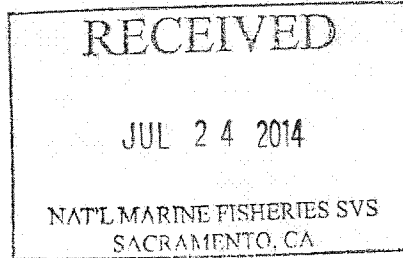


Office of the City Council



July 17, 2014

BDCP Comments

Ryan Wulff, National Marine Fisheries Services
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff:

The City of Tustin is proud to submit this letter of support on the Draft Bay Delta Conservation Plan (BDCP), Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and Draft BDCP Implementing Agreement.

The City of Tustin is a retail water supplier in Orange County that is governed by a publicly-elected City Council.

The City of Tustin Water Service provides potable drinking water to 70,000 residents through 14,150 service connections. Our supplies are a blend of groundwater provided by Orange County Water District and water imported from the State Water Project and the Colorado River by the Municipal Water District of Orange County via the Metropolitan Water District of Southern California. Groundwater comes from natural underground aquifer that is replenished with water from the Santa Ana River, local rainfall, and imported water.

In spite of the world-class efforts of agencies in Orange County to provide greater water supply certainty for 8 percent of California's population and the \$200 billion economy they represent, Orange County remains dependent on imported water to meet approximately 45 percent of its average annual demand, with the State Water Project (SWP) deliveries from the Delta meeting approximately half of those needs. The Delta ecosystem and water supply conveyance problems have long been recognized and have remained in a continuing state of degradation, conflict, and stalemate.

Many years and hundreds of millions of dollars have been spent on study efforts while the delta system continues to be used for water conveyance in a manner for which it was not intended. We urge the State and federal government to quickly move forward with the Preferred Alternative (No. 4).

In recent years the endangered species biological opinions for protection of Delta and Longfin Smelt and Chinook Salmon have resulted in massive cutbacks in exports by over 1.5 million acre-feet per year and without the BDCP, further cuts of another 1.0 million acre-feet per year could occur with new endangered species listings according to the BDCP briefing documents. This situation is a major impediment to appropriate

allocation of water. The BDCP is the best hope we have, and it must be approved and implemented in a timely and cost-effective manner.

We offer the following specific comments on the BDCP:

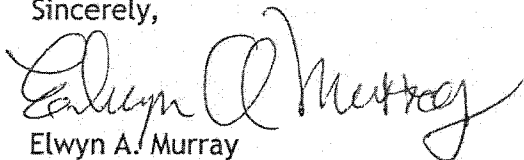
1. We strongly support the BDCP Preferred Alternative (No. 4): It is critical to the state's economy and environment.
2. Co-Equal Goals: The BDCP should be implemented in a manner consistent with the co-equal goals adopted by the State. Preferred Alternative (No. 4) is consistent with the Delta Reform Act of 2009's co-equal goals.
3. New Facilities and In-Delta Operational Flexibility: The modernization of the Delta conveyance system is essential in order for habitat restoration and conservation to have its intended effect; Preferred Alternative (No. 4), which incorporates the 9,000 cubic feet per second (cfs) three intake, twin tunnel conveyance system, provides the best balance between operational flexibility and modernizing the conveyance system for environmental benefit and water supply reliability.
4. Reduced Future Reliance: The 2009 Delta legislation called for water agencies to reduce future reliance on the Delta, not to become 100 percent "self-reliant". While our major efforts in these areas will continue, it is important to note that "reduced reliance" does not equate to and was never intended to require a move to 100 percent "self-reliance", and the notion of co-equal goals was never intended to result in a future with significant reduction in exports from levels achieved before the 2008 bio-opinions.
5. Plan Implementation and Regulatory Assurance: The BDCP must provide the needed implementation and regulatory structure and assurances to help achieve the co-equal goals.
 - a. To us, this means that it is virtually impossible to predict the outcome of the BDCP habitat restoration efforts and endangered species population dynamics, and such a standard should not be required in the DEIR/DEIS.
 - b. Furthermore, this means that changed circumstances under the operation of the BDCP, including the potential for new species listing, be incorporated in such a manner to result in a minimum impact on future water supply exports.
6. Sound Science: It is critical that sound science is provided in order to assure the long-term success of the BDCP. We strongly support the inclusion of independent scientific investigation and research to be included in the BDCP process.
7. Cost Allocation: We support the "beneficiary pays principle" in cost allocation for all responsible parties and beneficiaries.

8. Implementing Agreement: The Agreement is terms and conditions for on-going implementation of the BDCP and should be clear and well balanced with co-equal goals for proper implementation.
9. Economy, Environment and Water Management: The State Water Project (SWP) is critically important to the Orange County economy, environment and water management. Implementation of the BDCP is critical to Orange County's future.
 - a. Orange County and our agency have invested heavily to diversify our water portfolio but the SWP remains a critical source of low salinity water supply that is currently unacceptably jeopardized by the lack of sustainability of the current Bay-Delta system.
 - b. Orange County relies on the SWP to support groundwater conjunctive-use programs and water recycling programs. It is an essential part of our water reliability strategy that sustains our citizens and businesses.
 - c. We support the 9,000 cfs twin tunnel Preferred Alternative (No. 4) provided reasonable assurances are included regarding governance and future decision-making in the process. We strongly advocate for a seat at the table for the water Permittees in the various oversight groups. The investment and decision-making must be structured to achieve a positive outcome for both the SWP and Permittees and the ecosystem restoration in a collaborative, partnership manner.

It is imperative for the State and Federal government to adopt and move the BDCP to implementation in order to achieve the 2009 legislation's co-equal goals of improving water supply reliability and ecosystem restoration and improved function by implementing the BDCP Preferred Alternative (4).

Thank you for your time and consideration of these comments.

Sincerely,



Elwyn A. Murray
Mayor, City of Tustin

cc: City Council
Jeffrey C. Parker, City Manager
Douglas S. Stack, Director Public Works/City Engineer

BDCP1604

From: Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>
Sent: Thursday, July 24, 2014 3:01 PM
To: bdcpc comments - NOAA Service Account
Subject: Fwd: BDCP COMMENTS
Attachments: 20140724 - City of Tustin.pdf; 20140724 - David Oleary - Galt.pdf; 20140724 - SFBANTA - San Francisco Bay Area Nordic Tug Association.pdf

----- Forwarded message -----

From: Anita Deguzman - NOAA Affiliate <anita.deguzman@noaa.gov>
Date: Thu, Jul 24, 2014 at 2:59 PM
Subject: BDCP COMMENTS
To: Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>

I have attached the following comments for your files.

Copies have been made and are in your mailbox - original letters are up front at the reception desk.

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Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
916-930-3629 - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)

**From:** Dale Melville <dmelville@ppeng.com>  
**Sent:** Monday, July 28, 2014 12:42 PM  
**To:** BDCP.Comments@noaa.gov  
**Subject:** BDCP comments

Is this the email address that is to be used for BDCP comments to be directed to Ryan Wulff, National Marine Fisheries Service  
650 Capitol Mall, Suite 5-100, Sacramento, CA ???

If not, can you provide me Ryan's email address? Thx!

Dale K. Melville, PE  
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559-449-2700 x102  
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