavoidable to less than significant, not much has changed from our previous comments. The California Water Fix will have tremendous negative unmitigated impacts on Delta agricultural resources. So called short term impacts will result in an irreparable, permanent loss of agricultural resources, irrigation water of sufficient quality to some of the strongest priority users will be impaired, productive and diverse agricultural land will lie fallow, businesses that depend on agriculture will close, and agriculture employment will decline. While some of these collective impacts are recognized and discussed in Section 5.2.1.10 of the RDEIR, there is no effort to quantify or reduce the combined impacts and proposed mitigation such as a developing an Agricultural Land Stewardship Plan (please see our comments regarding the proposed Agricultural Land Stewardship Plan in our June 1, 2014 comment letter) is inadequate and the combined negative impacts remain significant and unavoidable. In fact, all four agricultural impacts (AG1-4 RDEIR pages ES82-83) affecting agricultural resources are recognized as significant and unavoidable. In addition on pages ES 88-90 19 potential impacts to the Delta economy are recognized are found to be less than significant for 1 and no impact for the remaining 18. This lack of regard for agricultural resources and the Delta economy will result in economic devastation and will destroy the viability, sustainability and resiliency of the Delta economy, its businesses, communities and livelihood of its residents.

Unidentified Impacts

Even though some of the unidentified impacts identified in our previous comments to the BDCP DEIR/EIS have been resolved, the California Water Fix RDEIR is incomplete because it has not recognized, analyzed and mitigated for unidentified impacts 1-4, 6, 9, and 10 as stated in our comment letter dated June 1, 2014.

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Water quality impacts as presented in the California Water Fix RDEIR are inadequate and incomplete. Without meaningful and accurate analysis of how the California Water Fix will change flow and water quality throughout the Delta conclusions that water quality impacts are less than significant are unsubstantiated. Water flow and quality analysis should also include expected actions in the Yolo Bypass as required under the Biological Opinions and California EcoRestore.

According to DWR's application to the Army Corps of engineers dated August 24, 2015, 2,099,259 cubic yards of tunnel muck will be generated during construction of California Water fix (page 12). The tunnel muck (now called reusable tunnel material-RTM) will be stacked from 6-15 feet high (page 6) in 11 disposal sites (page 4). DWR indicates that, if feasible, the tunnel material will be used during construction of various habitat restoration efforts (page 6). There is no provision for permanently storing or disposal of tunnel muck if reuse is infeasible. In the California Water Fix RDEIR tunnel muck is recognized as a potential problem, but the magnitude of the impact is minimized by assuming the material can be reused and by not providing analysis and provisions in the event that it cannot. The claim made in the DEIR page D.3-98 lines 10-11 that less than 1% of the tunnel muck will not be suitable for reuse is unsubstantiated and is contradicted by designing storage areas for either permanent or temporary storage. Page D3-96 lines 25-26 indicates temporary storage areas will be designed for RTM while lines 30-31 say that material will be temporarily or permanently stored in designated storage areas. On page D.3-99 lines 18-19 RTM will be placed in either lined or unlined storage areas suitable for long-term storage at an assumed depth of 6 ft (page D.3-97 line 29). In addition, the provision for reuse is qualified by terms such as if feasible and to the extent practicable while the definition of RTM on page D.3-96 line 19 describes RTM as "...appropriate for reuse based on chemical characterization and physical properties." 2,099,259 cubic yards of tunnel muck stacked up to 15 feet deep could result in significant negative impacts not recognized or provided for in the California Water Fix RDEIR.

Finally our previous comments pointed out that the CEQA required Draft Implementation Agreement was not available. Since then, a Draft Implementation Agreement was released but is incomplete because it does not include operating information and financial commitments. In addition, the Draft Implementation Agreement does not seem to be consistent with changes which have resulted in new alternatives as contained in the California Water Fix. A complete draft must be available for public review and comment and should restart the beginning of the public comment period.

Analysis of Proposed Mitigation

In our prior comment letter, we pointed out that under CEQA, mitigation must be feasible, fully enforceable, adequately financed and monitored. Mitigation measures that are discretionary, deferred, unfunded and may not be feasible are not adequate mitigation.

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In addition, because of inadequate analysis especially relating to water quality and tunnel muck impacts, agricultural, economic, water quality and aesthetic impacts need to be reassessed and adequate mitigation developed.

AG-1 “develop an Agricultural Lands Stewardship Plan (ALSP) to maintain agricultural productivity and mitigate for loss of Important Farmland and land subject to Williamson Act contracts or in Farmland Security Zones” remains the primary mitigation measure for agricultural and economic impacts. As pointed out in our prior comments the ALSP is merely conceptual and does nothing to mitigate for the very real impacts that family farms will be faced with. In fact, as presented in the BDCP DEIR/EIS the ALSP could result in advancing isolated conveyancerather than mitigating for impacts to agricultural resources. Mitigation measure AG-1 is inadequate because the ALSP is not defined, not feasible, not enforceable or funded.

Inadequate Study of Alternatives

Since 2006, a great deal of effort has been spent designing what today is the twin tunnels project, Alternative 4 in the BDCP. Alternative 4 has now been modified to become alternative 4A, the preferred alternative of the California Water Fix. The twin tunnels project has been pursued in the courts and is being advanced even before public comment closes on the California Water Fix RDEIR. DWR has applied for permits to divert water in the north Delta and has applied to the Army Corp of Engineers in preparation for constructing California Water Fix. All alternatives not involving tunnels, north Delta diversion or suggested for study by the public have remained static, rejected or ignored. Alternatives as presented in the BDCP and as proposed by the public have not been studied in equal detail and DWR’s continued implementation of the twin tunnels project before close of comments on the California Water Fix implies that CEQA/NEPA public participation is simply a formality and the process is not meant to provide meaningful participation and input into projects that will have long-term environmental, economic and human impacts.

Conclusion

California Water Fix will devastate the Delta. The twin tunnels project will not make California’s water supply more reliable, will not restore the Delta environment, will not reduce reliance on the Delta, will damage Delta resources to include agriculture and will waste valuable resources which could be employed to implement projects to advance water reliability for California—projects that impact the supply/demand equation by reducing demand and increasing supply. The Delta Caucus believes that there are more efficient and effective ways to improve water reliability for California and improve conditions in the Delta. We remain committed to ensuring that Delta agricultural resources are protected and enhanced in accordance with the Delta Reform Act of 2009.

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From: Julianne Phillips <jphillips@sjfb.org>
Sent: Friday, October 30, 2015 1:42 PM
To: BDCPcomments
Subject: CA WaterFix Comments
Attachments: doc00332620151030112455.pdf

Please accept the attached comments on behalf of the San Joaquin Farm Bureau Federation.

Julianne Phillips

Program Director

San Joaquin Farm Bureau Federation



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

October 30, 2015

VIA EMAIL and U.S. MAIL

BDCPComments@icfi.com

BDCP/California WaterFix Comments
P.O. Box 1919
Sacramento, CA 95812

Comments on the Bay Delta Conservation Plan/California WaterFix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement

The Metropolitan Water District of Southern California (Metropolitan) provides imported water supplies from the State Water Project and the Colorado River for its six-county service area with nearly 19 million people. Metropolitan has been an active participant and funder of the Bay Delta Conservation Plan process and welcomes the opportunity to provide comments on the partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). Metropolitan participated in the drafting process of comments submitted separately by the State Water Contractors and San Luis & Delta-Mendota Water Authority and incorporates those joint comments by reference. In addition, Metropolitan provides the following comments that pertain to Metropolitan's unique challenges and how a successful California WaterFix plan would advance Southern California's evolving water supply portfolio.

Metropolitan supports Governor Brown's California Water Action Plan and how it complements Metropolitan's ongoing "all of the above" strategy to provide adequate and reliable water supplies in an environmentally and economically responsible way. The California Water Action Plan calls for making conservation a way of life in California, and the Southland seeks to lead by example in lowering per-capita water demand. As detailed in the enclosed materials, Southern California has grown for a generation without increasing demands for imported water by investing billions of dollars in expanding conservation, water use efficiency, water storage, and local supplies. Metropolitan plans to do so for the next generation by updating our long-term water strategy and our Integrated Water Resources Plan (IRP). Metropolitan will be updating targets to increase the production of local supplies and further decrease demand through additional conservation and water use efficiency. As with the 2010 IRP, Metropolitan will continue to take actions designed to meet all increased demands due to population and economic growth through expanded conservation, water use efficiency, water storage, and local supplies.

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Among recent highlights, during the current drought, Metropolitan has invested in the largest conservation program in the nation's history. As documented in more detail in the enclosed materials, Metropolitan's Board of Directors has directed \$450 million into a series of permanent conservation efforts such as rebates for turf removal, water saving devices like low-flow showerheads, high-efficiency toilets, and high-efficiency dishwashers and washing machines. Metropolitan is also in the middle of a \$5.5 million public education campaign in five languages urging individuals to change their habits to make conservation a way of life. It is estimated that more than 170 million square-feet of turf will be removed as a result of this effort, which is more than three times the statewide goal of 50 million square feet set by Governor Brown in his executive order issued in April 2015. This is but one example of the significant strides being taken by regions with existing state water contracts that will continue to receive water from the BDCP/California WaterFix demonstrating that such regions are achieving the Legislature's goal of reduced reliance on water from the Delta watershed to meet California's future water supply needs.

In addition, as part of Southern California's expanding local portfolio, Metropolitan is looking to develop its first regional supply of water—an extraordinary measure for an imported water wholesaler. Discussions are under way with the Sanitation Districts of Los Angeles County to plan a multi-phase project to recycle water that now is discharged to the Pacific Ocean. Full build out over the years could produce up to 150 million gallons/day of supplies annually to replenish groundwater basins.

Notwithstanding significant investments in conservation and local supplies, State Water Project supplies are essential to making the rest of the portfolio work. Supplies from Northern California in wetter years are needed to develop reserve supplies to withstand coming droughts of unknown duration. The high quality of State Water Project water makes local projects like recycling feasible by preventing increased salinity in the region's groundwater basins. As we are updating our IRP, Metropolitan is seeking to stabilize its imported supplies from the State Water Project and the Colorado River. Only by taking many actions, including restoring and protecting reliable State Water Project supplies, can Southern California expect to maintain a reliable water system in the decades to come.

In light of the essential role State Water Project supplies play in Metropolitan's water supply portfolio, Metropolitan supports the type of dual conveyance approach included in the BDCP and California WaterFix, as well as the habitat conservation in the BDCP and the California EcoRestore initiative to accelerate ecosystem restoration in the Sacramento-San Joaquin Delta. Regardless which approach is ultimately selected, we support increased efforts to address the multiple stressors on the Delta ecosystem as identified in the BDCP conservation measures. As the Legislature recognized in the Sacramento-San Joaquin Delta Reform Act of 2009, California needs to act now to address the decline in the Delta ecosystem while modernizing conveyance in

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a manner that restores and protects reliable water supplies. Implementing a dual conveyance solution will enhance operational flexibility that promises to restore and protect reliable supplies, reduce risks of interruption or degradation of supplies due to climate change, sea level rise, earthquakes and levee failures.

The analysis in the RDEIR/SDEIS and earlier Draft EIR/EIS shows great potential for the proposed physical infrastructure to both improve ecosystem conditions for sensitive fish species by resulting in more upstream-downstream rather than across the Delta flows, and safely capture additional supplies during higher-flow periods in all water year types. For instance, the 2014-15 water year that recently came to a close provided a record low Sierra snowpack, but it did provide two major storms and opportunities to capture supplies at the location of the north Delta intakes included in the BDCP and California WaterFix alternatives. In some wetter years with multiple such storms, diverting full contract amounts should be achievable using a dual conveyance system while meeting all regulatory requirements intended to protect fish and water quality in the Delta.

Nevertheless, as explained in the joint State Water Contractors/San Luis & Delta Mendota Water Authority comment letter, there must be a Collaborative Science and Adaptive Management Program in place before project approval. There is no room for operational constraints based on untested or highly uncertain hypotheses, thus hampering the future water system's ability to properly function where such constraints contribute little or nothing to meeting state and federal endangered species act requirements or advancing the coequal goal of restoring the Delta ecosystem. In 2014 Metropolitan provided substantive comments and materials regarding scientific uncertainty and the need for a clearly articulated Decision Tree to address this uncertainty in its comments on the Draft EIR/EIS.¹ It is expected that future Collaborative Science analyses will specifically test hypotheses related to whether the prescribed high outflow scenarios or elements of Scenario 6 are necessary to meet state and federal Endangered Species Act requirements. The joint comment letter provides supplemental information in this regard, and Metropolitan looks forward to responses to its comments on the Draft EIR/EIS, as well as the supplemental comment on the RDEIR/SDEIS, and we request that these programs be adequately described in the Final EIR/EIS.

Many important matters relating to operations, institutional cooperation and finance will need to be successfully resolved in the weeks and months ahead. Metropolitan will continue to look particularly closely at new and proposed operational criteria for the operations of dual conveyance needed to maintain the flexibility inherent in modernized Delta conveyance that is

¹ See Comments 8-9 of Metropolitan's Focused Comments on the BDCP EIR/S, Letter from Jeffrey Kightlinger, General Manager, Metropolitan Water District of Southern California, to Ryan Wulff, National Marine Fisheries Service (July 28, 2014). Metropolitan hereby incorporates its prior comments in this letter.

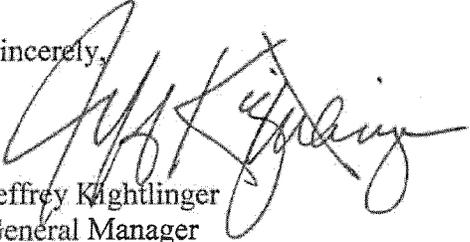
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intended to restore and protect reliable, high-quality water supplies while reducing conflicts with sensitive fish species. We will continue to work with the lead agencies and state and federal fishery agencies to craft enforceable agreements to successfully implement the needed scientific research and adaptive management, but also to obtain the maximal regulatory assurances available to ensure the project produces long-term benefits. The final project needs to be a sound financial investment in order for Metropolitan to contribute billions of dollars toward a solution. Metropolitan hopes to be a constructive participant in the ongoing process so that a final plan makes sense for both the California environment and economy.

Thank you very much for the opportunity to provide comment at this historic and decisive stage in the process. If we can be of further assistance, or if you would like to discuss Metropolitan's comments, please contact Mr. Stephen Arakawa at (213) 217-6052.

Sincerely,



Jeffrey Kightlinger
General Manager

cc: Mark Cowin, Director, Department of Water Resources
Chuck Bonham, Director, California Department of Fish and Wildlife
Ren Lohofener, Regional Director, Pacific Southwest Region U.S. Fish & Wildlife Service
David Murrillo, Regional Director, Mid Pacific Region Bureau of Reclamation
William Stelle, Regional Administrator, West Coast Region NOAA Fisheries
Stefanie Morris, Acting General Manager, State Water Contractors
Dan Nelson, Executive Director, San Luis & Delta Mendota Water Authority

Enclosures: (2)

Summary of Southern California's Local Resource Program Investments
and Conservation Achievements
The Metropolitan Water District of Southern California, Regional Progress Report, An
Annual Report to the California State Legislature on Achievements in Conservation,
Recycling and Groundwater Recharge (Feb. 2015)

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Summary of Southern California's Local Resource Program Investments and Conservation Achievements

In 1996, nearly twenty years ago in the aftermath of the 1988-92 drought, Metropolitan and its member agencies developed a long-term Integrated Resource Plan (IRP). The IRP called for diversifying Southern California's resource portfolio and reducing the region's reliance on imported water, especially in dry years. Metropolitan has updated the IRP several times since then, but diversifying the region's water resources by increasing water use efficiency, wastewater recycling, and other local supplies has remained one of the IRP core principles.

\$1.7 Billion Invested in Local Resources

Metropolitan's mission is to provide high quality, reliable supplies to our region in an economically and environmentally responsible way. Guided by the IRP, Metropolitan and our member agency partners have spent the past 20 years investing in a diversified water resource portfolio that balances imported supplies with local resources. In the process, our water utilities have become statewide and national leaders in water conservation, wastewater recycling, and groundwater recovery. Metropolitan's cumulative investments in local supplies include:

- \$352 million for conservation programs,
- \$356 million for recycled water projects,
- \$125 million for groundwater recovery projects, and
- \$373 million for groundwater storage programs.

Additionally, to help our customers cut water use during the current drought, Metropolitan is making a one-time investment of \$450 million in turf replacement and device retrofits. The turf replacement program is the largest of its kind in the country and is expected to retrofit over 170 million square feet of turf – more than three times the Governor's goal of 50 million square feet for the State. **By the end of FY2015/16, Metropolitan will have invested close to \$1.7 billion in conservation and local supplies.**

Though significant, Metropolitan's spending on local resources is a fraction of the many billions of dollars invested by the member agencies, local retail agencies, groundwater management agencies, storm water agencies and other related utilities. Recent local agency investments include the Orange County Water District's \$480 million investment in the innovative 70,000 acre-foot/year (AFY) Groundwater Replenishment System (GWRS) – the largest indirect potable reuse project in the US. By the end of 2015, the San Diego County Water Authority will complete the 56,000 AFY Carlsbad Seawater Desalination Project – also the largest in the US - representing an investment of close to \$1.0 billion. These two projects alone represent \$1.5 billion since 2010, and together will reduce Southern California's need for imported supplies by over 120,000 acre-feet annually.

Moving forward, Metropolitan is looking to develop a 150 million gallon/day (MGD) regional indirect potable reuse project geared towards maintaining Southern California's crucial groundwater basins. Additionally, there are numerous other recycling, groundwater recovery, seawater desalination and storm water projects in various stages of development by local agencies.

Water Use Efficiency and Market Transformation

Metropolitan's and member agency conservation programs have permanently increased water use efficiency in Southern California. This includes replacing over 3.3 million toilets, 530,000 washing machines, 37,000 urinals, 300,000 smart irrigation controllers, 2.3 million rotating nozzles, and hundreds of thousands of other devices/appliances. Metropolitan's comprehensive regional conservation programs include water audits and surveys, landscape education programs and a complete K-12 water education program providing free materials to local schools. Many of the member agencies and local retailers

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Summary of Southern California's Local Resource Program Investments and Conservation Achievements

supplement Metropolitan's programs with extensive, innovative conservation programs of their own. To lock in these savings, Metropolitan has supported stringent plumbing codes and ordinances that are driving California's market transformation towards water-efficient devices and appliances.

Market transformation is also the goal of Metropolitan's turf replacement program. The \$450 million program is replacing landscapes across Southern California and represents a tipping point towards water-efficient landscapes as the new normal. The 172 million square feet anticipated to be replaced represents an area approximately the size of 4,000 football fields. California's updated Model Water Efficient Landscape Ordinance will help complete the transformation.

1.5 Million Acre-Feet per Year from New Resources

Southern California's investment in local resources has produced a remarkable reduction in water demands and increased local supplies. In February of 2015, Metropolitan released its *Annual Report to the California State Legislature on Achievements in Conservation, Recycling, and Groundwater Recharge* for fiscal year 2013/14 (copy attached). The report shows that in FY2013/14 Metropolitan's conservation efforts, plumbing codes and ordinances saved 923,000 acre-feet, local wastewater recycling projects generated 447,000 acre-feet and groundwater recovery projects yielded 132,000 acre-feet. **Overall, these new local resources amount to a total of 1,502,000 acre-feet in FY2013/14.** Since 1991, these programs have generated a cumulative 17.9 million acre feet of reduced demands and new supplies.

Long-term potable demand trends in Metropolitan's service area reflect these investments. Water use efficiency is best measured over an extended period rather than at a single snapshot in time. This is because weather, demographic shifts and economic conditions distort short-term comparisons of demand and mask the long-term gains that have been made. In the late 1980's, Southern California's potable demands averaged 199 gallons per capita per day (gpcd). The average potable demand from 2010 to 2013 was 151 gpcd – a 24 percent reduction. In fiscal year 2006/07, the beginning of the last significant dry period, Metropolitan delivered 2.41 million acre-feet of imported supplies to our member agencies. By comparison, Metropolitan delivered 2.06 million acre-feet in fiscal year 2013/14. The 350,000 acre-feet drop from fiscal year 2006/07 amounts to a 15 percent reduction in imported supplies. Because of the Region's investments in a portfolio of resources, including storage, Metropolitan was able to meet demands despite the current drought's record heat and over a half a million more people living in Southern California.

Southern California is Responding to the Governor's Drought Proclamations

After meeting with the Governor in 2014, Metropolitan acted decisively to conserve water in Southern California. In February, Metropolitan called on local cities and water agencies to immediately implement extraordinary conservation measures and institute local drought ordinances. The call for local drought ordinances supported the SWRCB's water waste prohibitions and included water use provisions that:

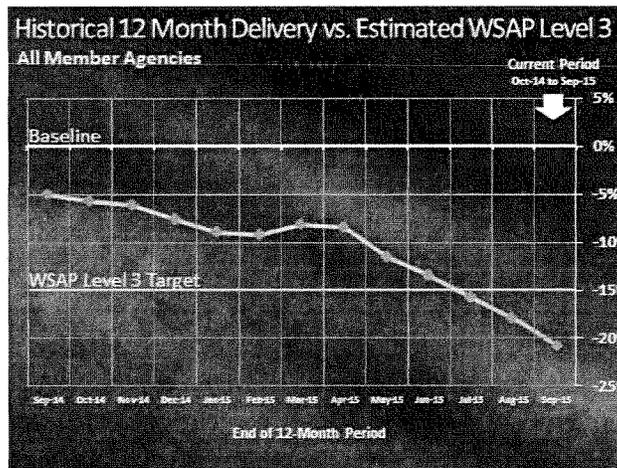
- Restrict hours of outdoor watering
- Prohibit landscape irrigation run-off
- Require water efficient landscaping
- Enable reporting of inefficient water use
- Implement tiered rate structures
- Restrict the use of potable water for street cleaning
- Maximize use of recycled water

As described above, metropolitan also significantly expanded its water conservation programs to respond to the Governor's drought proclamation. This included:

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Summary of Southern California's Local Resource Program Investments and Conservation Achievements

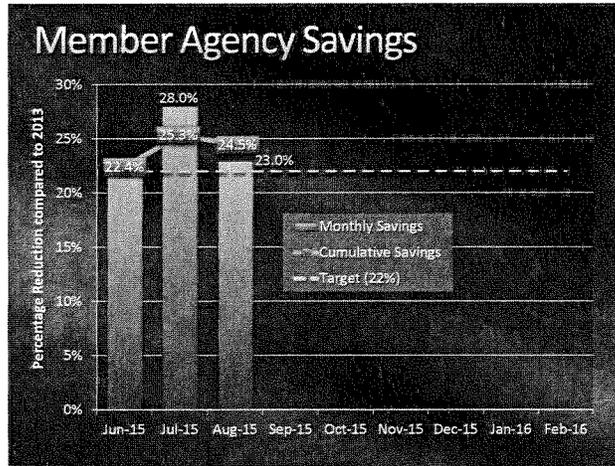
- **Increasing our conservation budget by a factor of 10:** Metropolitan increased its conservation budget from \$40 million over two years to the \$450 million discussed above, primarily for turf replacement. The increase has been supplemented with local retail agency contributions and incentivized our customers to achieve additional water savings during the drought.
- **Increasing outdoor water efficiency incentives:** To galvanize participation in the turf replacement program, Metropolitan doubled the program's incentives from \$1.00 to \$2.00 per square foot. Coupled with member agency supplemental funding, many residents in our service area are receiving over \$3.00 per square foot. Metropolitan also extended financial incentives for rain barrels and more than doubled recycled water retrofit incentives to large landscape irrigators to accelerate conversions from potable to recycled water.
- **Launching a major outreach campaign:** In 2014 Metropolitan launched a \$5.5 million outreach campaign – the largest in Metropolitan's history. The goal of the campaign was to raise awareness of the drought and urge residents and businesses to save water. The campaign featured multiple media platforms, including radio and television, with enhanced outreach to the region's ethnic communities. Activity on Metropolitan's BeWaterWise website quadrupled as a result of the campaign. Earlier this year our Board approved a similarly sized outreach campaign for 2015/16.
- **Implementing Metropolitan's allocation plan:** In April, 2015, in support of the Governor's call for a 25 percent state-wide reduction in urban water use, Metropolitan's Board implemented our Water Supply Allocation Plan (WSAP) at Level Three, targeting a 15 percent reduction in demands for Metropolitan's imported supplies. By implementing the WSAP, Metropolitan places limits on the amount of water member agencies can purchase without facing a penalty. Revenues collected from the penalties are used to fund water use efficiency programs. As shown in the figure below, the member agencies are meeting the 15 percent cut-back and are on track to exceed a 20 percent reduction in imported demands.



- **Southern California is meeting the State's conservation goals.** Supported by our conservation and outreach programs, customers in our service area have also responded to the Governor's call for a 25 percent reduction in urban demands. Because the conservation goal for each water district is different, ranging from 4 to 36 percent, the goal for Metropolitan's service area is roughly 22 percent. As shown by the figure below, the Region has achieved cumulative 24.5 percent reduction, despite the unprecedented hot, dry conditions described above.

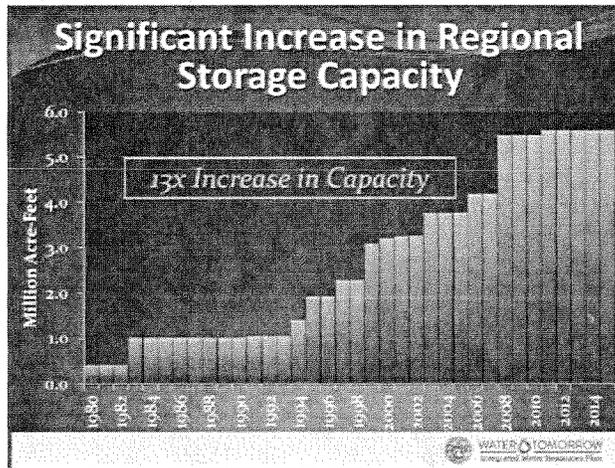
Summary of Southern California's Local Resource Program Investments and Conservation Achievements

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Building Storage to Reduce Imported Demands in Dry Years

A key element of Metropolitan's IRP includes diversifying dry-year storage and transfer programs. Metropolitan has invested \$2.0 billion to build Diamond Valley Lake, doubling the region's surface water storage capacity, and has developed numerous storage, transfer and exchange programs along the SWP, our own Colorado River Aqueduct, and within our service area. These programs are beyond the scope of this letter, but are described in detail in Metropolitan's 2010 UWMP. Metropolitan is managing our region's dry-year storage assets to minimize the drought's impacts on our 19 million residents and trillion dollar economy. The figure below shows that Metropolitan has increased its dry-year storage capacity by a factor of thirteen since the 1990s:

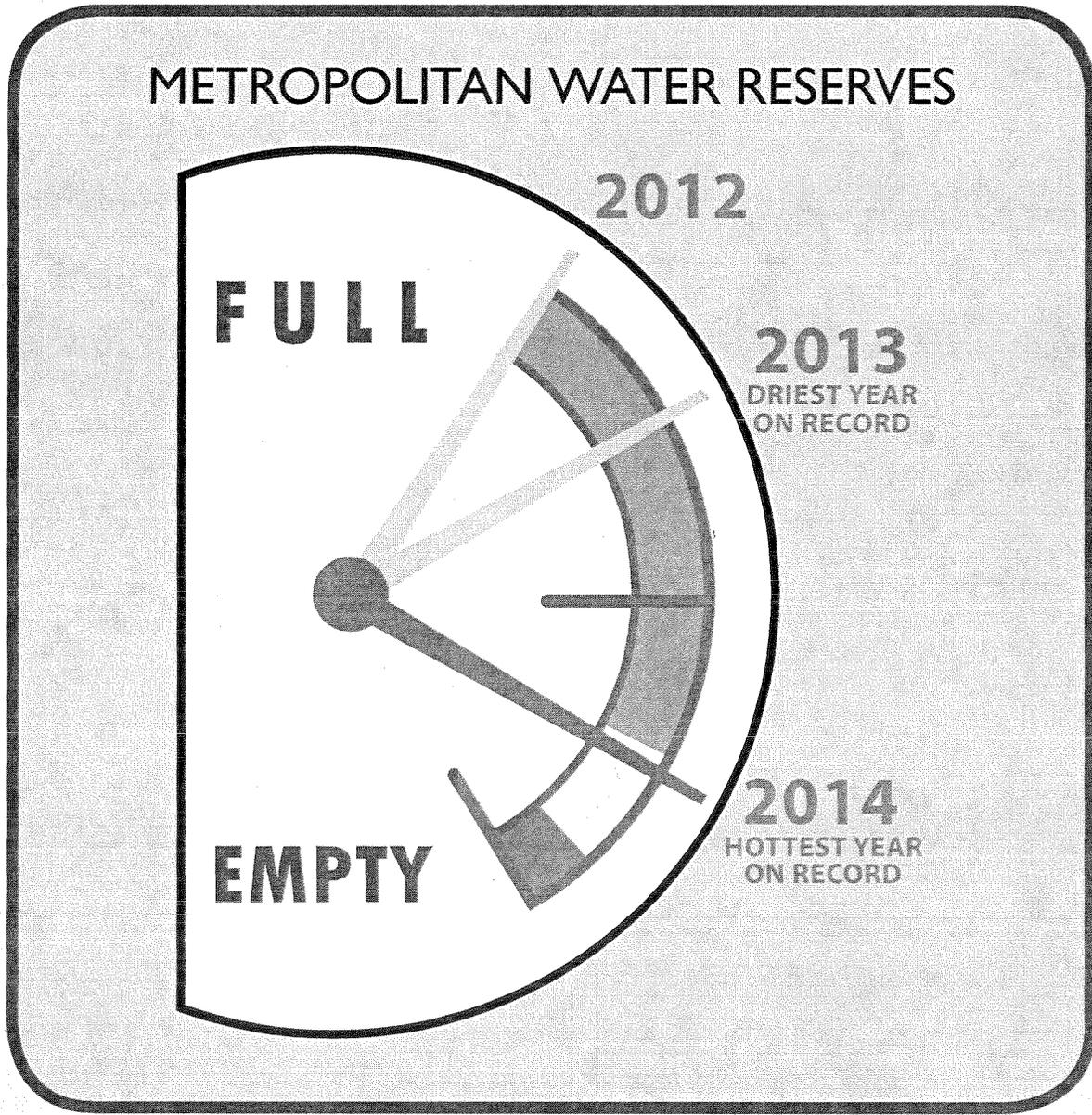


The Need for State Water Project Reliability

The diverse portfolio of resources developed under IRP over the past 20 years has increased Southern California's reliability in part by reducing the Region's reliance on imported supplies during dry years. Moving forward, we cannot rely on local investments alone to maintain the Region's reliable water supply against the numerous challenges and uncertainties we are facing. For instance, many of our local programs rely on the availability of reliable SWP supplies. In particular, low salinity SWP supplies enable recycled water use and salinity management in our groundwater basins. More importantly, SWP supplies are essential for filling storage reservoirs and recharging groundwater basins during wet years. This is why improving the reliability of SWP supplies is critical for Southern California's long-term supply reliability.

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RESPONDING TO DROUGHT



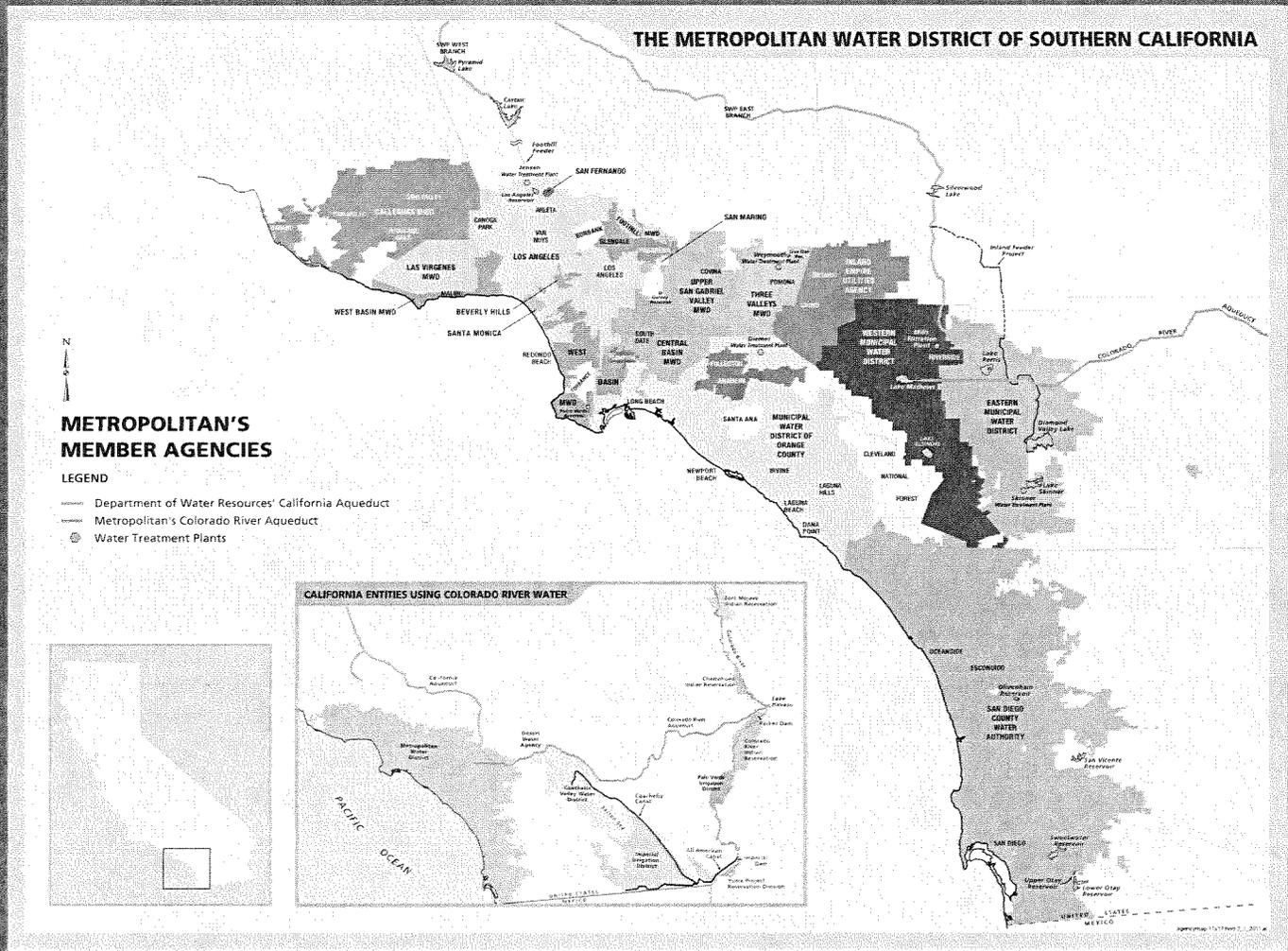
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Regional Progress Report

An Annual Report to the California State Legislature
on Achievements in Conservation, Recycling and
Groundwater Recharge

2015
FEBRUARY

Covering the reporting period
of July 2013 - June 2014



ABOUT METROPOLITAN

The Metropolitan Water District of Southern California was established in 1928 under an act of the State Legislature to provide supplemental water supplies to its member agencies in Southern California.

Metropolitan is a public agency and a regional water wholesaler. It is governed by a 37-member board of directors representing 26 member agencies that purchase some or all of their water from Metropolitan and serve about 19 million people across six Southern California counties.

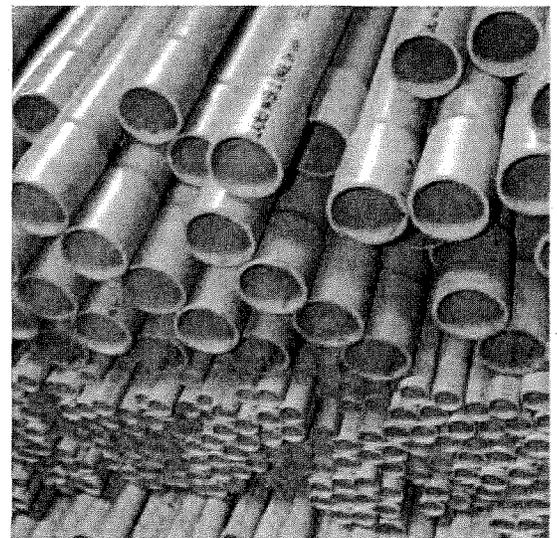
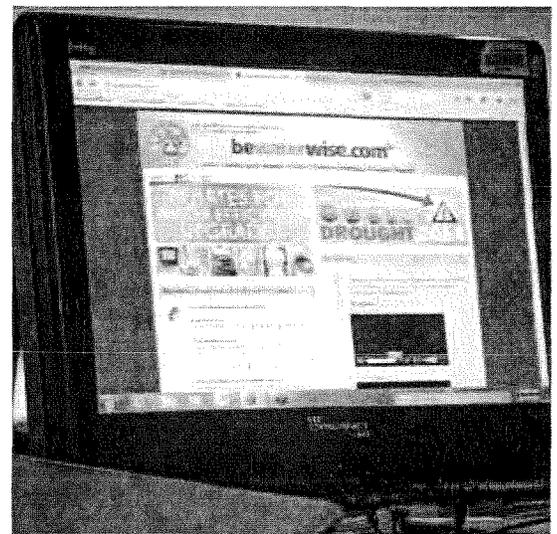
The mission of Metropolitan is to provide its 5,200-square-mile service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

Metropolitan draws supplies from the Colorado River through the Colorado River Aqueduct, which it owns and operates; from Northern California via the State Water Project; and from local programs and transfer arrangements. An increasing percentage of Southern California's water supply comes from conservation, water recycling and recovered groundwater, which are further described in this report.

Cover Graphic: The reserve gauge is an image used throughout Metropolitan's educational campaign to convey the seriousness of the drought.

ABOUT THIS REPORT

Achievements in conservation, recycling and groundwater recharge have been chronicled in this report since the enactment of California Senate Bill 60 (SB60) in 1999. SB60 added Section 130.5 to the Metropolitan Water District Act (MWD Act) which states, "The Legislature finds and declares... The Metropolitan Water District of Southern California shall place increased emphasis on sustainable, environmentally sound, and cost-effective water conservation, recycling, and groundwater storage and replenishment measures." According to the MWD Act, Metropolitan is to prepare and submit to the Legislature by February 1 of each year a report on Metropolitan's progress in achieving these goals. To coincide with the preparation of the report, the MWD Act requires Metropolitan to "hold an annual public hearing... during which the district shall review its urban water management plan... for adequacy in achieving an increased emphasis on cost-effective conservation, recycling, and groundwater recharge." While the Regional Urban Water Management Plan is prepared and updated every five years according to state requirements (with the next update due in 2016), Metropolitan hosts an annual December hearing to share progress on fiscal year plan objectives, and to receive public comments.



INTRODUCTION

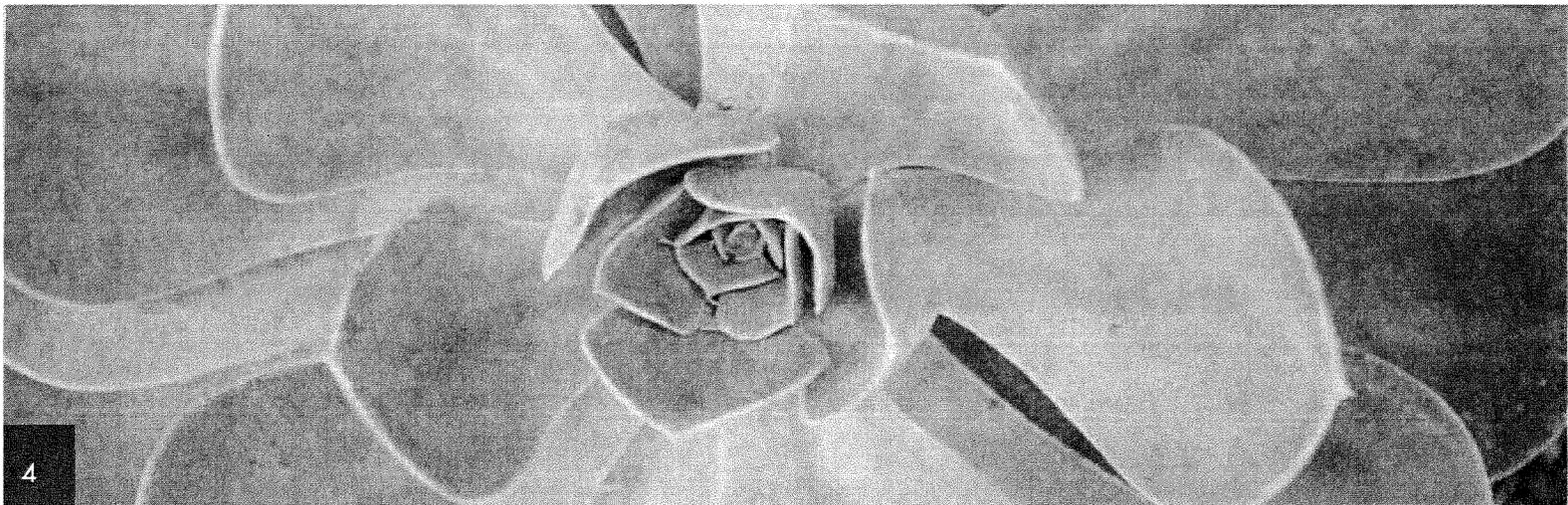
The Metropolitan Water District of Southern California (Metropolitan) prepares this report to the state Legislature to provide an update on achievements in water conservation, recycling and groundwater recharge. It details Metropolitan's progress in advancing these supply strategies and broadening the district's supply mix.

CONSERVATION

Metropolitan and its member agencies have long been leaders in water conservation. In general, conservation is encouraged with financial incentives and a tiered pricing structure, outreach and education programs, and support for new plumbing codes and other regulations that facilitate water savings. In fiscal year 2013/14, the region saved about of 923,000 acre-feet of water. Rebates funded through Metropolitan's Conservation Credits Program generated approximately 9,000 acre-feet of new water savings in fiscal year 2013/14. Since 1990, Metropolitan has invested more than \$352 million in conservation.

Fiscal Year 2013/14 Program Highlights

- Metropolitan provided \$18.6 million in rebates to help water customers improve water-use efficiency in their homes and businesses.
- Metropolitan doubled its annual conservation and outreach budget from \$20 million to \$40 million for fiscal year 2014/15.
- Metropolitan adopted a Water Supply Alert Resolution in February 2014 calling on its member agencies, retail water agencies, and cities in Southern California to implement extraordinary conservation measures, enforce water waste ordinances, and develop a unified message to reduce water demand.
- Metropolitan implemented the Public Agencies Landscape Program that provides financial incentives to Southern California public agencies to improve outdoor irrigation with water-efficient products.
- Metropolitan implemented the Recycled Water Hookup Pilot Program that provides financial incentives to help residential and business customers convert from potable water to recycled water systems to reduce outdoor potable demand.
- Metropolitan began an intensive outreach program informing residents of the drought and opportunities to use less water.
- Metropolitan increased the rebates on many water-efficient devices to encourage additional conservation. Rebates for replacing turf grass with a more sustainable landscape were doubled.



RESIDENTIAL CONSERVATION PROGRAMS

Residential customers can receive rebates from Metropolitan through its SoCal Water\$mart program and from programs administered and funded by member agencies. For fiscal year 2013/14, Metropolitan estimates savings of about 4,990 acre-feet of new water with rebates issued through the residential conservation programs.

SoCal Water\$mart

Launched in 2008, SoCal Water\$mart provides rebates to residential customers to encourage the use of water-efficient products. Current program rebates include turf removal, high-efficiency clothes washers, high-efficiency toilets, multi-stream rotary sprinkler nozzles and weather-based irrigation controllers. Metropolitan estimates savings of about 3,000 acre-feet of water from 45,000 rebates issued through the region-wide residential program in fiscal year 2013/14.

Turf removal

Metropolitan's turf removal program provides residential and commercial customers with financial incentives to replace their turf lawns with California Friendly® landscapes. In January 2014, Metropolitan added Turf Removal to the SoCal Water\$mart Regional Program, making it available to customers throughout our service area. In addition, as an emergency drought response, Metropolitan doubled the base rebate for customers to \$2 per square foot of turf removed. Coupled with additional member agency contributions, many residents can receive up to \$3 per square foot of turf removed. Over 21 million square feet have been permanently removed under this program to date. In fiscal year 2013/14, Metropolitan estimates savings of about 530 acre-feet of water annually from 4 million square-feet of turf removed.

High-efficiency clothes washers

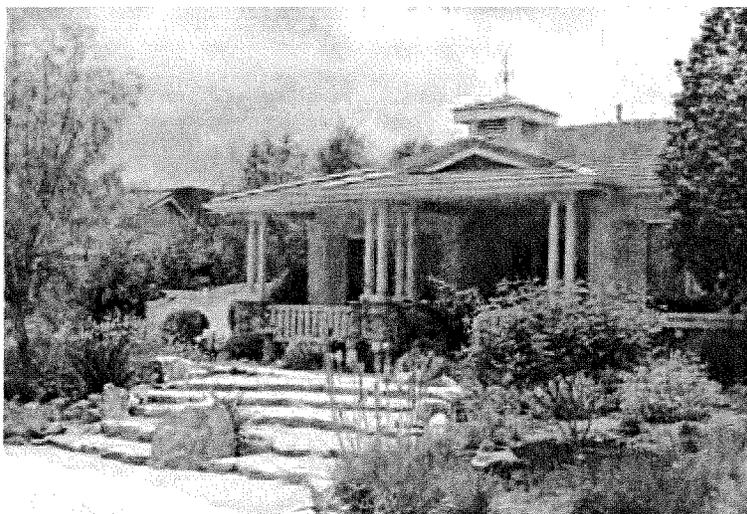
High-efficiency clothes washers (HECW) with a water factor 4.0 are eligible to receive rebates. The water factor is the measure of the amount of water used to wash a standard load of laundry. An HECW saves more than 10,000 gallons per washer per year over a conventional top loading clothes washer. In fiscal year 2013/14, Metropolitan estimates about 870 acre-feet of water savings annually from HECW rebates. Metropolitan supplements its HECW rebate using state or federal grants when they are available.

High-efficiency toilets

To qualify for rebates, Metropolitan uses the federal Environmental Protection Agency's WaterSense list of high-efficiency toilet (HET) models that use approximately 20 percent less water per flush than the conventional ultra-low-flush toilets. Metropolitan estimates savings of about 3,150 acre-feet of water annually from HET rebates that were issued for both residential and commercial customers in fiscal year 2013/14.

Member Agency Residential Programs

Metropolitan provides funding to member agencies for water conservation programs. Member agencies receive Metropolitan incentives for qualified water-saving activities. Qualifying residential projects included turf removal, toilet distribution and replacement programs, direct-installation clothes washer programs and residential water audits. Member agency residential programs were estimated to save about 1,990 acre-feet of water annually with Metropolitan funding of about \$2.4 million in fiscal year 2013/14.



Smart Landscapes
Save Water

For conservation tips and
rebate information visit

be water wise.com®

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

COMMERCIAL CONSERVATION PROGRAMS

Metropolitan's commercial conservation programs provide rebates for water-saving devices to businesses and institutions throughout Southern California. The programs are comprised of SoCal Water\$mart, member agency commercial programs, and the Water Savings Incentive Program. Metropolitan estimates savings of about 4,020 acre-feet of water annually from new rebates issued by commercial conservation programs in fiscal year 2013/14.

SoCal Water\$mart and Member Agency Commercial Programs

The commercial programs provide rebates for high-efficiency devices for businesses and institutions. The majority of commercial conservation activity came from Metropolitan's SoCal Water\$mart program. In addition, Metropolitan's member and retail water agencies also implemented water conservation programs for commercial sectors using Metropolitan incentives. Metropolitan estimates savings of about 2,280 acre-feet from 6,440 new rebates issued through SoCal Water\$mart in fiscal year 2013/14. In fiscal year 2013/14, Metropolitan also estimates savings of about 1,630 acre-feet of water annually from member agency incentive programs. Qualifying commercial projects have included turf removal, direct installation of high-efficiency toilets and multi-stream rotating nozzle distribution.

Water Savings Incentive Program

The Water Savings Incentive Program is a regional pay-for-performance program that is a collaborative effort between Metropolitan, its member agencies, and large water customers to improve water-use efficiency in the commercial, industrial, institutional, agricultural, and large landscape sectors. In fiscal year 2013/14, Metropolitan estimates savings of about 110 acre-feet of water annually.

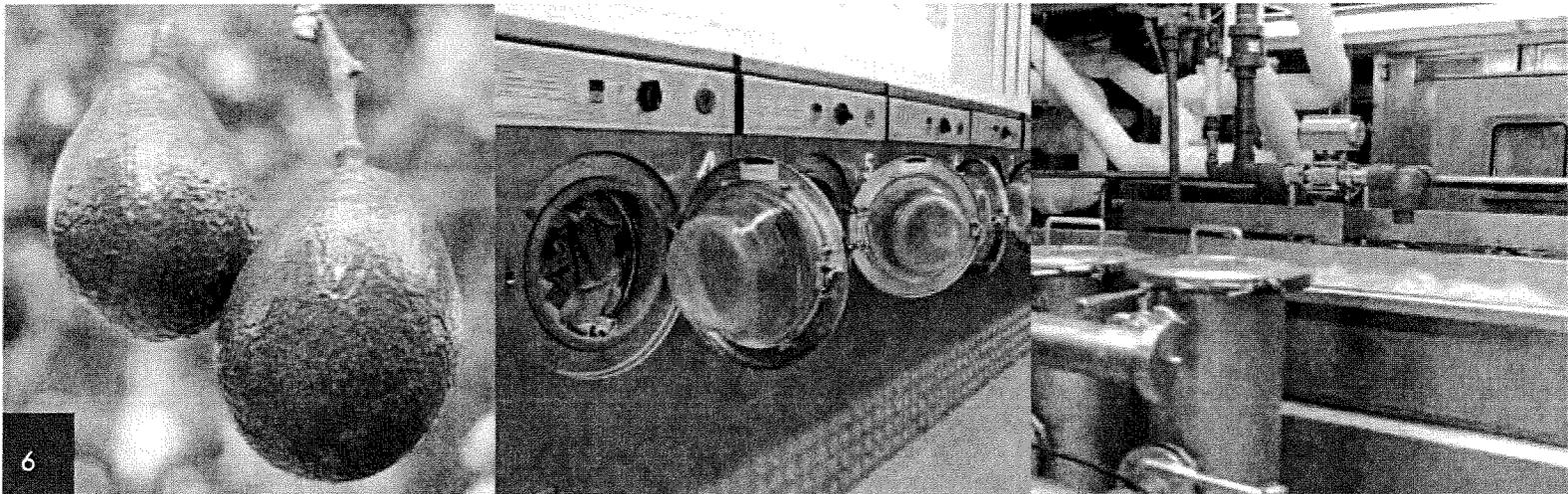
Research and Development

Innovative Conservation Program

Metropolitan's Innovative Conservation Program is a competitive grant program that evaluates water savings and reliability of new water-saving devices, technologies and strategies. New projects are identified and evaluated every other year. With funding provided by the federal Bureau of Reclamation, Central Arizona Project, and Southern Nevada Water Authority approximately \$450,000 were available in 2013 funding cycle for research. Examples of projects funded include soil amendments, water audit mobile applications, home grey water systems, soil moisture sensors, and agricultural irrigation improvements.

In addition to the Innovative Conservation Program, Metropolitan has taken the following research actions to advance the field of knowledge in water-use efficiency:

- Studying the performance of multi-stream rotary nozzles
- Developing performance benchmarks for landscape irrigation technology with the Center for Irrigation Technology at California State University, Fresno
- Studying the effects of drought and salinity on turf grasses with the California Turfgrass and Landscape Foundation and the Turfgrass Research Facility at University of California, Riverside
- Completing a study on retention rates of waterless urinals in Metropolitan's service area
- Completing a study on the water savings from turf replacement



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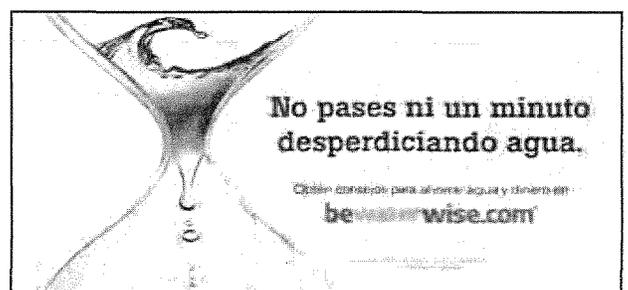
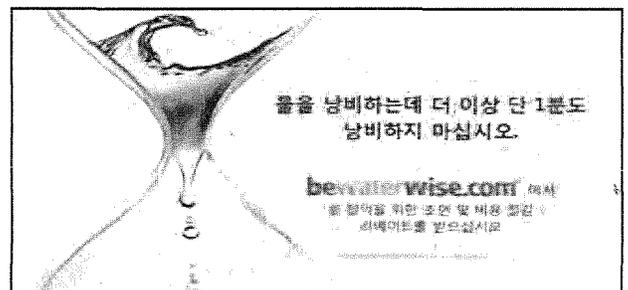
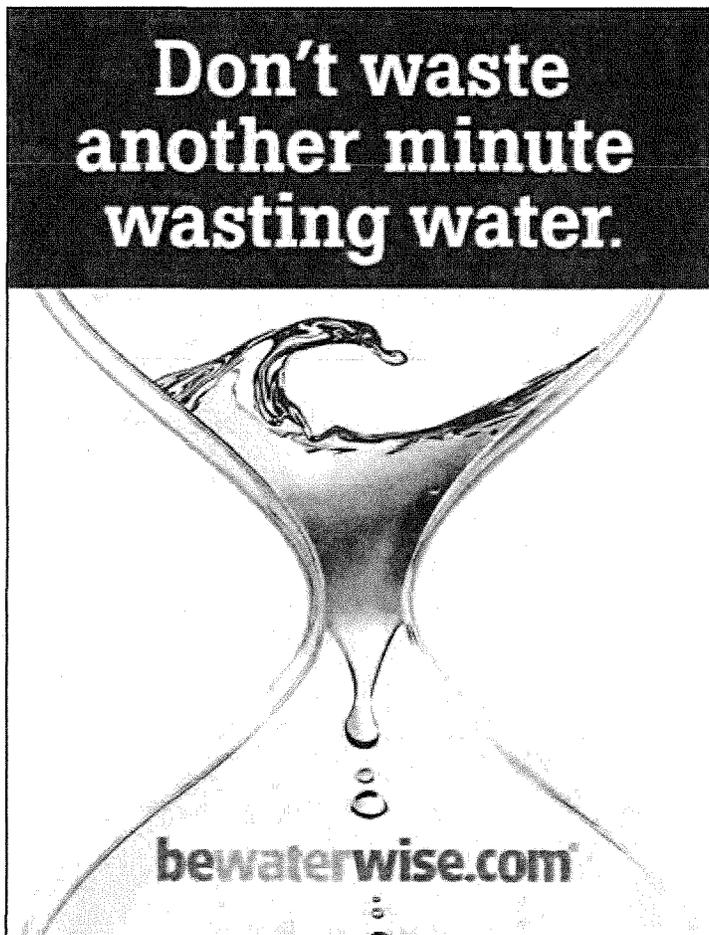
COMMUNICATIONS AND OUTREACH

Metropolitan sponsored conservation-related educational outreach efforts and programs throughout its service area during fiscal year 2013/14. In cooperation with the district's 26 member public agencies, Metropolitan launched a multi-pronged research-based public outreach and advertising campaign in late April 2014 that ran through October 2014 to promote the need to conserve water during the historic, ongoing drought. The ad buy is part of the \$5.5 million authorized by Metropolitan's Board of Directors in March 2014 for a regional communications, outreach and advertising campaign. The campaign tag line "Don't Waste Another Minute Wasting Water" reinforces the immediate nature of the action that residents need to take – and emphasizes the seriousness of the drought. The comprehensive campaign educates residents through television and radio advertisements and traffic report sponsorships, along with online, streaming radio and mobile ads, plus focused billboard and movie theater advertising. In addition to English, radio advertisement and traffic report sponsorships were also featured in Spanish, Mandarin, Cantonese, Vietnamese, and Korean stations. Many of the campaign tools, such as television and radio ads and graphics for bill inserts, billboards, and websites, were made available to local agencies at no cost.

Metropolitan placed several "advertorial" news stories in the online editions of the Los Angeles Times and UT-San Diego newspapers promoting the ongoing need for conservation in Southern California, describing long-term investments in water storage and development of local water resources, and the availability of rebates and incentives for turf removal and purchase of water-saving devices and appliances.

In 2014, Metropolitan began a focused outreach effort for leading businesses and industries that are high-volume water use customers within Metropolitan's service area. Metropolitan's executive management met with executives in the beverage, bottling, aerospace, tourism, and golf industries to discuss Southern California's water outlook, the need for conservation, and key policy issues.

Metropolitan's Bewaterwise.com® website continues to play a key role in educating the public, attracting 726,371 unique visitors from July 1, 2013 through June 30, 2014. The website includes a new page focused on the drought and enhanced information on Metropolitan's rebate and incentive programs. Metropolitan also provides a Spanish language version of the site to help educate and inform the region's Spanish-speaking population.



Community Outreach

Metropolitan continues to maintain a strong presence in community water resource education and conservation awareness activities and events. Metropolitan cosponsored and staffed booths at numerous water-awareness conferences and other educational events throughout its six-county service area.

Education Programs

During fiscal year 2013/14, the Southern California World Water Forum College Grant Program concluded the third funding cycle. The 15 college projects focused on the research of water-use efficient technology and communications strategies related to water quality, supply, delivery and sanitation. In addition to Metropolitan, program sponsors include the federal Bureau of Reclamation, the Sanitation Districts of Los Angeles County, Water For People, and Friends of the United Nations.

Forty teams from Southern California high schools competed in the 12th annual Solar Cup™ event held at Lake Skinner in Temecula on May 16-18, 2014. More than 650 students participated in this event, which includes water conservation as a core part of the curriculum.

For the 21st year, the Diamond Valley Lake Education Program conducted numerous field trips engaging nearly 2,100 fourth-through seventh-graders in the all-day program. Additionally, the education program provided ongoing activities for more than 2,640 students in grades 2-5 visiting the DVL Visitor Center in collaboration with the Western Science Center outreach program.

Metropolitan's website for K-12 students drew more than 34,700 visitors, about a 90 percent rise from the previous year due to current drought conditions. Metropolitan added 25 new teachers to its education program database.

Community Partnering Program

The Community Partnering Program continued to support water-related educational outreach on water resource issues such as conservation, water quality and watershed protection. CPP enhances consumer awareness of water resource issues and fosters collaboration with a variety of stakeholders including community organizations, public agencies, professional associations and educational institutions through sponsorships and educational support services.

California Friendly® Online Training

Metropolitan provides online water-wise landscape training for professional landscapers and residential homeowners. Metropolitan offers classes to homeowners at no cost on water-wise gardening. During fiscal year 2013/14, 129 classes were held in cooperation with local water agencies, with 4,167 participants.



LOCAL RESOURCES

Water recycling, groundwater recovery and groundwater storage are important elements in the region's diverse local resource portfolio and help bring greater water supply reliability. Metropolitan provides financial incentives through its Local Resources Program (LRP) for the development and use of recycled water and recovered groundwater. Since the inception of the LRP in 1982, Metropolitan has provided \$356 million to produce about 2 million acre-feet of recycled water. Metropolitan also provided approximately \$125 million to produce 729,000 acre-feet of recovered degraded groundwater for municipal use. So far, there are 75 water recycling projects and 24 groundwater recovery projects in the program.

Water Recycling and Groundwater Recovery

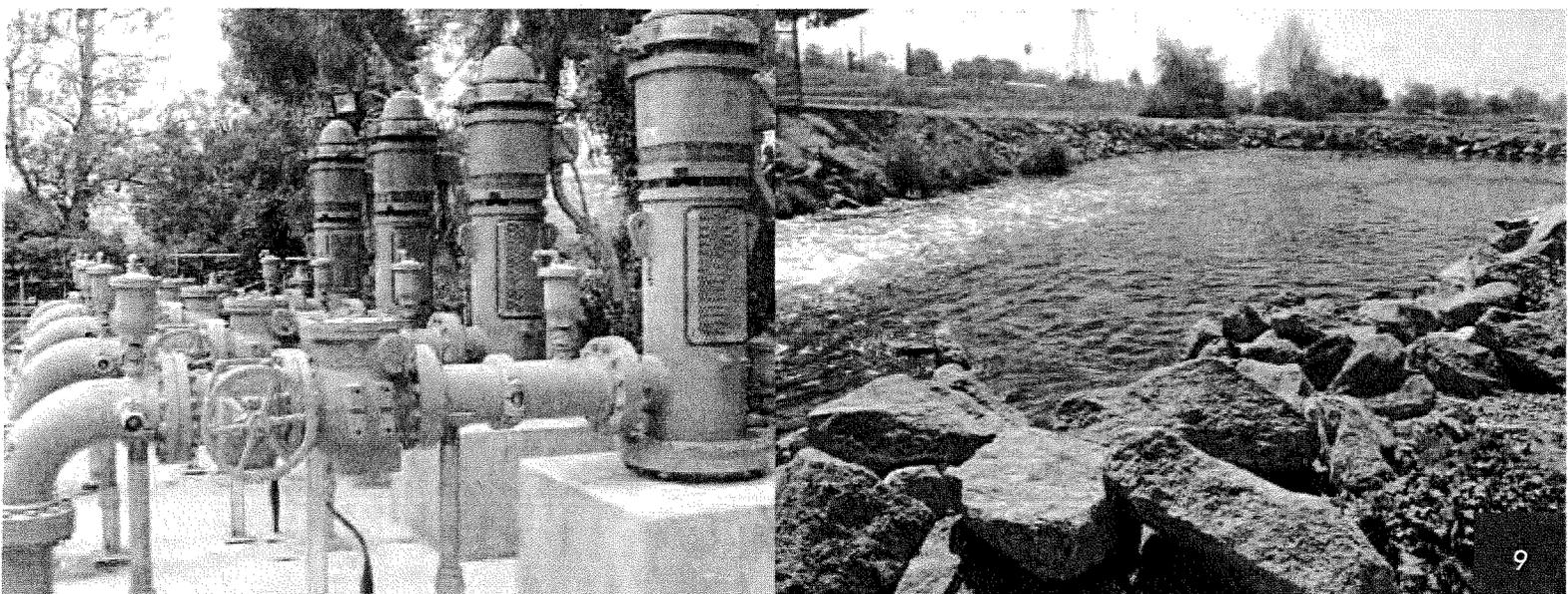
In fiscal year 2013/14, Metropolitan's funding supported the production of about 180,000 acre-feet of recycled water for non-potable and indirect potable uses and about 68,000 acre-feet of recovered groundwater for municipal use. In addition, another 267,000 acre-feet of recycled water, which includes 94,000 acre-feet of the base flow recharge from the Santa Ana River and 64,000 acre-feet of recovered groundwater, were produced by local agencies through other funding sources.

Fiscal Year 2013/14 LRP Highlights

Metropolitan launched the On-site Retrofit Pilot Program to provide financial incentives to property owners to convert their potable water systems to recycled water. The program, budgeted at \$7.5 million over three years, is open to commercial, industrial and irrigation users.

Metropolitan also entered into agreements with local agencies for two recycled water projects and one groundwater recovery project. When fully developed, they will produce about 3,600 acre-feet of recycled water and about 250 acre-feet of recovered groundwater, respectively.

- The Leo J. Vander Lans Water treatment Facility Expansion Project will be owned and operated by Water Replenishment District and operated by City of Long Beach. This project will increase recycled water use for the Alamitos Seawater Barrier by about 3,475 acre-feet per year.
- The Recycling Demonstration Project is owned and operated by the city of Anaheim. This project will provide up to 110 acre-feet per year of recycled water for landscape irrigation in downtown Anaheim, as well as for toilet flushing in one of the city's office buildings. In addition, this project will be a showcase and an educational facility for students and general public on recycled water treatment and use.
- The Cal Poly Pomona Water Treatment Plant Project will be owned and operated by California State Polytechnic University, Pomona. The project will treat up to 250 acre-feet per year of contaminated groundwater for potable use within the university.



Groundwater Management

Metropolitan partners with local agencies to store imported surface water in groundwater basins for use in times of shortage under conjunctive use agreements. Metropolitan currently has nine storage projects with nearly 212,000 acre-feet of storage capacity and can withdraw up to about 70,000 acre-feet per year during shortage years. In spring 2014, Metropolitan requested nearly 40,000 acre-feet to be produced from these storage accounts over a 15-month period through 2015.

Foundational Actions Funding Program

In April 2013, Metropolitan's Board of Directors approved a two-year pilot Foundational Actions Funding Program to address regional funding needs for actions that reduce barriers to future water resource production. The program is open to Metropolitan's member agencies. Proposed actions consist of technical studies or pilot projects related to recycled water, seawater desalination, stormwater, and groundwater enhancement. Metropolitan entered into thirteen contracts for technical studies and pilot projects totaling \$3 million in matching funds. These projects are currently underway, and final results are due to Metropolitan in early 2016.

WATERSHED INITIATIVES

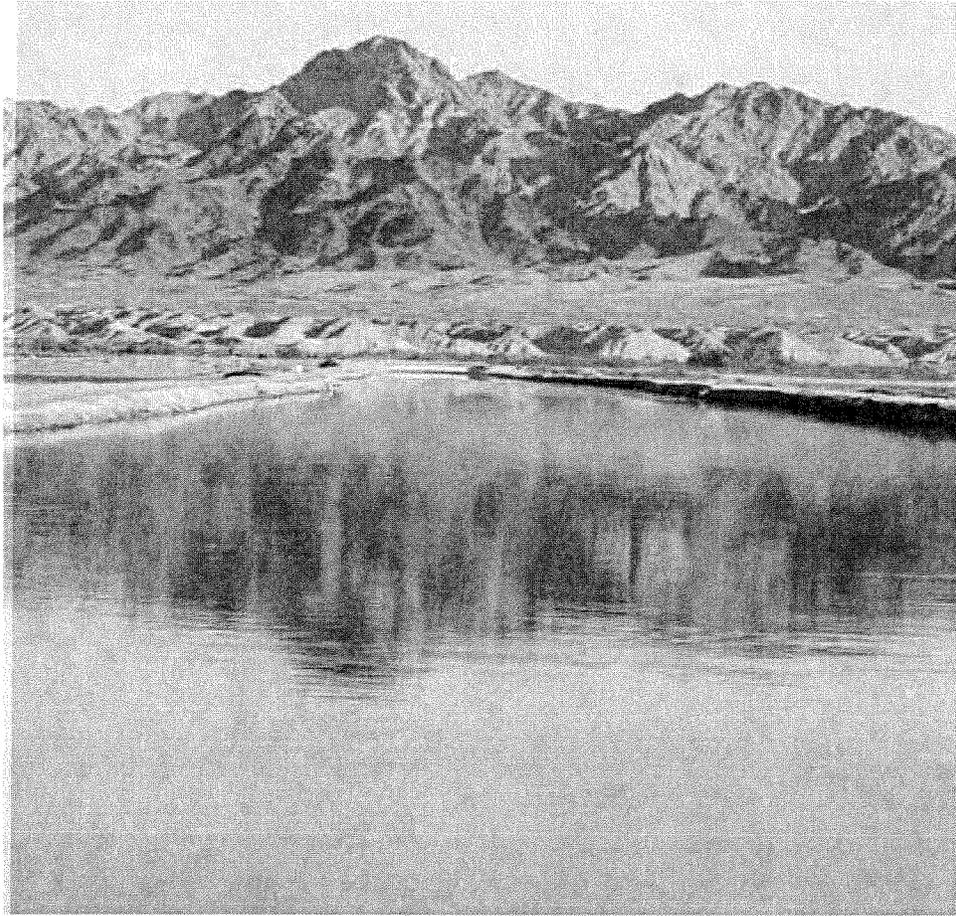
Metropolitan is active on planning boards and organizations formed to improve watershed management and restoration. Metropolitan works with stakeholders from the following organizations:

Local Organizations

Integrated Regional Water Management: Metropolitan continues to participate in the Greater Los Angeles County Region Leadership Committee as its surface water management area representative. The Greater Los Angeles County Region IRWM Leadership Committee submitted applications \$27.2 million in Drought Grant funding from Proposition 84 for local projects totaling over \$184 million. **Southern California Water Committee Stormwater Task Force:** Metropolitan hosted the third annual workshop in June 2014 to discuss lessons learned through the Municipal Separate Storm Sewer System permit process, funding strategies and legislation opportunities. **The Los Angeles Basin Stormwater Conservation Study:** The \$2.4 million study is a cooperative effort among the Los Angeles County Flood Control District, the federal Bureau of Reclamation and several local agencies, including Metropolitan. The Basin Study, expected to be complete by May 2015, identifies alternatives, conducts trade-off analyses and develops recommendations for meeting future water demands in the watersheds. **Council for Watershed Health:** Metropolitan has been partnering with the Council for Watershed Health since 2000 in various research studies and educational outreach efforts related to improving water supply reliability, water quality and promotion of water-use efficiency. Currently, the council has four programs: urban stormwater, sustainable landscape, watershed coordination, and watershed monitoring.



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Colorado River

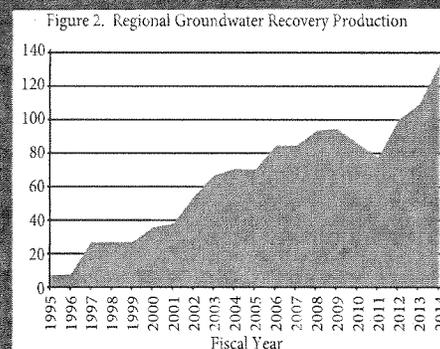
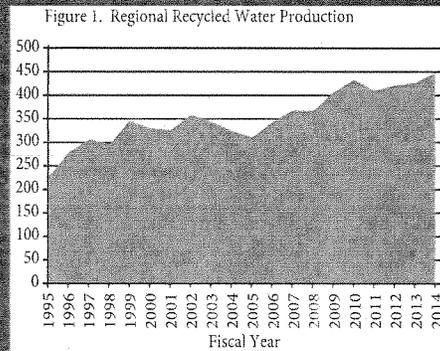
Lower Colorado River Multi-Species Conservation Program: The program was created to balance the use of Colorado River water resources with the conservation and recovery of native species and their habitats. Metropolitan is actively involved in developing the annual work plans and budget and administers the Habitat Maintenance Fund and the Remedial Measures Fund.

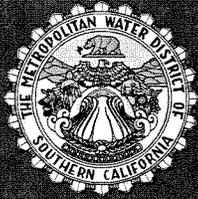
Sacramento-San Joaquin Delta

Bay Delta Conservation Plan: Metropolitan participates in the BDCP process and continues to work with agencies and stakeholders throughout the Delta watershed to restore the ecosystem and to protect Delta water quality for drinking water uses and aquatic wildlife. **Municipal Water Quality Investigations Program:** Metropolitan continues to support the state Department of Water Resources' MWQI, which implements water quality monitoring and special studies in the Delta and its tributaries. In fiscal year 2013/14, this program continued to operate five real-time water quality stations, completed seasonal water quality forecasts, and initiated a State Water Project limnology study. **Delta nutrient impact studies:** Metropolitan continues to work with the state and federal water contractors to support studies and management actions addressing the impacts of nutrients and other water quality stressors in the Delta watershed. Metropolitan also participated in the Central Valley and San Francisco Bay Regional Water Quality Control Boards' nutrient management programs. **Battle Creek Salmon and Steelhead Restoration Project:** This federal project, begun in 2010, is one of the largest cold-water fish restoration efforts in North America. Metropolitan supported and financially assisted this project which will open almost 50 miles of winter-, spring- and late fall-run salmon and steelhead habitat in the Sacramento River watershed. Construction is anticipated to be completed by 2019.

WATER RECYCLING AND GROUNDWATER RECOVERY

Recycling and groundwater recovery are local resources that add balance to the region's diverse portfolio of resource options. Figures 1 and 2 show the production of these local resources as the region places greater emphasis on water-use efficiency and improving basin health. While water recycling and groundwater recovery projects are developed by local water agencies, many projects receive financial incentives for water production through Metropolitan's Local Resources Program. Figure 1 includes treated wastewater discharged to the Santa Ana River base flow that percolates into downstream groundwater basins.





ACHIEVEMENT SCORECARD

FISCAL YEAR 2013/14

CONSERVATION		
FY 2013/14 Total Water Saved¹		923,000 acre-feet
New Water Saved From Metropolitan Conservation Credits Program ²		9,000 acre-feet
Water Saved From Existing Metropolitan Conservation Credits Program ³		157,000 acre-feet
Water Saved From Code-Based, Price, & Pre-1990 Device Retrofit		757,000 acre-feet
FY 2013/14 Investment		\$33.7 million
Metropolitan Conservation Credits Program Investment ⁴		\$18.6 million
Member Agency Conservation Investment ⁵		\$14.4 million
Metropolitan Outreach & Education		\$0.7 million
Cumulative Savings Since 1990		
Water Saved From Metropolitan Conservation Credits Program ⁶		2,050,000 acre-feet
Metropolitan Conservation Investment (excl. funding by member agencies)		\$352 million
RECYCLED WATER ⁷		
FY 2013/14 Production		447,000 acre-feet
Water Produced From Projects Receiving Metropolitan Funding		180,000 acre-feet
Water Produced From Projects Without Metropolitan Funding (incl. Santa Ana River base flow)		267,000 acre-feet
FY 2013/14 Investment		
Metropolitan Funding		\$30 million
Cumulative Production & Investment Since Inception⁸		
Production With Metropolitan Funding		2,006,000 acre-feet
Metropolitan Investment		\$356 million
GROUNDWATER RECOVERY ⁷		
FY 2013/14 Production		132,000 acre-feet
Water Produced From Projects Receiving Metropolitan Funding		68,000 acre-feet
Water Produced From Projects Without Metropolitan Funding		64,000 acre-feet
FY 2013/14 Investment		
Metropolitan Funding		\$9.4 million
Cumulative Production & Investment Since Inception⁹		
Production With Metropolitan Funding		729,000 acre-feet
Metropolitan Investment		\$125 million
CONJUNCTIVE USE PROGRAM ¹⁰		
Metropolitan Cumulative Capital Investment		\$26.5 million
Proposition 13 Grant Funds Administered by Metropolitan		\$45.0 million
Water Stored Since Program Inception through September 2014		273,000 acre-feet
Water Extracted Since Program Inception through September 2014 ⁷		220,000 acre-feet
GROUNDWATER REPLENISHMENT ¹¹		
Cumulative Investment through December 2014		\$347 million
Cumulative Replenishment Delivery through December 2014		3,256,000 acre-feet
REGIONAL SUMMARY		
	FY 2013/14	Since 1990
Water Conservation ¹² , Recycled Water and Groundwater Recovery	1.5 million acre-feet	17.9 million acre-feet
Metropolitan's Investment in Water Conservation, Recycled Water and Groundwater Recovery	\$58 million	\$833 million



FOOTNOTES FOR ACHIEVEMENT SCORECARD

Numbers in this report are based on best available information during the production of this report and subject to revision for accounting reconciliation.

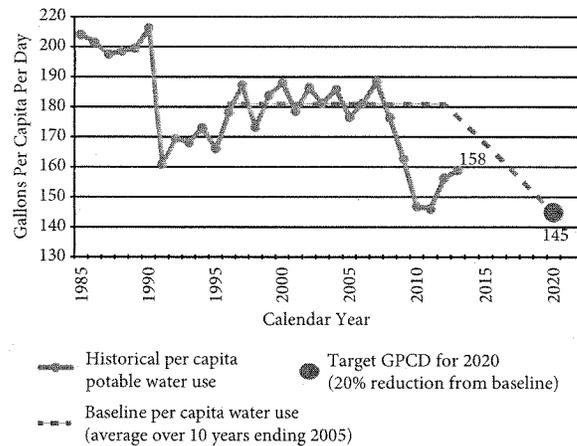
1. Annual total savings include Metropolitan's Conservation Credits Program, code-based conservation achieved through legislation, building and plumbing codes and ordinances, reduced consumption resulting from changes in water pricing, and pre-1990 device retrofits.
2. New water savings achieved through Metropolitan's Conservation Credits Program and from member agency-funded programs installed in fiscal year 2013/14.
3. Includes water savings initially achieved through Metropolitan's Conservation Credits Program and subsequently maintained through plumbing codes.
4. Active conservation investment includes administrative fees for contracted program vendors.
5. In addition to Metropolitan's Conservation Credits Program, member agencies and retailers also implemented local water conservation programs within their respective service areas. Member agency investment figures include rebate funding beyond rebates already provided by Metropolitan's Conservation Credits Program.
6. Cumulative water savings since 1990 that include water savings initially achieved through Metropolitan's Conservation Credits Program and subsequently maintained through plumbing codes.
7. Figures reflect actual and estimated deliveries for all Metropolitan-assisted projects and payments reported through June 2014; cumulative production and investment reflect accounting reconciliation as data become available; annual regional production for recycled water includes an estimated 94,000 acre-feet of treated wastewater discharged to the Santa Ana River base flow that percolates into downstream groundwater basins.
8. Metropolitan initiated its Local Resources Program in 1982 to encourage production of recycled water for municipal purposes.
9. Metropolitan initiated its Groundwater Recovery Program in 1991 to encourage treatment and use of degraded groundwater for municipal purposes.
10. Construction of the conjunctive use storage programs was completed in 2008. Proposition 13 refers to Chapter 9 of the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Act of 2000. Water extracted since program inception includes losses.
11. Figure is cumulative since 1990. Prior to 2013, Metropolitan provided replenishment water at a discounted rate to encourage long-term recharge and maintenance of groundwater basins and local reservoirs. Although the discounted replenishment rate was discontinued Jan. 1, 2013, Metropolitan continues to provide water for replenishment purposes at full service rates. Figure may not include all deliveries used for replenishment purposes.
12. Cumulative water savings since 1990 include Metropolitan's Conservation Credits Program, code-based conservation achieved through legislation, building and plumbing codes and ordinances, reduced consumption resulting from changes in water pricing, and pre-1990 device retrofit.

WATER-USE EFFICIENCY STRATEGY

Metropolitan and the Natural Resources Defense Council cosponsored the Water Conservation Act of 2009 (SBX7-7), which targets a 20 percent reduction statewide in urban per capita water use by the year 2020. Per capita water use is one indicator of progress in advancing water-use efficiency. Metropolitan's baseline is 181 gallons per capita per day and the 2020 reduction target is 145 GPCD (Figure 3). Since 2011, the region saw a slight increase in per capita water use that can be explained in part by continued economic recovery and drier weather as compared with previous years. The calendar year 2013 GPCD of 158 is a 13 percent decrease from the baseline and shows that the region is on track to meet its 2020 target.

Metropolitan's commitment to water-use efficiency is demonstrated through more than two decades of conservation and water recycling. Metropolitan will continue to support the region's effort to meet the 2020 target through conservation and recycled water programs.

Figure 3. Regional Potable Per Capita Water Use



California's Extreme Drought Conditions

METROPOLITAN HAS RESPONDED TO CALIFORNIA'S EXTREME DROUGHT CONDITIONS BY CALLING ON LOCAL CITIES AND WATER AGENCIES TO IMPLEMENT EXTRAORDINARY CONSERVATION AND CONTINUING ITS EFFORT TO EXPAND THE CONSERVATION AND RECYCLED WATER PROGRAMS.

STATEWIDE WATER EMERGENCY

Although multi-year dry periods are a fact of life in California, the current drought is unprecedented in geographic scope and severity. As of October 14, 2014, the National Weather Service (NWS) reported that 82 percent of California is in extreme drought or higher, up from 28 percent at the start of the calendar year. Over 58 percent of the state is in "exceptional drought" – the highest level – according to the NWS drought monitor. Virtually the entire state and its surrounding watersheds are affected by drought. The NWS also reported that the first six months of 2014 were 4.7 degrees hotter than average, setting a new record for California. The heat wave was more intense in Southern California, where the first six months were 5.7 degrees hotter than average, also a record. These conditions, preceded by two dry years, have adversely affected water supplies across the state. The State Water Project (SWP) record low five percent allocation in 2014 is but one example.

Managing the state's stressed water supplies is vital to the health and wellbeing of California's population, economy, agriculture and environment. Metropolitan appreciates the strong leadership demonstrated by Governor Edmund G. Brown Jr., the State Water Resources Control Board (SWRCB), and other state agencies. In January 2014, the governor issued a drought emergency proclamation calling for Californians to reduce their water use by 20 percent and for water agencies to implement water shortage plans. In April, the governor issued a second proclamation, asking the state to redouble drought actions and directing the SWRCB to adopt emergency regulations to implement the directive. Accordingly, the SWRCB adopted outdoor water restrictions on July 15, 2014 that targeted outdoor urban water use that would normally increase under the hot and dry conditions afflicting California.

METROPOLITAN'S ACTIONS

Metropolitan's mission is to provide high quality, reliable supplies to our region in an economically and environmentally responsible way. Metropolitan and its member agencies have spent the past 25 years preparing for drought by investing in a robust, diversified water resource portfolio. In the process, utilities in the region have become statewide leaders in water conservation, wastewater recycling and groundwater recovery. Metropolitan's cumulative invest-

ments in reliable local supplies exceed \$1 billion and include:

- \$352 million for conservation programs,
- \$356 million for recycled water projects,
- \$125 million for groundwater recovery projects, and
- \$373 million for groundwater storage programs.

Metropolitan also supports stringent requirements for water efficient appliances. Along with its member agencies, Metropolitan has pushed the envelope for recycled water use. Since 1991, these efforts have generated a cumulative 17.9 million acre feet of reduced demands and new supplies.

Southern California's investment in conservation, recycling, and groundwater recovery has created a remarkable reduction in water demands and increased local supplies. As shown in this Regional Progress Report for fiscal year 2013/14, Southern California conserved 923,000 acre-feet and produced 447,000 acre-feet of water through recycling and 132,000 acre-feet of groundwater recovery. The combined water savings and production is more than the total water used by the cities of Los Angeles, San Francisco, and San Diego. In fact, it is more water than can be supplied through Metropolitan's Colorado River Aqueduct in a given year.



PUBLIC HEARING

In accordance with section 130.5 of the MWD Act, Metropolitan held a public hearing on Dec. 8, 2014 to receive comment on the draft Regional Progress Report on achievements in conservation, recycling and groundwater recharge with an emphasis on fiscal year 2013/14. Transcriptions of comments received at the public hearing are on file at Metropolitan and available upon request.

MANAGING WATER DEMAND

Potable retail demands in Metropolitan's service area reflect the investments shown above. In the late 1980s, potable demands averaged 199 gallons per capita per day (GPCD). By comparison, the average potable demand from 2010 to 2013 was 151 GPCD – a 24 percent reduction. Over the same period, Metropolitan has invested \$2 billion to build Diamond Valley Lake, doubling the region's surface water storage capacity; \$500 million on dry-year storage, transfer and exchange programs along the SWP and the Colorado River Aqueduct, and groundwater programs within its service area. Metropolitan is leveraging the region's investments in conservation, local supplies and dry-year storage to manage and mitigate the drought's impacts on the region's nearly 19 million residents and trillion dollar economy.

Conservation, local supplies and storage have all reduced Southern California's reliance on imported supplies. In fiscal year 2006/07, the beginning of the last significant dry period, Metropolitan delivered 2.41 million acre-feet of imported supplies. By comparison, Metropolitan delivered 2.06 million acre-feet in fiscal year 2013/14. The 350,000 acre-feet drop amounts to a 15 percent reduction in imported supplies despite the current drought's record heat and over a half a million more people living in Southern California. Even with these significant reductions in demand, Southern

California is committed to continued increases in water-use efficiency, particularly in outdoor water use.

RESPONSE TO THE GOVERNOR'S DROUGHT PROCLAMATION

After meeting with the governor earlier this year, Metropolitan ramped up conservation efforts in Southern California. In February 2014, Metropolitan called on local cities and water agencies to immediately implement extraordinary conservation measures and institute local drought ordinances. Metropolitan also significantly expanded its water conservation programs. Metropolitan doubled its annual conservation budget from \$20 million to \$40 million. The increase will be combined with its member and local retail agencies' contributions to achieve additional water savings throughout the year.

Metropolitan's Conservation Effort

The region's conservation efforts in the past 25 years primarily targeted indoor water use, such as retrofitting homes and businesses with high efficiency shower heads, toilets, faucet aerators, clothes washing machines, waterless urinals, and commercial processes and equipment. In recent years, Metropolitan has increased focus on outdoor water use with efficient irrigation controllers, sprinkler nozzles, rain barrels and turf removal.

Metropolitan's turf removal program provides residential and commercial customers with rebates to replace their water-

thirsty turf lawns with California Friendly® landscapes. To date, more than 21 million square feet of turf have been permanently removed.

Metropolitan also more than doubled recycled water retrofit incentives to large landscape irrigators to accelerate conversions from potable to recycled water.

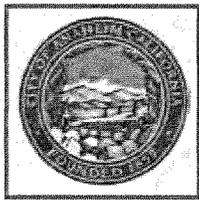
Regional Outreach Campaign

In July 2014, Metropolitan launched a \$5.5 million outreach campaign, the largest in Metropolitan's history. The goal of the campaign was to raise awareness of the drought and urge residents and businesses to save water this year. The campaign features multiple media platforms, including radio and television, with enhanced outreach to the region's ethnic communities. Activity on Metropolitan's bewaterwise.com website quadrupled as a result of the campaign. Metropolitan's conservation programs saw record-breaking increases in applications for rebates. It is clear that Southern California is responding to these calls for increased conservation efforts.

Metropolitan is committed to doing its part in promoting water-use efficiency and increasing local supplies while collaborating with other stakeholders to protect critical reserves.

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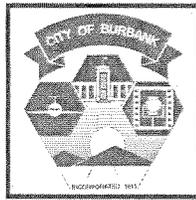
METROPOLITAN'S MEMBER AGENCIES



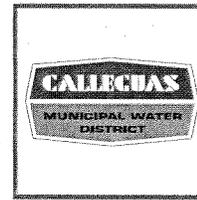
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December 6, 1928



Joined Metropolitan
December 6, 1928



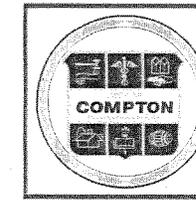
Joined Metropolitan
December 6, 1928



Joined Metropolitan
December 14, 1960



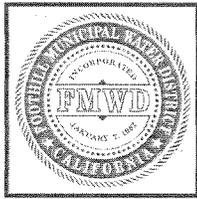
Joined Metropolitan
November 12, 1954



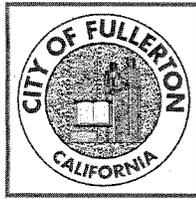
Joined Metropolitan
June 23, 1931



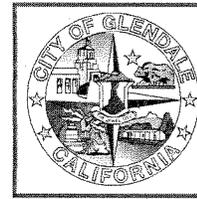
Joined Metropolitan
October 16, 1950



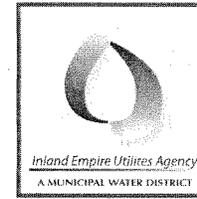
Joined Metropolitan
January 15, 1953



Joined Metropolitan
February 27, 1931



Joined Metropolitan
December 6, 1928



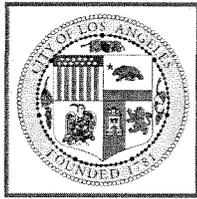
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November 26, 1951



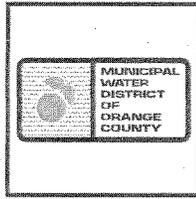
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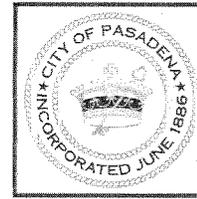
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February 27, 1931



Joined Metropolitan
December 6, 1928



Joined Metropolitan
November 26, 1951



Joined Metropolitan
December 6, 1928



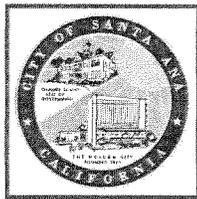
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Joined Metropolitan
November 12, 1971



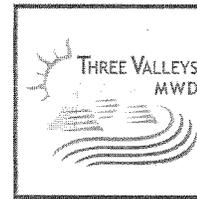
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December 6, 1928



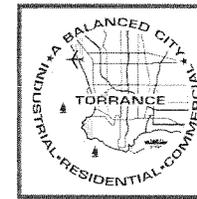
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December 6, 1928



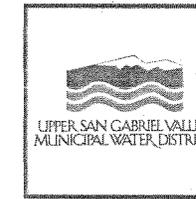
Joined Metropolitan
December 6, 1928



Joined Metropolitan
November 15, 1950



Joined Metropolitan
February 27, 1931



Joined Metropolitan
March 27, 1963



Joined Metropolitan
July 23, 1948



Joined Metropolitan
November 12, 1954

CONTACT METROPOLITAN

For more information about this report contact Kathy Cole, Metropolitan's Executive Legislative Representative, at (916) 650-2642 or kcole@mwdh2o.com. For more information about the Metropolitan Water District of Southern California, please visit mwdh2o.com or bewaterwise.com®.



THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

The Metropolitan Water District
of Southern California
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From: Afable,Zenaida P <ZAfable@mwdh2o.com>
Sent: Friday, October 30, 2015 1:40 PM
To: BDCPcomments
Cc: Horton,Robert C
Subject: BDCP/California WaterFix Comments from Metropolitan Water District of Southern California
Attachments: Metropolitan Water District of Southern California Comments on the RDEIR-SDEIS.pdf

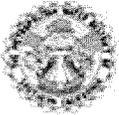
Please find attached Metropolitan's Comments on the Bay Delta Conservation Plan/California WaterFix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement.

If you have any difficulty opening the attached file, please contact Robert Horton at rhorton@mwdh2o.com or at (213) 217-6336.

Hard copy will be following by mail.

Thank you.

Zenaida "Zeny" Afable



The Metropolitan Water District of Southern California | 700 N. Alameda Street | Los Angeles, California 90012 | Tel. 213-217-5622 | Fax. 213-217-6890 | zafable@mwdh2o.com | www.mwdh2o.com

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SOLANO COUNTY WATER AGENCY



October 30, 2015

BDCP/WaterFix Comments
 P.O. Box 1919
 Sacramento, CA 95812

These are comments from the Solano County Water Agency (SCWA) on the Recirculated Public Draft Bay Delta Conservation Plan (BDCP)/California WaterFix EIR/EIS (RDEIR/SDEIS) and are in addition to those expressed in our last correspondence July 18, 2014. We appreciate some of the revisions made to the RDEIR/SDEIS from our previous comments on the Public Draft EIR/EIS and provide these additional comments on the revisions.

The SCWA provides a wholesale water supply to cities, special districts and State agencies in Solano County. Our agency boundaries include all of Solano County including parts of the legal Delta. We serve a population of over 300,000 with water from the North Bay Aqueduct (NBA) of the State Water Project. Since the NBA pumps water directly from the Delta, SCWA has a longstanding interest in the Delta to ensure that we can provide sufficient amounts of high quality water to our cities.

As noted in the revised cumulative analysis, water quality conditions in Barker Slough are anticipated to be adverse or have reasonable potential to be adverse, for bromide, chloride, electrical conductivity, organic carbon, and microcystis under the cumulative condition. The primary driver is likely hydrodynamic changes in the Cache Slough Complex due to increased tidal flux and higher residence time promoted by development of new tidal wetlands. The new alternatives separate the BDCP actions between CM-1 as CA WaterFix and development of the EcoRestore Program to implement habitat enhancement actions apart from WaterFix. The revised permitting mechanism reduces the amount of potential mitigation requirements directly attributable to the construction and operation of WaterFix. The contribution from the proposed project's incremental effect is characterized as not cumulatively considerable. However, it now becomes clear that the level of habitat enhancement reassigned to EcoRestore from BDCP and other efforts is likely cumulatively considerable in regards to water quality and public health impacts to the North Bay Aqueduct in Barker Slough in the long-term.

In general, we acknowledge the conclusion that operation of the new conveyance facility does not appear to be a driving factor of water quality impacts in Barker Slough under the assumed starting conditions. The hope of the proposed adaptive management program is that these initial operating conditions may be improved in the future. A relaxation of the outflow requirements on the proposed project from the starting condition could increase the adverse water quality impacts in Barker Slough attributable to operation of the new conveyance facility.

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Additionally, the RDEIR/SDEIR acknowledges several points of uncertainty in the water quality modeling particularly in Barker Slough. See example excerpts:

Section 4.2.7

"... the assessment of bromide, chloride and EC for the No Action Alternative (ELT), relative to Existing Conditions, likely underestimates increases in bromide, EC, and chloride that could occur, particularly in the west Delta. Nevertheless, there is notable uncertainty in the results of all quantitative assessments that refer to modeling results, due to the differing assumptions used in the modeling and the description of the No Action Alternative (ELT)."

Chapter 8

"Important to the results presented above is the assumed habitat restoration footprint on both the temporal and spatial scales incorporated into the modeling. Modeling sensitivity analyses have indicated that habitat restoration (which are reflected in the modeling—see Section 8.3.1.3), not operations covered under CMI, are the driving factor in the modeled bromide increases. The timing, location, and specific design of habitat restoration will have effects on Delta hydrodynamics, and any deviations from modeled habitat restoration and implementation schedule will lead to different outcomes. Although habitat restoration near Barker Slough is an important factor contributing to modeled bromide concentrations at the North Bay Aqueduct, BDCP habitat restoration elsewhere in the Delta can also have large effects. Because of these uncertainties, and the possibility of adaptive management changes to BDCP restoration activities, including location, magnitude, and timing of restoration, the estimates are not predictive of the bromide levels that would actually occur in Barker Slough or elsewhere in the Delta."

Chapter 8.3.1.7

"The modeling relies on several assumptions that could have large impacts on the predicted level of seawater intrusion. The two most major assumptions are the assumed level of sea level rise, and the assumed restoration area footprints used in the modeling. Changes in either of these assumptions would likely impact predicted bromide concentrations at Barker Slough. Additionally, DSM2 is known to not account well for local diversions and returns in the Barker Slough area, and the assumed modeled pumping schedule for the Barker Slough Pumping Plant may not accurately reflect actual operations, both of which can affect the hydrodynamics of Barker Slough. It is unknown whether these latter assumptions would play a major role in determining bromide concentrations in Barker slough under the alternatives."

Given this level of uncertainty, we are not confident that the water quality and public health impacts are appropriately characterized and addressed. The RDEIR/SDEIS is deficient and needs revisions regarding water quality and public health impacts specific to the NBA. We object to approval of the RDEIR/SDEIS with the current deficiencies. However, if the RDEIR/SDEIS is revised to become legally adequate, then many of SCWA's environmental concerns would be mitigated or lessened.

If you have any questions, please contact Thomas Pate at 707 455-1104 or tpate@scwa2.com.

Sincerely,


Roland Sanford, General Manager

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2587

N-122 BDCP RDEIR-SDEIS comments - draft (ID 189048)

Solano County Water Agency Detailed Comments on 2015 Recirculated Public Draft Bay Delta Conservation Plan (BDCP)/California WaterFix EIR/EIS (RDEIR/SDEIS)

Section 5 – Revised Cumulative Analysis

References to the North Bay Aqueduct Alternate Intake should “Alternate” not “Alternative”.

Table 5.2.2.21-1 – EcoRestore should be included.

Page 5-217 – “AIP” undefined

Appendix D – Substantive BDCP Revisions

Page D3-21, line 30 – The design nameplate capacity of Barker Slough Pumping Plant is 175 CFS, not 130 CFS.

Page D.3-34, line 39-42 –Barker Slough PP should not be referenced in this context. Barker Slough Pumping plant is not “proposed”.

Chapter 8 – Water Quality

Page 8-47, line 38-39 - “AIP” is used for two different projects.

Page 8-218, line 37 – AIP undefined

Appendix 3B – Environmental Commitments

Page 3B-74, line 39 – existing installed capacity of BSPP is 154 CFS

REC 189150

From: Thomas Pate <TPate@scwa2.com>
Sent: Friday, October 30, 2015 1:38 PM
To: BDCPcomments
Subject: RDEIR/SDEIS Comments
Attachments: N-122 BDCP RDEIR-SDEIS comments - final (ID 189150).pdf

Please see attached

Thomas L. Pate, PE
District Engineer

Director of Engineering, Operations, & Maint.

Solano County Water Agency
810 Vaca Valley Parkway, Suite 203
Vacaville, CA 95688
707.455.1104

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October 30, 2015

BDCP/California WaterFix Comments
 P.O. Box 1919
 Sacramento, CA 95812

BY EXPRESS MAIL AND E-MAIL TO
BDCPComments@icfi.com

The Honorable Sally Jewell
 Secretary
 U.S. Department of the Interior
 1849 C Street, NW
 Washington, DC 20240

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

Re: Comments on Bay Delta Conservation Plan/California WaterFix Partially
 Recirculated Draft EIR/Supplemental Draft EIS

Secretary Jewell and Secretary Laird:

This letter presents comments by the American River Water Agencies ("ARWA") on the Bay Delta Conservation Plan/California WaterFix Partially Recirculated Draft EIR/Supplemental Draft EIS ("RDEIR/SDEIS"). As discussed in the letter submitted by the ARWA for the previously-circulated BDCP Draft EIR/EIS, our agencies supply water to over 1,000,000 people in the American River Region. We recognize that significant efforts are necessary to provide reliable water supplies to all of California. However, the proposed California WaterFix project would create significant risks to the water supply reliability of our region. Also, the numerous flaws that undermined the impact analyses in the BDCP Draft EIR/EIS remain in the RDEIR/SDEIS.

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This letter incorporates and reasserts each of the comments in ARWA's previous letter to the extent that they apply to the RDEIR/SDEIS and the new and revised alternatives in it. Our agencies are also members of the North State Water Alliance ("NSWA"), and we agree with and incorporate that group's comments on the RDEIR/SDEIS.

COMMENTS ON THE RDEIR/SDEIS

As discussed in the following sections, the RDEIR/SDEIS should be revised and additional analyses should be conducted before the Bureau of Reclamation ("Reclamation") and the Department of Water Resources ("DWR") consider adopting a Final Environmental Impact Report/Statement for the proposed California WaterFix project. The RDEIR/SDEIS's failure to analyze the proposed project's impacts in comparison to an existing conditions baseline obscures the impacts that would occur from the proposed project and, if the RDEIR/SDEIS's analyses were adopted in a final EIR, then they would violate the California Environmental Quality Act ("CEQA").

The RDEIR/SDEIS also improperly defers analysis of key elements of the proposed project and improperly assumes, for both the No Action Alternative and the proposed action alternatives, that the State Water Project ("SWP") and the Central Valley Project ("CVP") would be operated in a manner that would cause significant damage to protected fisheries and violate numerous settlement contracts and water right permit terms. Finally, the RDEIR/SDEIS is so poorly organized and confusing that it does not properly inform the public about the proposed project's impacts.

1. The RDEIR/SDEIS's Analyses of Proposed Project Impacts Only Using the Early-Long Term Conditions Scenarios Would Violate CEQA

The "standard analysis" under CEQA compares the impacts of the proposed project, as if it existed at the time the environmental analysis is conducted, against existing environmental conditions. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 452.) Such an analysis "attempts to *predict* the impacts a project would have on the existing environment if approved and implemented." (*Ibid.*, italics in original)

The BDCP Draft EIR/EIS did not contain this standard CEQA analysis because it did not contain any analysis of the proposed project's impacts under existing conditions. Instead, the BDCP Draft EIR/EIS analyzed the impacts of the proposed project only under the 2060 "late long term" conditions. Our agencies previously commented that this analytical approach would not adequately inform the public and was contrary to CEQA.

The RDEIR/SDEIS contains a similar defect. Specifically, the RDEIR/SDEIS includes 2025 "early long-term" conditions in its analyses of both the No Action Alternative and the new proposed action alternatives. (RDEIR/SDEIS, pp. 4.2-1 (no action alternative), 4.3-1 (alt. 4A), 4.4.1-1 (alt. 2D), 4.5.1-1 (alt. 5A).) These early long-term conditions include the simulated impacts of climate change and sea level rise, and, for the new proposed action alternatives, the impacts of the proposed project. Like the BDCP DEIR/EIS, the RDEIR/SDEIS does not

separately analyze the proposed project's impacts in comparison to existing conditions. (RDEIR/SDEIS, p. 4.1-42.)

The inclusion of simulated climate change and sea level rise in the impact analyses for both the No Action Alternative and the new proposed action alternatives means the reader cannot determine which significant effects actually would be related to the proposed project and which are results of the RDEIS/SDEIS's modeling assumptions for early long-term conditions for climate change and sea level rise.

Analyzing the impacts of the proposed project in comparison to existing conditions is required by CEQA and would help all parties understand better what impacts would occur if SWP and CVP operations were modified for the substantial proposed north Delta water diversions. As discussed in the MBK Engineers ("MBK") technical memorandum previously submitted by our agencies with our comments on the BDCP DEIR/EIS, the project's hydrologic modeling appears to assume that Reclamation's patterns of releases of water from storage in Folsom Reservoir would change by increasing in the summer and decreasing in the fall, to allow substantial amounts of released water to move through the proposed tunnels. As described by MBK, this changed pattern of reservoir releases would substantially alter the seasonal patterns of water storage in the reservoir. However, because both the No Action Alternative and the new proposed action alternatives include simulated climate change and sea level rise, the effects of these altered release patterns for the new proposed action alternatives are muted or masked by the overarching effects of simulated climate change and sea level rise, which the RDEIR/SDEIS assumes will significantly reduce Folsom Reservoir storage in drier years under both the No Action Alternative and the new proposed action alternatives. This approach does not provide the information and analysis needed for our agencies and others to understand the specific effects of the proposed action alternatives on Folsom Reservoir release patterns and storage levels.

In *Neighbors for Smart Rail*, the California Supreme Court stated that using a future baseline might cause "changes in background conditions" to "mask or swamp" project impacts (*Neighbors for Smart Rail, supra*, 57 Cal.4th at p. 456). Here, the RDEIR/SDEIS's use of the "early long term" (2025) climate change and sea level rise scenarios "masks or swamps" the analyses of project impacts. An analysis based on existing conditions is necessary to avoid this problem and to allow our agencies and others to understand the impacts of the proposed project on those fish.

Although the RDEIR/SDEIS uses an existing conditions baseline in its CEQA analysis, it only uses this baseline to assess the impacts of the new proposed action alternatives under early-long term conditions, and not to assess the impacts of these alternatives under existing conditions. This approach does not inform the reader about the proposed project's impacts, because the resulting impact analysis does not separate the impacts of the proposed project from the simulated impacts of climate change and sea level rise. Like the BDCP DEIR/EIS, the RDEIR/SDEIS repeatedly acknowledges this flaw and states that comparing existing conditions with the early-long term scenarios for the action alternatives is unhelpful and obscures project-related impacts. (See, e.g., RDEIR/SDEIS, p. 3.7-60: "Because the action alternative modeling does not partition the effects of implementation of the alternative from the effects of sea level

rise, climate change, and future water demands, the comparison to Existing Conditions may not offer a clear understanding of the impact of the alternative on the environment.” (See also RDEIR/SDEIS, pp. 4.3.7-72 to 4.3.7-73, 4.3.7-98 to 4.3.7-99, 4.3.7-147 (alt. 4A); pp. 4.4.7-4, 4.4.7-10 to 4.4.7-11, 4.4.7-20 to 4.4.7-21, 4.4.7-43, 4.4.7-45 to 4.4.7-46, 4.4.7-49 to 4.4.7-50, 4.4.7-51 to 4.4.7-52, 4.4.7-73, 4.4.7-78 to 4.4.7-79, 4.4.7-85 (alt. 2D); 4.5.7-11, 4.5.7-21 to 4.5.7-22, 4.5.7-40, 4.5.7-42 to 4.5.7-43, 4.5.7-46 to 4.5.7-47, 4.5.7-69, 4.5.7-74 to 4.5.7-75 (alt. 5A).)

The RDEIR/SDEIS states that, because of this defect, the comparison of the new proposed action alternatives to the No Action Alternative Early Long Term Conditions scenario “is a better approach because it isolates the effect of the alternative from those of sea level rise, climate change, and future water demands.” (See, e.g., p. 4.3.7-60.) However, this comparison does not satisfy CEQA. Although the California Supreme Court in *Neighbors for Smart Rail* approved the use of a future conditions baseline under CEQA under some circumstances, the Court expressly held that an EIR may not omit any analysis of the proposed project’s impacts on existing conditions unless such an analysis would be “misleading or without informational value.” (*Neighbors for Smart Rail, supra*, 57 Cal.4th at 457.) As discussed above, an analysis of California WaterFix’s impacts on existing conditions would not be misleading and would be very informative, because it would describe the specific impacts of the proposed project, separate from the simulated impacts of climate change and sea level rise, in comparison to known, existing conditions, and not in comparison to simulated future conditions that may or may not ever occur. (See ARWA’s BDCP Comment Letter, pp. 20-26. Therefore, the RDEIR/SDEIS should not have omitted this analysis.

Because the RDEIR/SDEIS does not properly analyze the proposed project’s impacts in comparison to existing conditions, and because such an analysis is necessary for all parties to understand the proposed project’s impacts, the RDEIR/SDEIS is inadequate and, if adopted as a final EIR, would violate CEQA.

2. The RDEIR/SDEIS Improperly Defers Analysis of Many of California WaterFix’s Key Elements

Several key elements of the proposed California WaterFix are not described or analyzed in the RDEIR/SDEIS. Instead, the RDEIR/SDEIS states these project elements will be developed and studied in the future, either for the Final EIR/EIS or as adaptive management measures during construction or operation of the proposed project. These elements include:

- Future SWP/CVP system operations in light of projected climate change (to be provided in the Final EIR/EIS) (RDEIR/SDEIS, p. 1-35);
- The design of fish facilities, including the enormous fish screens for the three north Delta diversions under Alternative 4A (to be developed during construction and operation of the proposed project) (RDEIR/SDEIS, p. ES-37);

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- The operation of the water conveyance facilities (to be developed under future biological opinions and Fish and Game Code section 2081(b) permits for the proposed project) (RDEIR/SDEIS, p. ES-37); and,
- The January through June Delta outflows necessary to have the proposed project not result to changes in longfin smelt abundance (to be adjusted during operations of the proposed project) (RDEIR/SDEIS, pp. 4.3.7-41 (alt. 4A); 4.4.7-11 to 4.4.7-12 (alt. 2D); 4.5.7-11 to 4.5.7-12 (alt. 5A)).

The plan for future SWP/CVP operations should not, as proposed in the RDEIR/SDEIS, be provided to our agencies for the first time in the Final EIR/EIS. (See RDEIR/SDEIS, p. 1-35.) The operations of the CVP, in particular, are far too important for our region to be disclosed to the public and its water suppliers so late in the process and in such a perfunctory manner.

The approach of deferring the analysis of significant project elements would defeat CEQA's fundamental informational purpose. (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 440-441.) Before approving a project, decision makers and the public must be informed of the impacts from a project, and, if one or more of those impacts is adverse, how it will be addressed. (*Ibid.*; see also *Stanislaus Natural Heritage Project v. Cty. of Stanislaus* (1996) 48 Cal.App.4th 182, 195.) It is not possible to fully evaluate a proposed project's impacts unless all of its elements have been described and analyzed in the EIR.

The improper deferral of impact analysis in the RDEIR/SDEIS violates CEQA and undermines the document's analysis. Regarding the enormous new fish screens for the north Delta diversions, the RDEIR/SDEIS concludes that, although fish screens of the proposed size have neither been designed nor tested anywhere, the proposed screens would "eliminate entrainment risk" for juvenile salmonids. (RDEIR/SDEIS, p. 4.3.7-79 (alt. 4A).) However, although the *objective* of the proposed screens may be to eliminate or reduce entrainment, no analysis in the RDEIR/SDEIS supports the conclusion that the proposed project would meet this objective, because the screens would not be designed or tested until after Reclamation initiated consultation with the United States Fish and Wildlife Service. (RDEIR/SDEIS, p. ES-37.) We incorporate the comments by David Vogel, which are attached to the NSWA comment letter, on the proposed fish screens. Mr. Vogel has reviewed the RDEIR/SDEIS and the proposed fish screens and concluded that the proposed screens may have major flaws that have not been resolved by the RDEIR/SDEIS.

The RDEIR/SDEIS is similarly flawed in its analysis of the project's impacts to longfin smelt. The RDEIR/SDEIS improperly concludes the preferred project would mitigate all significant project operation impacts to longfin smelt by setting delta outflow "such that longfin smelt abundance would not be reduced." (RDEIR/SDEIS, p. 4.3.7-41 (alt. 4A); see also 4.4.7-11 to 4.4.7-12 (proposing mitigation for alt. 2D); 4.5.7-11 to 4.5.7-12 (proposing mitigation for alt. 5A).) However, the RDEIR/SDEIS does not state how much outflow would be devoted to this mitigation measure. (RDEIR/SDEIS, p. 4.1-9.) Nor does the RDEIR/SDEIS contain any analysis of how the amount of outflow bounded by the Alternative 4A high and low outflow

scenarios, H3 and H4, actually would be sufficient so that longfin smelt abundance would not be reduced. As with the document's discussion of the north Delta diversion fish screens, the RDEIR/SDEIS improperly presents a project objective as an impact conclusion without presenting the relevant details of the proposed project components or operations or any analyses of their effectiveness.

Other parts of the RDEIR/SDEIS, including its analysis of the effects of Alternative 4A and 5A water operations on winter-run Chinook salmon, have similar flaws. (See RDEIR/SDEIS, p. 4.3.7-64 (concluding, with no analysis, that alt. 4A would have no adverse impacts from the north Delta diversion on winter-run Chinook salmon, because future, undescribed measures would be designed to avoid such impacts); RDEIR/SDEIS, p. 4.5.7-24 (concluding, with no analysis, that alt. 5A would "not degrade migration conditions" for winter-run Chinook salmon); but see RDEIR/SDEIS, p. 4.4.7-25 (concluding that alt. 2D would have an "unacceptable risk" to winter-run Chinook salmon migration conditions).)

Because the RDEIR/SDEIS defers analysis of the impacts of such components of the proposed project, and because it presents project objectives as impact conclusions without sufficient details or analyses, the RDEIR/SDEIS is inadequate and, if certified in its present form, would violate CEQA.

3. The RDEIR/SDEIS Improperly Assumes, For Both the No Action Alternative and Alternative 4A, that the SWP and CVP Would be Operated in a Manner that Would Cause Significant Harm to Protected Fisheries

As discussed in our agencies' comments on the BDCP DEIR/EIS, that document's effects analyses were flawed because they did not present a reasonable and accurate representation of future conditions. Specially, they incorrectly assumed that, with or without the BDCP project, the SWP and CVP would be operated in a manner that would cause significant harm to protected fisheries. The Cardno ENTRIX technical memorandum that our agencies submitted with our comments on the BDCP DEIR/EIS explained that the simulated "late long term" (2060) conditions for climate change, sea level rise and the proposed BDCP project would have severe impacts on salmonids in the river, including steelhead listed under the federal ESA and fall-run Chinook salmon, and that Reclamation almost certainly would not be allowed to actually operate the CVP in the manner assumed for that scenario.

The RDEIR/SDEIS has similar analytical defects. The RDEIR/SDEIS concludes, after comparing projected early long-term (2025) conditions with and without the preferred project (that is under Alternative 4A in comparison to the No Action Alternative), that water operations under the preferred project would have no significant, unmitigated impacts to protected fisheries. (RDEIR/SDEIS, pp. ES-47 to ES-59.) These conclusions obscure the fact that the RDEIR/SDEIS assumes that conditions for protected aquatic life would be seriously degraded under both the without-project and the with-project scenarios, in comparison to existing conditions. These assumed conditions for Alternative 4A include the following:

- Decreased and degraded quantity and quality of spawning and egg incubation habitat for fall-/late fall-run Chinook salmon (RDEIR/SDEIS, p. 4.3.7-147);
- Moderate to substantial flow reductions and substantial increases in temperatures and temperature exceedances above thresholds in the Sacramento, Feather, and American Rivers, which would interfere with fall-/late fall-run Chinook salmon spawning and incubation (RDEIR/SDEIS, p. 4.3.7-155);
- Substantially degraded spawning and egg incubation habitat conditions in the Sacramento, Feather and American Rivers (RDEIR/SDEIS, p. 4.3.7-155);
- Persistent moderate flow reductions in the Feather, American, Stanislaus, Mokelumne, and San Joaquin Rivers, which would interfere with fall-/late fall-run Chinook salmon juvenile rearing habitat conditions (RDEIR/SDEIS, p. 4.3.7-167);
- Increases in larval/juvenile delta smelt entrainment of 5% (RDEIR/SDEIS, p. 4.3.7-24);
- Reductions of longfin smelt abundance of 10% to 22%, depending on the level of Delta outflow (RDEIR/SDEIS, p. 4.3.7-41);
- Reduced quantity and quality of spawning and egg incubation habitat for winter-run Chinook, including an 18% increase in egg mortality (RDEIR/SDEIS, pp. 4.3.7-48, 4.3.7-60);
- Substantial reductions in juvenile migration conditions for winter-run Chinook salmon upstream of the Delta (RDEIR/SDEIS, p. 4.3.7-72);
- Substantial reductions in the quantity and quality of spawning and egg incubation habitat for spring-run Chinook salmon (RDEIR/SDEIS, p. 4.3.7-95); and;
- Flow reductions and temperature increases in the Sacramento River that would lead to biologically meaningful increases in egg mortality and overall reduced habitat conditions for spawning and egg incubation of spring-run Chinook salmon (RDEIR/SDEIS, pp. 4.3.7-98, 4.3.7-106).

These impacts render the conclusions in the RDEIR/SDEIS regarding Alternative 4A, and the similar conclusions made regarding Alternatives 2D and 5A, invalid because they are based on hydrologic and biological modeling that is not representative of actual future conditions. The state and federal fish agencies are very unlikely to allow Reclamation and DWR to operate the SWP and CVP in a manner that would allow these projected, significant impacts to protected species, regardless of whether or not the proposed California WaterFix project is implemented. Accordingly, the RDEIR/SDEIS does not present a reasonable and accurate representation of future conditions.

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4. The RDEIR/SDEIS Continues to Improperly Assume that Folsom Reservoir Would Be Operated in a Manner that Would Preclude American River Water Agencies from Making Water-Supply Diversions

Our agencies' previous comment letter on the BDCP DEIR/EIS explained that the BDCP's hydrologic modeling for the American River was inadequate and improper because it assumed that Folsom Reservoir would be operated in a manner that would violate several settlement contracts and water-right permit terms that apply to the water stored in the reservoir.

The RDEIR/SDEIS relies on the same modeling and reaches the same conclusions regarding surface water impacts. (RDEIR/SDEIS, p. 4.1-43.) Therefore, our agencies' comments on flaws in the hydrologic modeling and analysis for the BDCP Draft EIR/EIS (Alternative 4) are incorporated and restated regarding the new proposed California WaterFix RDEIR/SDEIS alternatives (Alternatives 4A, 2D, 5A).

5. The RDEIR/SDEIS Is So Poorly Organized and Confusing that It Does Not Properly Inform the Public About the Proposed Project's Impacts

As discussed in our previous letter, and as discussed in more detail in the NSWA's comment letter, the RDEIR/SDEIS is so poorly organized and confusing that it is difficult to understand the proposed project's impacts. One example is that the RDEIR/SDEIS contains substantial revisions to the BDCP Draft EIR/EIS chapter on aquatic resources. However, the majority of the revised chapter does not indicate what has changed in these revisions. To understand the new revised analysis, a reader would have to do a line-by-line comparison of the approximately 3000-page chapter in the BDCP Draft EIR/EIS with the approximately 430 pages of changes presented in the RDEIR/SDEIS.

Another example of the RDEIR/SDEIS's flaws is the different timeframes under which the previous and new alternatives were analyzed. The RDEIR/SDEIS contains impact analyses for new proposed alternatives 4A, 2D and 5A that are for "early long term" (2025) conditions. However, the BDCP Draft EIR/EIS analyzed the previous proposed alternatives, including Alternative 4, for "late long term" (2060) conditions. The RDEIR/SDEIS contains no discussion that would assist the reader in comparing the impacts analyzed for the previous and new alternatives to one another. (See, e.g., ES-41 et seq. (comparing impact significance determinations for alternatives 2D, 4, 4A and 5A, but not stating whether "early long term" or "late long term" conditions were used).)

Because of the numerous fundamental flaws in the RDEIR/SDEIS and the previous BDCP documents, the proposed project should be reconsidered and the RDEIR/SDEIS should be revised before any decisions are made regarding permitting or implementing the proposed project.

We look forward to your responses to these comments.

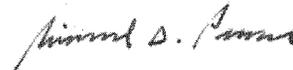
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Very truly yours,

CITY OF FOLSOM

By: 
Evert W. Palmer
City Manager

CITY OF ROSEVILLE

By: 
Richard D. Plecker, P.E.
Environmental Utilities Director

CITY OF SACRAMENTO

By: 
William O. Busath
Director, Department of Utilities

PLACER COUNTY WATER AGENCY

By: 
Andrew Fecko
Director of Resource Development

SACRAMENTO COUNTY WATER AGENCY

By: 
Michael Peterson
Director, Department of Water Resources

SACRAMENTO SUBURBAN WATER DISTRICT

By: 
Robert Roscoe
General Manager

SAN JUAN WATER DISTRICT

By: 
Shauna Lorance
General Manager

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From: Andrew Ramos <AJR@bkslawfirm.com>
Sent: Friday, October 30, 2015 1:30 PM
To: BDCPcomments
Subject: BDCP/California WaterFix Comments by American River Water Agencies
Attachments: 2015-10-30 American River Water Agency Comments on Cal Water Fix RDEIR-SDEIS - Final.pdf

October 30, 2015

To Whom It May Concern:

Please find enclosed the comments on the California WaterFix Partially Recirculated Draft EIR/Supplemental Draft EIS by the American River Water Agencies (City of Folsom, City of Roseville, City of Sacramento, Placer County Water Agency, Sacramento County Water Agency, Sacramento Suburban Water District, San Juan Water District).

Please contact me if there are any issues opening the attachment.

Thank you,
Andrew Ramos

Andrew J. Ramos
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October 30, 2015

File Ref: SCH #2008032062

Cassandra Enos-Nobriga
California Department of Water Resources
BDCP Comments
P.O. Box 1919
Sacramento, CA 95812

Subject: Partially Recirculated Draft Environmental Impact Report/Supplemental Draft EIS (EIR/EIS) for the Bay Delta Conservation Plan/California WaterFix, Contra Costa, Yolo, and Sacramento Counties

Dear Ms. Enos-Nobriga:

The California State Lands Commission (CSLC) staff has reviewed the subject EIR/EIS for the California WaterFix Project (Project), which is being prepared by the California Department of Water Resources (DWR). The DWR, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), and the United States Bureau of Reclamation (USBR) is the lead agency under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.). The CSLC is a trustee agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on sovereign lands, the CSLC will act as a responsible agency.

CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of

all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

Project Description

DWR and USBR propose to construct and use a new water intake and conveyance system related to their joint operation of the State Water Project and Central Valley Project, which together make up the conveyance system for most of the water supply in the State. The major change to the Project for this EIR/EIS is that DWR and USBR have developed three new alternatives that would not involve a 50-year Habitat Conservation Plan or Natural Community Conservation Plan. Instead, these alternatives would achieve incidental take authorization under Section 7 of the Endangered Species Act and Section 2081(b) of the California Endangered Species Act. Larger habitat restoration endeavors, like those previously proposed as part of the Bay Delta Conservation Plan, would likely be implemented under other projects separate from the Project, specifically the parallel restoration program known as California EcoRestore. California EcoRestore would proceed as a separate project under CEQA and would be overseen by the California Natural Resources Agency.

The EIR/EIS identifies alternative 4A as the Environmentally Superior Alternative.

The Project, specifically alternative 4A, would include the following components:

- Revised Water Facility Components. Revised water facility components would include the elimination of three pumping plants and permanent power lines associated with the new intake facilities, more gravity-flow of water through the tunnels to the south delta, minimization of construction on Staten Island, and relocation of some Project features to parcels that are already owned by DWR; and
- Measures to Achieve Incidental Take Authorization. A number of former conservation measures from the previous EIR/EIS would be included as Environmental Commitments in alternative 4A. These environmental commitments would be intended to satisfy the requirements of ESA Section 7 and CESA Section 2081. Most of these Environmental Commitments consist of habitat restoration, protection, enhancement, and management activities necessary to mitigate for adverse effects from construction of the proposed water conveyance facilities.

Comments

CSLC staff requests that the DWR consider the following comments on the partially recirculated EIR/EIS.

1. **Jurisdiction**: CSLC staff has reviewed the EIR/EIS and Alternative 4A, and provides the following comments with regard to activities that would occur on State-owned sovereign land in various waterways under the jurisdiction of the CSLC. In particular, as discussed in Section 4.3.11 of the EIR/EIS, the implementation of Alternative 4A would require that alternative bank fishing access sites be provided for the public as part of mitigation measure REC-2. Mitigation measure REC-2, as fully described on page 15-19 of Appendix A, Chapter 15, would require the enhancement of formal fishing access sites to compensate for the loss of informal fishing access sites during construction of the new intakes. Please be advised that new construction, expansion or re-location of public access or recreational sites on State-owned sovereign land, including but not limited to boat launches, barge landings or public fishing facilities, will require a lease or other entitlement issued by the CSLC. Please contact Wendy Hall (see contact information below) with any questions regarding the CSLC leasing process.
2. **Navigational easement**: Please also be advised that while some of the waterways involved in the Project may not be under the CSLC's leasing jurisdiction, those waterways are still subject to a public navigational easement. This easement provides that the public has the right to navigate and exercise the incidences of navigation in a lawful manner on State waters that are capable of being physically navigated by oar or motor-propelled small craft. Such uses may include, but are not limited to, boating, rafting, sailing, rowing, fishing, fowling, bathing, skiing, and other water-related public uses. The activities completed under the Project must not restrict or impede the easement right of the public.
3. **Public Trust coordination**: CSLC staff has been involved in ongoing coordination with DWR regarding the Project and its potential to impact public trust uses and values. The EIR/EIS discloses the impacts of implementing the Bay Delta Conservation Plan on public trust uses including navigation and water-based recreation, commerce, and transportation. CSLC staff is available for further coordination to ensure that impacts to public trust uses are minimized during the implementation of the Project and its mitigation.

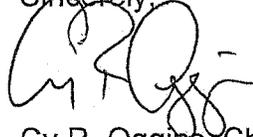
Thank you for the opportunity to comment on the EIR/EIS for the Project. As a responsible and trustee agency, the CSLC will need to rely on the Final EIR/EIS for the issuance of any new lease or authorization as specified above and, therefore, we request that you consider our comments prior to certification of the EIR/EIS.

Please send copies of future Project-related documents, including electronic copies of the Final EIR/EIS, Mitigation Monitoring and Reporting Program (MMRP), Notice of Determination (NOD), CEQA Findings and, if applicable, Statement of Overriding Considerations when they become available, and refer questions concerning

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environmental review to Holly Wyer, Environmental Scientist, at (916) 574-2399 or via e-mail at Holly.Wyer@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Wendy Hall, Public Land Management Specialist, at (916) 574-0994, or via email at Wendy.Hall@slc.ca.gov.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
J. Fabel, CSLC
W. Hall, CSLC
H. Wyer, CSLC

REC-1RC2087

From: Hearnley, Diana@SLC <Diana.Hearnley@slc.ca.gov>
Sent: Friday, October 30, 2015 1:22 PM
To: BDCPcomments
Cc: OPR State Clearinghouse; Fabel, Joseph@SLC; Hall, Wendy@SLC; Wyer, Holly@SLC
Subject: 2008032062 DWR BDCP CalWaterFix
Attachments: 2008032062 DWR BDCP CalWaterFix.pdf

Please accept the attached electronic copy of the California State Lands Commission staff comment letter on the above-referenced document.

The original hard-copy has also been mailed via postal mail to the lead agency.



Diana Hearnley

California State Lands Commission

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