

Letter	Comment #	Comments	Letter
Contra Costa County Water Agency	1	<p>Contra Costa County has reviewed the Bay Delta Conservation Plan/California WaterFix Final EIR/EIS that was released to the public on December 22, 2016. We find that the Final EIR/EIS is inadequate under both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).</p> <p>The current WaterFix project proposed by the California Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation) will devastate the Delta ecosystem, threatened and endangered fish species, the already degraded Delta water quality, and those living in or near the Delta that rely on the Delta for their water supply. The availability of good quality water in the Delta is essential for municipal drinking water for the residents of Contra Costa County as well as agriculture, recreation, and industry in this region.</p> <p>The conveyance-only project fails to produce any significant increase in water supply for State Water Project (SWP) and Central Valley Project (CVP) contractors south of the Delta or capture any "new" water.</p>	This comment is an opinion that the Final EIR/EIS is inadequate and CWF would harm the Delta. This section does not raise any environmental new issues that weren't addressed in the Final EIR/S, Volume 2, in multiple responses to comments and Master Responses.
Contra Costa County Water Agency	2	Once the California State Water Resources Control Board (SWRCB) completes its current Bay- Delta Water Quality Control Plan (WQCP) update, the minimum flow requirements in the Delta will be even higher than is being assumed for the WaterFix preferred alternative. The Final EIR/EIS fails to consider the actual future operations of the WaterFix project under these more constrained operating conditions and we have serious concerns that this conveyance-only project will become a very expensive unused asset.	This comment asserts that SWRCB's WQCP update will require increased Delta flow requirements that should have been incorporated into CWF. This is merely an opinion about how CWF should have been defined and does not raise any new environmental issues that weren't addressed in the Final EIR/S.
Contra Costa County Water Agency	3	<p>Contra Costa County's concerns and comments on the Final EIR/EIS are as follows:</p> <ol style="list-style-type: none"> <li>1. The WaterFix Preferred Alternative Does Not Satisfy the CEQA Project Objectives</li> <li>2. Additional Storage is Not Outside the Scope of Project</li> <li>3. The Final EIR/EIS Fails to Consider Impacts of the SWRCB WQCP Update on WaterFix Operations</li> <li>4. The Final EIR/EIS Must Analyze the Current Preferred Alternative (4A) and New Alternatives When Project is On Line (Well After 2025) and At Late Long Term</li> </ol>	This comment is a summary of the CWF project objectives, project definition and analysis approach deficiencies and does not raise any new environmental issues that weren't addressed in the Final EIR/S.
Contra Costa County Water Agency	4	<ol style="list-style-type: none"> <li>5. The Final EIR/EIS Must Provide Mitigation for Significant WQ Impacts on Barker Slough</li> <li>6. The Final EIR/EIS Water Quality Analysis is Inadequate</li> <li>7. The Proposed Project Increases Exports During Many Dry Months When the Delta Ecosystem is Most Vulnerable</li> <li>8. The WaterFix Project Will Decrease Inflows to the Delta at Freeport and this is not Disclosed in the Final EIR/EIS</li> <li>9. The Final EIR/EIS Fails to Disclose Significant Adverse Water Quality Impacts of the WaterFix Project Because the Modeled October Delta Outflows are Unrealistically High</li> </ol>	This is a summary of deficiencies addressed in Attachment A. and does not raise any new environmental issues that weren't addressed in the Final EIR/EIS.
Contra Costa County Water Agency	5	<p>Attached are the County's detailed comments on the Final EIR/EIS.</p> <p>Contra Costa County requests that a new EIR/EIS be prepared to address our detailed comments on the Final EIR/EIS and all significant adverse environmental impacts are disclosed and fully mitigated. A new draft EIR/EIS should then be released for public review and comment.</p>	This is a summary of deficiencies addressed in Attachment A. and does not raise any new environmental issues that weren't addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>Contra Costa County's Detailed Comments on BDCP/California WaterFix Final EIR/EIS</p> <p>The following are Contra Costa County's detailed CEQA/NEPA comments on the Bay Delta Conservation Plan/California WaterFix Final EIR/EIS released to the public on December 22, 2016.</p> <p>The WaterFix Preferred Alternative Does Not Satisfy CEQA Project Objectives</p> <p>Contra Costa County agrees with DWR and Reclamation that there needs to be a "strategy for the Delta designed to restore and protect ecosystem health, water supply reliability, and water quality</p>	<p>This comment requests redefinition of CWF assuming future WQCP Delta flow requirements and additional storage and doesn't raise any new environmental issues not already addressed in Final EIR/EIS, Volume 2, responses to comments and Master Response 4, addressing alternatives.</p> <p>WQCP flows are not yet in place, and thus need not have been considered as part of the CEQA "Existing Conditions" baseline. According to Appendix 3D, Defining Existing Conditions, No Action Alternative, No Project Alternative, and Cumulative Impact Conditions, the Water Quality Control Plan Update was considered as part of the No</p>

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		<p>within a stable regulatory framework.” (Volume 1, page 2-1, Line 3)</p> <p>The Final EIR/EIS also states that “DWR’s fundamental purpose in proposing the proposed project is to make physical and operational improvements to the SWP system in the Delta necessary to restore and protect ecosystem health, water supplies of the SWP and CVP south of the Delta, and water quality within a stable regulatory framework, consistent with statutory and contractual obligations.” (Volume 1, page 2-2) However, the proposed project with modifications to the existing conveyance system and no additional storage does not restore SWP and CVP south of Delta export supplies.</p> <p>The preferred alternative, Alternative 4A, will not produce any additional export supplies and after completion of the State Water Resources Control Board’s (SWRCB) current update of its Bay-Delta Water Quality Control Plan (WQCP) much higher flow objectives will be required for the inflows to the Delta from the Sacramento and San Joaquin Rivers and the inflow to the Bay (Delta outflow). The Final EIR/EIS fails to analyze and disclose the environmental impacts of the WaterFix preferred alternative under the proposed (Phase 1 and Phase 2) new minimum flow requirements. The closest approximation is the Boundary 2 simulation prepared for the WaterFix Change Petition hearing before the SWRCB. However, Boundary 2 does not include increased San Joaquin flow objectives. South-of-Delta Exports for this Boundary 2 alternative are significantly reduced relative to the No Action Alternative. (Volume 1, Appendix 5E, Tables 5e-75 and 5E-78)</p>	<p>Action and Cumulative scenarios. (See page 3D-86.)</p>
<p>Contra Costa County Water Agency</p>	<p>ATT 1</p>	<p>One of the stated project objectives in the Final EIR/EIS to guide the development of the proposed project and alternatives (Volume 1, Chapter 2, page 2-3) is:</p> <ul style="list-style-type: none"> <li>• To identify new operations and a new configuration for conveyance of water entering the Delta from the Sacramento River watershed to the existing SWP and CVP pumping plants in the southern Delta by considering conveyance options in the north Delta that can reliably deliver water at costs that are not so high as to preclude, and in amounts that are sufficient to support, the financing of the investments necessary to fund construction and operation of facilities and/or improvements.</li> </ul> <p>The Final EIR is inadequate because it fails to present and analyze any realistic north Delta conveyance-only alternatives that restore and protect water supplies of the SWP and CVP south of the Delta and fails to consider any alternatives that can reliably deliver water at costs that are not so high as to preclude, and in amounts that are sufficient to support, the financing of the investments necessary to fund construction and operation of facilities and/or improvements.</p> <p>Without additional storage south of the Delta, the proposed project will continue to reduce exports during periods of high Delta outflow because there is San Luis Reservoir will be full and there will be nowhere to store or use any more exported water. Without additional storage upstream of, but close to, the south Delta pumping plants, it will not be possible to capture large quantities of “new” water when surplus flow is available in the Delta and convey it later directly to Banks and Jones Pumping Plants.</p> <p>Alternatives that include additional storage are feasible in the context of the WaterFix project because they are consistent with the project objectives. The current conveyance-only alternatives are not consistent with the project objectives, as supported by substantial evidence in the Final EIR/EIS regarding the inability of the current alternatives to restore and protect water supplies.</p> <p>Contra Costa County requests that the CEQA lead agencies develop new storage and conveyance alternatives that will meet the Project Purpose and Need when the project comes on line and can reliably deliver sufficient water at a reasonable cost, while restoring and protecting the ecosystem.</p>	<p>This comment asserts that the Final EIR/EIS is inadequate because it does not include additional storage as a component of an alternative. It doesn’t raise any new environmental issues not already addressed in Final EIR/EIS, Volume 2, responses to comments and Master Response 4, addressing alternatives.</p>

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		A new draft EIR/EIS must be prepared and recirculated for public review and comment.	
Contra Costa County Water Agency	ATT 1	<p>Additional Storage is Not Outside Scope of Project</p> <p>The Final EIR/EIS Response to Contra Costa County’s comments on the RDEIR/SDEIS regarding the need for additional storage (RECIRC 2502, comment 7) states:  Many proposals were not evaluated in detail because they were inconsistent with the project’s objectives and purpose and need (see Chapter 2 of the EIR/EIS) or included components that are beyond the scope of the project (e.g., additional storage, as described in Master Response 37).</p> <p>This is not correct. As discussed above, additional storage is needed south of Delta storage. The modeling presented in the Final EIR/EIS shows that exports decline during high Delta outflow (wet) periods because San Luis Reservoir is already full and there is nowhere else to use or store exported water. Unless there is also additional storage within the Delta (i.e., upstream of the Banks and Jones Pumping Plants and the California Aqueduct and DMC), the amount of “new” water that can be captured and stored during wetter periods is also limited.</p> <p>The current conveyance-only preferred alternative, when analyzed assuming the proposed SWRCB WQCP minimum flow objectives will be applicable by the time the WaterFix project is constructed and on line, fails to meet the project strategy or purpose and need.</p> <p>Additional storage is needed to meet the Project Purpose and Need, and is within the scope of the project.</p> <p>The Final EIR/EIS is inadequate because the proposed project will fail to meet the Project Purpose and Need when the project becomes operational. Contra Costa County requests that the CEQA/NEPA lead agencies develop new storage and conveyance alternatives that will meet the Project Purpose and Need when the project comes on line and restore and protect both the Bay-Delta ecosystem and SWP and CVP export water supply. A new draft EIR/EIS must be prepared and recirculated for public review and comment.</p>	This comment asserts that the Final EIR/EIS is inadequate because it does not include additional storage as a component of an alternative and alternatives do not meet the project objectives/purpose and need. It doesn’t raise any new environmental issues not already addressed in Final EIR/EIS, Volume 2, responses to comments and Master Response 3 addressing purpose and need and Master Response 4, addressing alternatives.
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS Fails to Consider Impacts of the SWRCB WQCP Update on WaterFix Operations</p> <p>The Final EIR/EIS Response to Richard Denton’s email to Secretary Laird regarding the RDEIR/SDEIS (RECIRC 2502, comment 7) states:  As described in Chapter 6, Surface Water, of the EIR/EIS, the State Water Resources Control Board is conducting a current program to update the Bay-Delta Water Quality Control Plan. Since this program is still under development and the potential outcomes are not known at this time, this program is not included in the analysis. Following completion of the updated Bay-Delta Water Quality Control Plan, SWP and CVP operations would need to be reviewed to determine if the operations continued to comply with the new regulations.</p> <p>To commit to a conveyance-only project and begin construction of a \$15 billion plus facility without first determining whether that facility would become little used or stranded facility once the SWRCB implements its WQCP update is not responsible leadership. It is possible that the SWRCB will impose a permit term as part of the WaterFix change petition hearing that would prohibit use of the North Delta Diversion and Tunnels unless specific minimum Sacramento and Delta flow objectives were being met. Would the project proponents be prepared to proceed with construction of this conveyance-only project under those conditions?</p> <p>The response to RECIRC 2502, comment 7 further declares that earlier attempts to model the flow</p>	This comment is related to project feasibility assuming the SWRCB WQCP update will impose greater outflow requirements and requests that alternatives include assumptions for greater outflows than under CWF. This doesn’t raise any new environmental issues not already addressed in Final EIR/EIS, Volume 2, responses to comments and Master Response 4, addressing alternatives.

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		objectives in the SWRCB’s 2010 Delta Flow Criteria Report indicate that the increases in flow requirements cannot be achieved “without adverse impacts to cold water management for fisheries in the Sacramento, Feather, and American rivers without reductions in non-SWP and non-CVP water rights diversions.” The project proponents did analyze similar flow criteria in Alternative 8 and more recently in Boundary 2 (as part of the WaterFix change petition hearing). Boundary 2 does indicate that the Delta and upstream reservoirs can be operated in conjunction with the SWRCB’s new flow requirements. It also demonstrates that the WaterFix preferred conveyance-only alternative would decrease rather than increase SWP and CVP exports.	
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS is inadequate because it fails to analyze and disclose the environmental impacts of project alternatives in the context of new increased flow objectives consistent with those being proposed by the SWRCB in its Bay-Delta WQCP Update. The Boundary 2 alternative comes close but does not include increased San Joaquin River flows.</p> <p>Contra Costa County requests that the CEQA lead agencies develop new storage and conveyance alternatives and analyze the current and new alternatives in the context of likely minimum flow objectives consistent with the SWRCB’s WQCP Update. These analyses will allow a more informed decision as to the best way to restore and support the SWP and CVP water supply in the future and whether one of the new storage and conveyance alternatives are more preferable and cost effective. A new draft EIR/EIS must be prepared and recirculated for public review and comment.</p>	This comment is related to project feasibility assuming the SWRCB WQCP update will impose greater outflow requirements and requests that alternatives include assumptions for greater outflows and additional storage. This doesn’t raise any new environmental issues not already addressed in Final EIR/EIS, Volume 2, responses to comments and Master Response 4, addressing alternatives.
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS Must Analyze the Current Preferred Alternative (4A) and New Alternatives When Project is On Line (Well After 2025) and At Late Long Term</p> <p>The Final EIR/EIS is inadequate because it fails to analyze the most likely preferred alternatives (Alternative 4A, Scenarios H3, H4 and H3+) and the other two WaterFix alternatives (2D and 5A) at a time after construction of the proposed project is likely to be completed and the project is on line. Even if there were no CEQA/NEPA challenge of the WaterFix project, the tunnels will take at least 10 years to complete which corresponds to 2027. Alternatives 4A, 2D and 5A were only analyzed at 2025. This was called Early Long Term in the Final EIR/EIS but is before the project will be operational.</p> <p>The Final EIR/EIS does report the environmental impacts of several alternatives at Late Long Term (2060), i.e., Alternatives 1A, 3, and 8 and the corresponding No Action Alternative. These are all BDCP Draft EIR/EIS analyses using the original, now obsolete, 2010 version of CALSIM II. See Volume 1, Appendix 5E.4 for a list of runs used for the analysis of environmental effects.</p> <p>The Final EIR/EIS is also inadequate because it fails to analyze and disclose the environmental impacts of the preferred project alternative during a period when the project is likely to be constructed and in operation, i.e., 2028 or later.</p> <p>Contra Costa County requests that the key WaterFix alternatives and any new storage and conveyance alternatives be analyzed at both a realistic Early Long Term (2030 or later) and a Late Long Term (2060 or later). These analyzes will help disclose the potential adverse environmental impacts of the proposed project during the early period of operation and later in the future. A new draft EIR/EIS must then be prepared and recirculated for public review and comment.</p>	This comment asserts that additional Late Long Term analyses are required for Alternatives 4A, 2D and 5A. The fish and water quality analyses do include comparisons at LLT for these alternatives and other alternatives 1,2,3 etc. provide a range of analyses that include LLT analyses. This section does not raise any new environmental issues that weren’t raised in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS Must Provide Mitigation for Significant WQ Impacts on Barker Slough</p> <p>The Final EIR/EIS acknowledges that there are significant adverse impacts at Barker Slough for all of the Draft BDCP EIR/EIS alternatives (see, e.g., Volume 1, Executive Summary, Table ES- 8, page ES-61). However, these impacts are declared unavoidable and no meaningful mitigation is provided.</p>	This comment requests additional mitigation measures to reduce significant bromide impacts in Barker Slough, for certain alternatives, to a less-than significant level. This issue is addressed in Impact WQ-5 which indicates that these impacts are considered significant and unavoidable for BDCP alternatives because the potential bromide effects may not be able to be mitigated fully in every case with the identified mitigation

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		<p>The only mitigation proposed is to avoid, minimize, or offset, as feasible, adverse water quality conditions; site and design restoration sites to reduce bromide increases in Barker Slough (WQ-5) and conduct additional evaluation and modeling of increased chloride levels and develop and implement phased mitigation actions (WQ-7, WQ-7a, WQ-7b, WQ-7c, and WQ-7d). There is no guarantee that any of these mitigation measures will significantly reduce these significant adverse water quality impacts.</p> <p>In fact, these adverse impacts could be reduced by modifying aspects of the project, such as reducing the amount of habitat restoration in the north Delta. The same table, Table ES-8, claims the water quality impacts of Alternatives 4A, 2D and 5A, which have no habitat restoration and no shift in the compliance location for the Emmaton D-1641 standard are less than significant, i.e., are avoided.</p> <p>The Final EIR/EIS acknowledges that all alternatives, including those for the BDCP Draft EIR/EIS are still active and could be chosen as the eventual project (see, e.g., Volume 1, page 3- 3, line 28). DWR and Reclamation must provide full mitigation for these significant adverse impacts in case one of the BDCP alternatives is chosen.</p> <p>The Final EIR/EIS is inadequate because it fails to provide full mitigation for the significant adverse and avoidable water quality impacts due to the original BDCP alternatives, any of which may still be chosen as the final project.</p> <p>Contra Costa County requests that full mitigation measures be developed for these alternatives. A new draft EIR/EIS must then be prepared that discloses and fully mitigates all adverse environmental impacts and recirculated for public review and comment.</p>	<p>measures. This conclusion was reached because the precise location of mitigation sites is not known for these alternatives. No additional environmental issues are raised that are not already addressed in Chapter 8, Water Quality.</p>
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS Water Quality Analysis is inadequate</p> <p>The Final EIR/EIS is inadequate because it fails to use the best available data to analyze and disclose the adverse water quality impacts. Only a 16-year period (water years 1976-1991) is used to analyze the adverse water quality impacts of the project even though 82 years of water quality data were simulated (water years 1922-2003) for the Biological Assessment.</p> <p>In order to correct major deficiencies in the WaterFix RDEIR/SDEIS, the lead agencies added modeling results from the WaterFix Biological Assessment Proposed Action (PA) and the corresponding No Action Alternative (NAA). These modeling results were released to the public in February 2016 (well in advance of the December 22 release of the Final EIR/EIS) and included the full 82 years of water quality data. The 16-year period is not representative of the full 82 years of available data and using only 16 years misleads decision makers and the public.</p> <p>The Final EIR/EIS includes a DWR internal Draft Memorandum on the adequacy of 16 years of water quality data (Volume 1, Appendix 5A, page 5A-D207). The memo refers to an 82-year analysis performed by the authors but does not present any of those modeling results.</p> <p>The DWR memo acknowledges that “DWR staff found that there is at times greater increases in chlorides in the 82-year simulation period than there are in the 16-year period when looking at the average monthly results” (page 5A-D208). This should have been a serious red flag requiring the use of the best available data, i.e., the full 82-year period.</p>	<p>This comment suggests the water quality analysis is inadequate because a 16 year model period was used versus the full 82 year period. This comment has been addressed in the Final EIR/EIS and in individual responses to comments in Volume 2, which indicate a 16 year period is representative of the range of water year conditions. Please also refer to Final EIR/EIS, Volume 2, Master Response 14, Water Quality for discussion of water quality analysis methods and Master Response 30, regarding modeling approach and issues.</p>

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		<p>Despite this, the DWR staff memo determines that the conclusions based on the 82-year time period do not add any additional accuracy or value to the analysis.</p> <p>A table from the DWR memo (page 5A-D213) gives the distribution of the five D-1641 water year types for the 82-year and 16-year periods. The table below presents these data along with a column showing the percentages that were used to develop the D-1641 water year type classifications.</p>	
Contra Costa County Water Agency	ATT 1	Attachment: Table 1	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	The 16-year period is clearly not statistically representative of the distribution of water year types and the range of different transitions from one water year type to the next year's water type. The DWR draft memo does acknowledge that "different year types following each other will impact the magnitude" of water quality changes (page 5A-D215). For example, a change from a critical year to a below normal year might be expected to result in some restoration of water quality in the Delta but the general increase in Delta flows will not be as large as for a change from a critical year to a wet year. In a wet year there is often enough flow to substantially freshen the Delta and the impacts of a new Bay-Delta project would be less significant. The impacts for a below normal year would likely be more significant. Unfortunately, the 16-year period only contains one below normal year and that is preceded at early long term (2025) by a wet year. There is not even one data point available to represent the more important transition from a critical year to a below normal year.	This comment suggests the water quality analysis is inadequate because a 16 year model period was used versus the full 82 year period. This comment has been addressed in the Final EIR/EIS and in individual responses to comments in Volume 2, which indicate a 16 year period is representative of the range of water year conditions. Please also refer to Final EIR/EIS, Volume 2, Master Response 14, Water Quality for discussion of water quality analysis methods and Master Response 30, regarding modeling approach and issues. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>The DWR draft memo states the "physical processes behind the water quality differences between the No Action Alternative and Alternative 4 are understood. In this particular case, the differences are primarily due to agricultural diversions and returns" (page 5A-D216). On that basis, the DWR memo incorrectly concludes that "the 16-year DSM2 model is the best available model for the BDCP analysis. 82-year DSM2 results will not add additional value to this project" (page 5A-D216).</p> <p>Contra Costa County has analyzed the full 82-year water quality data set for the WaterFix Biological Assessment Proposed Action (PA) and the corresponding No Action Alternative (NAA) and compared the results with a smaller 16-year subset (water years 1976-1991). The location chosen was Old River at Bacon Island which is representative of the water quality influencing the chloride concentrations at the SWRCB's D-1641 municipal and industrial compliance location at the intake to the Contra Costa Canal. Seawater intrusion into the Delta at this station also contributes to the water quality at Contra Costa Water District's other intakes on Old River at Highway 4 and Victoria Canal, and also the water quality at the export facilities in the south Delta.</p> <p>As shown in Figure 1, there is a large difference between the 82-year averages of specific conductance (EC) increase for each month of the year and the 16-year subset (1976-1991). This is especially noticeable in March when the WaterFix project would degrade water quality. The 82-year average increase in EC is 97 <math>\mu\text{S}/\text{cm}</math>, which is 3.5 larger than the 16-year average (28 <math>\mu\text{S}/\text{cm}</math>). 97 <math>\mu\text{S}/\text{cm}</math> represents a chloride concentration increase of about 28 mg/L which is significant. The conversion from EC to chloride concentration when seawater intrusion dominates is as given in equation 2 on page 8-151 of Volume 1.</p> <p>Similarly in November, the average improvement in water quality for the full 82 years (-160 <math>\mu\text{S}/\text{cm}</math>) is appreciably less than the possible benefit of the WaterFix project when expressed as a 16-year average (-210 <math>\mu\text{S}/\text{cm}</math>). Using a 16-year average underestimates the adverse impacts on water quality and exaggerates the improvements.</p>	This comment suggests the water quality analysis is inadequate because a 16 year model period was used versus the full 82 year period. This comment has been addressed in the Final EIR/EIS and in individual responses to comments in Volume 2, which indicate a 16 year period is representative of the range of water year conditions. Please also refer to Final EIR/EIS, Volume 2, Master Response 14, Water Quality for discussion of water quality analysis methods and Master Response 30, regarding modeling approach and issues. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.

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		However, long-term averages used in the Final EIR/EIS and the earlier draft BDCP and WaterFix environmental documents mask potentially serious adverse impacts in individual months within the full 1922-2003 period and hides the fact that the water quality modeling studies for the WaterFix project exceed the SWRCB's D-1641 water quality standards by a very large margin. The long-term averaging also means there are only 12 data points for each alternative, one for each month.	
Contra Costa County Water Agency	ATT 1	Attachment: Figure 1	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS, in numerous places, warns that the absolute results of the DSM2 modeling cannot be trusted but somehow the relative change from the applicable base case will be reliable. If that were the case then subtracting two 16-year studies should have given the same result as subtracting two 82-year studies. As shown in Figure 1, this is an incorrect assumption. The relative changes for the 82 years of water quality data are very different than the changes for the 16 years of data.</p> <p>Figure 2 shows the 16-year subset of daily-averaged Bacon EC data for the month of March from the Biological Assessment modeling with the Project Action EC plotted as a function of the No Action Alternative EC (16 x 31 = 496 data points). This form of scatter plot (x-y plot) appears complicated at first glance but is useful for illustrating the full range of the data. Data above the 1:1 diagonal line represent adverse water quality impacts of the project. Data points below the diagonal line represent improvements in water quality. Also shown are the corresponding 16-year and 82 year averages for March (red square and blue diamond). The EC equivalents of 100 and 150 mg/L chloride concentration are also shown.</p>	Please refer to comment 11. This section does not raise any new environmental issues that weren't raised in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	Attachment: Figure 2	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>Figure 3 shows the full 82-year subset of daily-averaged Bacon EC data for the month of March from the Biological Assessment modeling with the Project Action EC plotted as a function of the No Action Alternative EC (82 x 31 = 2,542 data points). Data above the 1:1 diagonal line represent adverse water quality impacts of the project. Data points below the diagonal line represent improvements in water quality. Also shown are the corresponding 16-year and 82 year averages for March (red square and blue diamond).</p> <p>The full 82-year data set shows a much larger range of water quality increases (Figure 3) than the 16-year subset (Figure 2). There are adverse water quality impacts (increases in salinity) due to the WaterFix project of as much as 600 µS/cm, or about 170 mg/L chloride concentration. These significant water quality impacts were not disclosed by the 16-year data set. This finding is consistent with the finding in DWR's draft memorandum that there are at times greater increases in chlorides in the 82-year simulation period than there are in the 16-year period when looking at the average monthly results" (page 5A-D208). The EIR/EIS must use the best available water quality data in its analysis of adverse environmental impacts, i.e., the full 82 years of data (1922- 2003).</p>	Please refer to comment 11. This section does not raise any new environmental issues that weren't raised in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	Attachment: Figure 3	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	In response to Contra Costa County's comments on the RDEIR/SDEIS (RECIRC 2502, comment # 16), the Final EIR/EIS argues both that the 16-year water quality impact analyses would be more conservative, and that the 16-year period represents conditions similar to those found over the full 82-year period. Only one of those statements can be correct. In fact, it appears from comparing	Please refer to comment 11. This section does not raise any new environmental issues that weren't raised in the Final EIR/EIS.

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		<p>Figures 2 and 3 that there a more significant adverse increases in salinity due to the WaterFix project for the 82-year period than the 16-year period so the 16-year period is not more conservative.</p> <p>Note that the 16-year and 82-year averages in Figures 2 and 3 are not representative of the much larger range of water quality changes, including increases in chloride concentrations of as much as 170 mg/L. The effect of the long-term averaging masks significant adverse impacts on water quality in the Delta.</p> <p>Figure 4 below shows the full 82-year subset of daily-averaged Bacon EC data from the Biological Assessment modeling for the month of November. The Project Action EC is plotted as a function of the No Action Alternative EC (82 x 30 = 2,460 data points). Data above the 1:1 diagonal line represent adverse water quality impacts of the project. Data points below the diagonal line represent improvements in water quality. Also shown are the corresponding 16- year and 82 year averages for November (red square and blue diamond).</p> <p>The full set of water quality data for November do suggest a net improvement in water quality at Old River on Bacon Island. However, as discussed below, the WaterFix simulations of water quality impacts in October, November and even December are suspect because of the artificially high Delta outflows in the CALSIM II operations studies in October. Actual outflows in October will likely be closer to the D-1641 minimum outflow requirements and seawater intrusion into the Delta will be larger. The artificially high October outflows did not occur in the No Action Alternative. This means that the absolute salinities with the WaterFix project were too low, and that the relative change in salinity was also underestimated.</p>	
Contra Costa County Water Agency	ATT 1	Attachment: Figure 4	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>Figure 4 also shows another major problem with the water quality modeling for the WaterFix project. The daily EC values are often well in excess of 1,053 <math>\mu\text{S}/\text{cm}</math>, which is the equivalent of 250 mg/L chloride concentration (per equation 2 on page 8-151 in Volume 1). The D-1641 compliance location in this area for both the 250 and 150 mg/L chloride standards is off Rock Slough at the intake to the Contra Costa Canal. However, the water quality at the compliance location is strongly influenced by the water quality at the Bacon Island station. The highest EC value for the No Action Alternative is 2,781 <math>\mu\text{S}/\text{cm}</math>, which is the equivalent of 743 mg/L chloride concentration.</p> <p>The Final EIR/EIS attempts to dismiss the fact that the BDCP and WaterFix modeling using CALSIM II and DSM2 shows significant exceedences of water quality standards at Emmaton, Rock Slough and elsewhere. However, having chloride concentrations as high as 743 mg/L in an area where the maximum allowable daily value is 250 mg/L renders the water quality impact analysis invalid. In real life, the 250 mg/L standard would be met, by among other things, increasing Delta outflow. To reduce chloride concentrations from the 700s down to 250 mg/L would require a lot of additional outflow which would reduce exports. That loss of exports would likely need to be made up later shifting the environmental impacts to another month. The water quality and water supply analyses for the WaterFix project are invalid because of these extreme exceedences of water quality standards.</p> <p>The Final EIR/EIS is inadequate because it relies on operations studies and water quality analyses that are not anywhere near complaint with the SWRCB's municipal and industrial and agricultural water quality standards and therefore fail to accurately simulate actual flow and export operations</p>	This comment is asserting that the modeling is invalid because modeling results show that chloride levels higher than Bay-Delta WQCP objectives. This point has been addressed in the Final EIR/EIS in Chapter 8, Water Quality, Section 8.3.1.7, Constituent-specific Considerations for Chloride. Please also refer to Final EIR/EIS, Volume 2, Master Response 14, Water Quality for discussion of water quality analysis methods and Master Response 30, regarding modeling approach and issues. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.



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		<p>and the corresponding impacts on the Delta environment. Contra Costa County requests that a new draft EIR/EIS be prepared that addresses the excessively high absolute salinities, analyzes, discloses and fully mitigates the adverse environmental impacts of the proposed project. The new draft EIR/EIS should then be recirculated for public review and comment.</p>	
<p>Contra Costa County Water Agency</p>	<p>ATT 1</p>	<p>The Proposed Project Increases Exports During Many Dry Months When the Delta Ecosystem is Most Vulnerable</p> <p>The Final EIR/EIS claims that the “operational criteria under Alternative 4A tend to allow higher exports under wetter conditions and lower exports under drier conditions compared to the No Action Alternative” (Volume 2, page 1-259, line 22, Master Response 28).</p> <p>The Final EIR/EIS also claims that “Chapter 5 and Appendix 5A, Section C, of the EIR/EIS, which indicates that the Proposed Project would decrease total exports of SWP and CVP water as compared to Existing Conditions and No Action Alternative in the summer and early fall months especially in drier years; and increase exports in the wet winter months especially in wetter years when the river flows are high” (Volume 2, Comment Letter: RECIRC 2502, page 5)</p> <p>These claims are based on long-term averages but do not disclose a major problem with the WaterFix project, namely, the significant increase in export capacity for the SWP project. Without the WaterFix project, the SWP can only export 6,680 cfs during drier periods (Army Corps limits on inflow to Clifton Court Forebay). If the SWRCB approves the WaterFix Change Petition, the WaterFix project will be able to export up to 6,680 cfs for the SWP from the south Delta and up to 9,000 cfs at the new North Delta Diversion facilities. The total amount that can then be exported by the SWP in drier periods will then only be limited by the total capacity of the Banks Pumping Plant, i.e., 10,300 cfs. That is an increase in SWP export capacity in drier periods of 54%.</p> <p>As discussed in detail in Contra Costa County’s comments on the BDCP Draft EIR/EIS and the Waterfix RDEIR/SDEIS, the CALSIM operations studies do indeed show that in drier months when Delta outflows are very low (&lt; 5,000 cfs) and the Delta is most stressed, the WaterFix project would increase SWP exports up to 10,300 cfs in many months.</p> <p>Figure 5 shows how the total monthly-averaged exports for the WaterFix Biological Assessment Proposed Action (Alt. 4A, Scenario H3+) increase above the existing limit during very dry periods (low Delta outflows). The project proponents should honor their commitment to reduce exports during drier periods and help restore and sustain the Delta ecosystem by limiting total exports, on a daily and not an 82-year average basis, during drier periods. An easy way to ensure that commitment would be honored would be for DWR and Reclamation to agree to limit daily exports to 1.5 times the Delta outflow through a SWRCB permit term.</p> <p>The County requests that a dry period limit on exports such as this be included as a mitigation measure in a revised EIR/EIS. Exports could only exceed the existing dry-period limit on total south-of-Delta exports (6,680 plus 4,600 cfs) when the Delta outflow remained greater than 7,500 cfs. The WaterFix project could only export at the new maximum rate of almost 15,000 cfs if the Delta outflow remained above 10,000 cfs.</p>	<p>Figure 5 referenced by the commenter, does not disclose the months when these conditions occur. The SWP and CVP are within their water rights to export stored water releases as long as they meet the existing and proposed Delta regulatory requirements. The proposed operations criteria for the Alternative 4A include increased Old and Middle River restrictions that would constrain the south Delta exports in a manner similar to, or more stringent than, the current restrictions. Also, the proposed criteria include significant restrictions on the north Delta diversion in the way of the bypass flow criteria and the sweeping velocity requirements, which would constrain the exports at the north Delta diversion under low flow conditions. These intake-specific export restrictions would sufficiently restrict the Delta exports while protecting the Delta fisheries and habitat. Further, Alternative 4A will continue to meet the Delta outflow requirements under the existing regulations. The Final EIR/EIS and the BA sufficiently analyzed and disclosed the effects of the proposed Alternative 4A operations criteria.</p> <p>The impact analysis was based upon evaluation of surface water conditions, including Delta outflow and Delta exports, for all water year types, as presented in Appendix 5A, Section C, of the Final EIR/EIS. For Alternative 4A, the proposed project, the model results presented in Appendix 5A, Section C, indicated that Total Delta Exports only approach 15,000 cfs during Wet water years. In Dry water years when Delta outflow declines below 7,500 cfs, the Total Delta Export ranges from 6,400 to 9,300 cfs; and in Critical water years when Delta outflow declines below 7,500 cfs, the Total Delta Export is less than 5,000 cfs.</p> <p>This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>
<p>Contra Costa County Water Agency</p>	<p>ATT 1</p>	<p>Attachment: Figure 5</p>	<p>This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>

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Contra Costa County Water Agency	ATT 1	The WaterFix alternative that best represents the SWRCB's proposed increased Sacramento and San Joaquin inflow and Delta outflow requirements, being developed as part of the Bay-Delta WQCP update, is Alternative 4A, Scenario Boundary 2. Figure 6 shows the total south-of-Delta exports from the Boundary 2 simulations as a function of Delta outflow. Because the SWRCB's update is intended to restore and sustain the Delta ecosystem, the new minimum flow requirements limit Delta exports during drier periods. The County's proposed mitigation measure to limit exports during drier periods (maximum exports = 1.5 x Delta outflow) is consistent with the reduced exports for this ecosystem-friendly alternative.	As noted in the Appendix 5E of Final EIR/EIS, boundary 2 scenario was presented primarily to consider changes in outflow, without specific consideration of the project objectives or purpose and need statement. The purpose was to provide a range of Delta outflows and other operational parameters to consider as a part of the CEQA/NEPA process as well as during agency decision-making, including the State Water Board's water rights hearing on the petition for changes in State Water Project (SWP) and Central Valley Project (CVP) authorized points of diversion necessary to implement the proposed project. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS. Please refer to comment 21. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	Attachment: Figure 6	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	The policy of the State of California is to reduce reliance on the Delta in meeting California's future water supply needs ..." (California Water Code section 85021). The WaterFix project's reliance on increased SWP exports during drier periods is contrary to this State policy and would directly harm the Delta ecosystem.  As discussed above, the Final EIR/EIS also claims that the WaterFix preferred alternative operational criteria tend to allow higher exports under wetter conditions and will increase exports in the wet winter months especially in wetter years when the river flows are high. However, the operations modeling using CALSIM II are not consistent with these assertions. As shown in Figure 7, the total exports for the Boundary 2 scenario during periods when river flows are high are often less than the existing limit on Delta exports. The reason for this is that in these months San Luis Reservoir is full and there is nowhere to use or store any additional exports.  Without additional storage south of the Delta and additional storage within the Delta, the WaterFix preferred alternative is often unable to capture "new" water when there is plenty of water flowing through the Delta. In other words, the WaterFix is unable to regularly take a "Big Gulp."	This comment is about the merits of the CWF operational criteria and the ability of the CWF to export more during wet periods. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.  Please refer to comment 21.
Contra Costa County Water Agency	ATT 1	Attachment: Figure 7	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	The Final EIR/EIS is inadequate because it fails to include alternatives that reduce exports during drier periods when the Bay and Delta ecosystems are most stressed ("Little Sip") and fails to include alternatives capable of capturing "new" water when there are very high flows in the Delta and upstream tributaries ("Big Gulp"). It is likely that the SWRCB through its Bay-Delta WQCP update will require significantly high minimum outflows in the Delta. As shown in Figure 6, this will force the proposed WaterFix conveyance-only project to operate closer to a Little Sip operation. However, it is important for decision makers and the public to understand how much of a reduction in exports will occur in this case. This information is especially important for the SWP and CVP export contractors who will be paying for this project.  Contra Costa County requests that new alternatives be developed that are capable of regularly taking Big Gulps and Little Sips and include as a mitigation measure a limit of the amount of water that can be exported from the Delta during drier periods. A new draft EIR/EIS must then be	This comment asserts that WQCP outflow requirements will reduce the amount of exports possible under CWF. This variation on alternatives is addressed in Final EIR/EIS, Volume 2, Master Response 4 and individual responses to comments in the Final EIR/EIS. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.

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		prepared and recirculated for public review and comment.	
Contra Costa County Water Agency	ATT 1	<p>The WaterFix Project Will Decrease Inflows to the Delta at Freeport and this is not Disclosed in the Final EIR/EIS</p> <p>The Final EIR/EIS is inadequate because it fails to analyze and fully disclose the reductions in inflow to the Delta from the Sacramento Valley that would occur because of the proposed WaterFix project. It would be expected that exporting water from the North Delta via the proposed twin tunnels would decrease flows below the new north Delta intakes. However, the monthly-averaged flow data from the CALSIM operation studies also indicate that the WaterFix project would reduce Sacramento inflows to the Delta (i.e., above the new intakes).</p> <p>Figure 5E-8 in the Final EIR/EIS (Volume 1, Appendix 5E, page 5E-18) does present graphs of long-term averaged Freeport flows for all years and for each water year type. These graphs indicate that even these long-term averaged Freeport flows will be less than for the No Action Alternative, especially in July, August and September.</p> <p>Figure 8 below shows the CALSIM II operations simulation data for the Sacramento inflow at Freeport for the Biological Assessment Proposed Action (Alternative 4A, Scenario H3+, ELT) as a function of the corresponding No Action Alternative. In many months, the simulated Delta inflows at Freeport (upstream of the proposed north Delta intakes) would decrease because of the WaterFix project. Some of these reductions in flow are greater than 30%. This could directly harm migrating salmon species and other key fish species in the Delta.</p> <p>A new EIR/EIS must be prepared that discloses the reduction in inflows to the Delta at Freeport due to the WaterFix project and analyzes and discloses the corresponding significant adverse environmental impacts of the proposed project on the Delta ecosystem. A new EIR/EIS should then be released in recirculated draft form for public review and comment.</p>	<p>This is a comment about changes in Sacramento River Flows at Freeport, an issue that was raised by other commenters (ie., RECIRC 2579) and responded to within the Final EIR/EIS. The reduction in Sacramento River Delta inflows referenced in this comment occur primarily when Delta is in the balanced conditions in summer and fall months when the Projects are within their rights to change the stored water releases. Under Alternative 4A, the existing regulatory requirements are met similar to the No Action Alternative. The Final EIR/EIS and the BA adequately analyzed and disclosed the effects of changes in Sacramento River flow at Freeport on the fish species. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>
Contra Costa County Water Agency	ATT 1	Attachment: Figure 8	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS Fails to Disclose Significant Adverse Water Quality Impacts of the WaterFix Project Because the Modeled October Delta Outflows are Unrealistically High</p> <p>Contra Costa Water District (CCWD) in its detailed comments on the RDEIR/SDEIS pointed out that the CALSIM II simulations of Delta outflows in October with the WaterFix project were not realistic and were too high (RECIRC 2597, comment # 10). This meant that the Delta was artificially fresh in October and subsequent months.</p> <p>CCWD stated that the "RDEIR/SDEIS fails to give adequate consideration to the changes to existing facilities operations that would necessarily occur due to implementation of the Preferred Alternative. This creates flaws in the analysis of water supply, water quality, and fisheries impacts." (RECIRC 2597, comment # 10). The corresponding No Action Alternative did not have the same problem with October outflow so the simulated change in water quality due to the WaterFix project was significantly underestimated and the adverse impacts of the WaterFix project are not disclosed or fully mitigated. These problems still exist in the Final EIR/EIS modeling.</p>	<p>The reduction in Sacramento River Delta inflows referenced in this comment occur primarily when Delta is in the balanced conditions in summer and fall months when the Projects are within their rights to change the stored water releases. Under the Alternative 4A, the existing regulatory requirements are met similar to the No Action Alternative. As stated in response to RECIRC 2597-10, "the incremental differences that could occur under the No Action Alternative conditions and Alternative 4A would be similar with different CALSIM II model assumptions in the No Action Alternative conditions and Alternative 4A. It should be noted that the Final EIR/EIS includes model results for Alternatives 2D, 4A, and 5A as compared to the No Action Alternative and Existing Conditions in Appendix 5A, Section C, in addition to the model results previously provided in the Draft EIR/EIS. The comparative results between Alternatives 2D, 4A, and 5A and the No Action Alternative and the Existing Conditions are generally consistent with the impact analysis results presented in the RDEIR/SDEIS." The Final EIR/EIS and the BA adequately analyzed and disclosed the effects of changes in Sacramento River flow at Freeport on the fish species. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>
Contra Costa County Water	ATT 1	The Final EIR/EIS response to CCWD's comment recognizes that "assumptions were used for the impact analysis in the EIR/EIS based upon modeling analyses; and that the real-time operations	The proposed operations criteria under Alternative 4A results in increased Delta outflow in October compared to the No Action Alternative as shown in the Final EIR/EIS. This

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Agency		<p>would provide more flexibility than the CALSIM II monthly-model time step.”</p> <p>However, the response to this comment is incorrect in assuming that the incremental differences from the No Action Alternative conditions would be the same even if a more realistic CALSIM II simulation of Alternative 4A operations were carried out. Because there is a serious flaw with the October operations in the with-WaterFix simulation and not the No Action Alternative, correcting for that flaw would produce different and more realistic simulations of the adverse water quality impacts of the project.</p> <p>The effect of the unrealistic modeling of Delta operations in October on the estimates of water quality impacts in the Delta can be seen from the water quality changes in the western Delta for the months of August, September and October. The DSM2 daily EC simulations for the Collinsville station on the Sacramento River near the confluence with the San Joaquin River and the entrance to Suisun Bay are used for this example. The Final EIR/EIS acknowledges that salinities at Emmaton and other western Delta stations will be months of substantial degradation at Emmaton in April and July-September due to the WaterFix preferred alternative (Volume 1, Chapter 8, page 8-938). However, the Final EIR/EIS fails to fully disclose these significant July- September adverse water quality impacts in the summary in the Executive Summary presenting only long-term changes in EC averaged over the full 16-year period. Figure ES-7a incorrectly concludes that the impacts of the WaterFix project on EC are less than significant.</p> <p>Note that the Emmaton standard only applies from April 1 through August 15. Presenting western Delta water quality changes in terms of the Emmaton standard ignores significant adverse degradation of western Delta water quality from August 16 through September which is contrary to the requirements of the 2009 Delta Reform Act to improve water quality in the Delta.</p>	<p>increase in outflow is primarily due to the increased export restrictions in October at the south Delta intakes, under Alternative 4A. This increase in October outflow was also found in their own independent modeling of Alternative 4 referenced in the CCWD’s comment (BDCP1563 Attachment 1 Exhibit 38). This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>
Contra Costa County Water Agency	ATT 1	<p>Shown below are daily-averaged Collinsville specific conductance (EC) data for the Biological Assessment Proposed Action plotted as a function of the Biological Assessment No Action Alternative for the month of September (Figure 9). The WaterFix project would increase EC by 25% or more in many cases. The corresponding Collinsville daily-averaged EC data for the month of October are shown in Figure 10. As discussed above, the unrealistically high simulated outflows in October result in net reductions in salinity in the western Delta when compared to the No Action Alternative that had more realistic Delta outflows, i.e., a minimum of 3,000 cfs in critical years and a minimum of 4,000 cfs in the other water year types (per SWRCB Water Rights Decision 1641).</p>	<p>See comment # 30 above regarding October outflow. Regarding EC in April and July-September, the water quality assessment states, “The level to which modeling output depicts degradation of water quality with respect to EC is primarily a function of the modeling not being able to fully capture how the system would be operated in real-time to minimize or avoid such degradation.” (Final EIR/EIS, Vol. 1, Chapter 8, p. 8- 938) Also see Final EIR/EIS, Volume 2, Master Response 30 regarding modeling approach and issues. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>
Contra Costa County Water Agency	ATT 1	Attachment: Figure 9	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	Attachment: Figure 10	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS acknowledges that the “level to which modeling output depicts degradation of water quality with respect to EC is primarily a function of the modeling not being able to fully capture how the system would be operated in real-time to minimize or avoid such degradation” (Executive Summary, page ES-938, line 21). This was an attempt to explain away the significant adverse water quality impacts at Emmaton for April and July-September. The Final EIR/EIS further states: “Discussions with SWP operators indicated that real-time operations would ensure that the Bay-Delta WQCP EC objectives at Emmaton, applicable from April 1 through August 15, would be met” (page 8-938, line 24). Real-time operations with the WaterFix preferred alternative will result in much lower Delta outflows in October closer to the D-1641 minimum outflows.</p>	<p>See comment # 30 above regarding October outflow and comment #31 regarding water project system modeling versus real-time operations. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>

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		Figure 11 shows a time series of the monthly-averaged Delta outflows for the month of October for water years 1922-2003 for the Biological Assessment Proposed Action and No Action Alternative. In most years, the October outflows for the No Action Alternative are the minimum allowed under D-1641, but the Proposed Action outflows are much higher. This is not a realistic simulation of the operations of the WaterFix preferred alternative.	
Contra Costa County Water Agency	ATT 1	Attachment: Figure 11	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	The CALSIM II operations to meet Rio Vista flow requirements and to comply with a 14-day shutdown of the south Delta facilities in October must be revised to more realistically capture how the Water Fix project would actually operate in October. The expected significant adverse water quality impacts in October, and the corresponding reduction in south-of-Delta exports, must be fully disclosed and mitigated. Contra Costa County requests that a new EIR/EIS be prepared that analyzes the water quality impacts in the Delta and that any significant adverse environmental impacts must be disclosed and fully mitigated. The new EIR/EIS should then be released in recirculated draft form for public review and comment.	See comment # 34 above regarding October outflow. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS Fails to Acknowledge and Disclose that Any Reduction in Survival of Already Seriously Threatened and Endangered Fish Species is Significant</p> <p>The Final EIR/EIS on pages ES-71 and ES-72 acknowledges the WaterFix project operations will have significant adverse impacts on spawning, egg incubation, rearing habitat and migration conditions for longfin smelt (AQUA-22, AQUA-23 and AQUA-24). However, the Final EIR/EIS then speculates that these impacts on longfin smelt will be reduced to a level of insignificance through the California Department of Fish and Wildlife (CDFW) 2081 incidental take permit process (AQUA-22d). Whether CDFW will require higher spring outflow criteria and the specific adjustments through Adaptive Management are unknown at this time and there is not guarantee the flow increases and adjustments will be sufficient to restore and support (sustain) this key fish species. It is also not known whether these operational changes will cause adverse environmental impacts to water quality and fish in other periods of the year.</p> <p>The Final EIR/EIS also discloses reductions in the survival of already seriously depleted fish species in the Delta (Executive Summary, Figure ES-10). As stated by the U.S. Environmental Protection Agency in their January 18, 2017 comments (Kathleen Johnson to David Murillo, U.S. Bureau of Reclamation), the Final EIR/EIS predicts “substantial declines in quantity and quality of aquatic habitat for 15 of 18 fishes evaluated under the WaterFix preferred operations.” This is unacceptable for key species that are already depleted and seriously threatened by the existing Delta operations. It is inconsistent with the WaterFix project objective to “improve the ecosystem of the Delta by reducing the adverse effects to certain listed species of 11 diverting water by siting additional intakes of the SWP and coordinated operations with the CVP” (Volume 1, Chapter 2, page 2-3).</p> <p>The Final EIR/EIS is inadequate because it discounts the adverse impacts of the proposed project on the already badly impacted Central Valley, Delta and Bay fish species. Contra Costa County requests that a new EIR/EIS be prepared that incorporates changes to the WaterFix operations resulting from the biological opinion process as well as all additional flow and habitat restoration actions necessary to prevent any reduction in survival of any of the key fish species in the Bay and Delta. It is not acceptable to allow further degradation, no matter how small, of the already badly degraded Delta</p>	This comment argues that CWF would have significant unavoidable effects on listed fish species. These issues are addressed in Impacts AQUA 22, 23, and 24 of the Final EIR/EIS. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.

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		ecosystem. The corresponding impacts of such improvements on Delta water quality and export water supply need to be fully analyzed and disclosed and fully mitigated. The new EIR/EIS should then be released in a recirculated draft form for public review and comment.	
Contra Costa County Water Agency	ATT 1	<p>The Final EIR/EIS Fails to Analyze the Current Version of the Preferred Project (Alternative 4A)</p> <p>The Final EIR/EIS is inadequate because it presents modeling data for a number of different versions of the preferred alternative (Alternative 4A) but not the current version of the project.</p> <p>The modeling of Alternative 4A in the RDEIR/SDEIS, Scenarios H3 and H4, assumed that the 2009 NMFS Biological Opinion requirements for the limits on the ratio of San Joaquin inflow to south Delta exports did not apply. The version of Alternative 4A in the Biological Assessment (the Proposed Action, Scenario H3+) complies with those 2009 NMFS Biological Opinion requirements. In the Final EIR/EIS, Alternative 4A is modeled assuming the Biological Opinion limits apply (see Appendix 5G, page 5G-5).</p> <p>Contrary to numerous claims in the Final EIR/EIS and the WaterFix Change Petition hearing that Scenario H3+ lies within the range of Scenarios H3 and H4 (see, e.g., page 8-916, line 7, Chapter 5-167, line 25), Scenario H3+ is very different than Scenarios H3 and H4. As acknowledged in a few places in the Final EIR/EIS, there are large differences in the total south-of-Delta exports due to the assumption that the 2009 NMFS Biological Opinion limits for the San Joaquin inflow to south Delta exports applies in H3+ but not in H3 and H4 (see e.g., page 5F-8, line 42.)</p> <p>The following table, derived from Tables 5E-75 and 5E-78 in Appendix 5E, clearly shows how the total south of Delta exports for Scenario H3+ are much less than for H3 or H4 and do not lie within that range. In the other months, the H3+ exports are larger than either Scenario H3 or H4. This also means that other parameters such as Delta outflows do not lie within this range.</p>	<p>This comment is an opinion that modeling is inadequate because several versions were used for the RDEIR/SDEIS, Final EIR/EIS and BA. This comment is addressed in Final EIR/EIS, Volume 2, Master Response 30 regarding modeling approach.</p> <p>Commenter incorrectly claims that the delta outflow under Alternative 4A H3+ scenario does not fall within H3 and H4 scenarios. Even though the Delta exports in are found to be different under H3+ than the H3 and H4 scenarios, Delta outflow results fall within the range of outflow changes expected under H3 and H4 compared to the No Action Alternative as shown in figure 5F.4-22. The exports fall out of the H3-H4 range primarily due to the differences in operations criteria used to meet the increased spring outflow requirements between H3+ and H4. The Final EIR/EIS sufficiently analyzes and discloses the effects due to expected changes in Delta flows under Alternative 4A H3, H4 and H3+ scenarios. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>
Contra Costa County Water Agency	ATT 1	Attachment: Table	This figure does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.
Contra Costa County Water Agency	ATT 1	<p>This table also shows the corresponding average monthly exports for the Boundary 2 scenario which most closely approximates the proposed SWRCB Delta flow objectives as part of the current Bay-Delta WQCP update. Total exports with the WaterFix conveyance-only facilities for this more likely future operating scenario are much less than the No Action Alternative. The WaterFix conveyance-only project will not meet the project needs regarding restoring water supply.</p> <p>The Operations Flow Criteria for the preferred alternative in the Final EIR/EIS introduces a different south Delta export limit that varies the allowable Old and Middle River (OMR) minimum flow limits based on the gauged flow in the San Joaquin River at Vernalis (see Volume1, Chapter 3, page 3-46). That is entirely different than what was in the RDEIR/SDEIS and the Biological Assessment.</p> <p>The environmental impacts of this proposed limit on south Delta exports needs to be fully modeled and analyzed and any significant adverse impacts must be disclosed and fully mitigated. Modeling for the most likely operating rules must be used and not a range such as Scenarios H3 and H4 that are not representative of the likely final project. Contra Costa County requests that a new EIR/EIS should then be prepared and released in recirculated draft form for public review and comment.</p>	<p>See comment # 27 regarding Boundary 2.</p> <p>Commenter incorrectly claims that the proposed OMR criteria for Alternative 4A in the FEIRS is inconsistent with the RDEIR/SDEIS and the BA, when in fact all three documents show identical criteria for the proposed Alternative 4A. Final EIR/EIS Table 3-7 matches the Table 3.3-1 in the BA. The FEIRS sufficiently analyzes and discloses the effects due to Alternative 4A compared to the No Action Alternative. This section does not raise any new issues that weren't raised in the Final EIR/S. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/EIS.</p>
Contra Costa County Water	ATT 1	None of the Modeling in the Final EIR/EIS is Valid to Support the Choice of Any of the Final EIR/EIS Alternatives as the Preferred Alternative	This comment is a summary of other comments provided above. This comment does not raise any substantive new environmental information or analysis that was not previously

Letter	Comment #	Comments	Letter
Agency		<p>To summarize many of the points already made, none of the modeling results presented in the Final EIR/EIS are adequate to support a decision by DWR and Reclamation on a preferred alternative.</p> <p>The BDCP Draft EIR/EIS studies (Alternatives 1 through 9) generally assumed the compliance location for the Emmaton standard would be moved to Three Mile Slough, that the Army Corps inflow limits to Clifton Court Forebay would not apply, that the USFWS Biological Opinion Fall X2 limits would not apply, that the 2009 NMFS Biological Opinion limits on San Joaquin inflow to south Delta exports would not apply or that the Delta operating rules would not include any increased Sacramento inflows, San Joaquin inflows or Delta outflows consistent with the SWRCB's 2010 Delta Flow Criteria Report and the SWRCB's current and imminent WQCP Update (Phase I and Phase II) process. The Draft BDCP EIR/EIS studies were also performed using a now obsolete and replaced 2010 version of CALSIM II. The Final EIR/EIS leaves open the option that the lead agencies could still chose one of the BDCP alternatives (1 – 9) but none of these are valid. These and other alternatives also assume a new definition of the D-1641 Export/Inflow ratio that has not been approved by the SWRCB through a hearing process.</p> <p>The lead agencies use standard language in their responses to criticisms of the sensitivity analyses in the RDEIR/SDEIS and to indicate that new studies have been performed for Alternatives 4A, 2D and 5A to correct these problems:          “The RDEIR/SDEIS provided sensitivity analysis for Alternatives 2D, 4A, and 5A. The Final EIR/EIS includes model results specifically for Alternatives 2D, 4A, and 5A as compared to the No Action Alternative and Existing Conditions in Appendix 5A, Section C. Alternatives 2D, 4A, and 5A only include a small area of wetlands restoration based upon mitigation requirements for construction of the conveyance facilities. The comparative results between Alternatives 2D, 4A, and 5A and the No Action Alternative and the Existing Conditions are generally consistent with the impact analysis results presented in the RDEIR/SDEIS.” (RECIRC 2502, comment #49, page 21).</p> <p>Even the lead agencies agree that the RDEIR/SDEIS studies, also done with the 2010 version of CALSIM II as sensitivity studies are not valid for use in supporting selection of Alts 4A, 2D or 5A. The RDEIR/SDEIS studies also made many of the same assumptions that SWRCB D-1641 and the NMFS BiOps will not need to be met in the future.</p>	<p>addressed in the Final EIR/EIS.</p> <p>The commenter wrongly states the assumptions of the Alternatives 1 – 9 presented in the Final EIR/EIS. Chapter 3 and Appendix 5A of the FEIRS lists the complete assumptions for the Existing Conditions, No Action Alternative and Alternatives 1 – 9.</p> <p>Commenter is correct in that the FEIRS modeling was based on the 2010 version of the CalSim II, which was the latest available version at the initiation of the BDCP DEIRS modeling, and continued forward in the RDEIR/SDEIS and the Final EIR/EIS for maintaining comparability with the baselines.</p> <p>The effects of the assumed approach of computing export-inflow ratio under some of the Alternatives were analyzed and disclosed sufficiently in the FEIRS. Similarly the effects of Alternatives 1 – 9 in comparison to the No Action Alternative and the Existing Conditions were sufficiently analyzed and disclosed in the Final EIR/EIS.</p> <p>Analysis presented in the Final EIR/EIS was based on the modeling conducted using the 2010 version of the CalSim II. Final EIR/EIS also included Appendix 5G which shows that the incremental changes under Alternative 4A H3+ scenario when compared to the No Action Alternative remain similar with both 2010 and 2015 versions of the CalSim II proving that the modeling results based on the 2010 version of CalSim II were perfectly valid to be used for evaluating various Final EIR/EIS Alternatives.</p>
Contra Costa County Water Agency	ATT 1	<p>The lead agencies have added new modeling studies from the WaterFix Change Petition hearing and the Biological Assessment studies (done with the corrected 2015 version of CALSIM II). These studies eliminated a number of the assumed exceptions from the requirements of D-1641 or the Biological Opinions. However, these new modeling studies were only done at an Early Long Term (2025) that does not represent a period when the project would actually be on line and operating. These studies (Alternatives 4A, 2D and 5A) are also not valid for analyzing and disclosing the environmental impacts of a WaterFix preferred alternative.</p> <p>The Final EIR/EIS is invalid because none of the modeling studies are valid for supporting a choice of WaterFix preferred alternative and a Record of Decision or Notice of Determination. Contra Costa County requests that new modeling be performed that includes realistic assumptions about future Delta operations and future conditions corresponding to a time when the project would be likely to be completed and operating, i.e., 2030 or later, not 2025, as well as a Late Long Term scenario. The new EIR/EIS must then be released in draft form for public review and comment.</p>	<p>This comment is a summary of other comments provided above. No new environmental issues are provided in this section. See comment # 41.</p>