

Letter	Comment #	Comment	Relation to Final EIR/EIS
Solano County	1	Thank you for the opportunity to comment on the Bay Delta Conservation Plan/California WaterFix Final EIR/EIS released to the public on December 22, 2016. Solano County provided comment on the Draft EIR/EIS on July 28, 2014 and on the Partially Recirculated/ Supplemental Draft EIR/EIS on October 30, 2015. Unfortunately, the Final EIR/EIS and Responses to Comments do not fully address our prior comments and concerns regarding the Project.	This comment is an introduction indicating the Final EIR/EIS does not address previous Solano County comments on the Draft EIR/EIS and RDEIR/SDEIS. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.
Solano County	2	<p>Despite including a massive volume of documents, the Final EIR/EIS lacks critical information regarding impacts of the Project and potential mitigation for those impacts. For example, we expect impacts to agriculture to be significant, but the Final EIR/EIS hardly examines them, and they remain largely unknown. Importantly, the lead agencies have separated the major ecosystem restoration elements of the BDCP from the revised Project, and have instead split these elements of the Project into a number of plans and initiatives. These plans will impact Solano County and the agricultural economy that we strive to protect. The Final EIR/EIS does not identify, analyze, or mitigate the direct impacts resulting from the entire Project's acquisition and conversion of agricultural lands. Nor does it identify, analyze, or mitigate the entire Project's indirect impacts to agricultural lands and their water supply.</p> <p>Instead, the Final EIR/EIS references a narrowly focused future stewardship plan that may not even include all affected agricultural lands, may not include a meaningful public comment process, and may not provide an accurate determination of impacts and potential mitigation. This is insufficient. The Project's "significant and unavoidable" impacts to agriculture warrant a more comprehensive review, and require revision of the Project description, scope, and alternatives.</p>	This comment identifies deficiencies in the agricultural resources analyses and mitigation measures and requests redoing the analysis to increase the level of detail for impacts and mitigation measures. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S, Chapter 14.
Solano County	3	<p>The Preferred Alternative will not satisfy water supply reliability objectives as it would only modify the existing conveyance system and does not address additional storage. The existing system requires additional facilities to store water exported during high Delta outflow events, when existing storage is full. The Final EIR/EIS must be revised to incorporate new storage and conveyance alternatives to enable exports during high outflow events. The Final EIR/EIS states that storage is outside the scope of the Project, yet the project cannot provide its stated purpose of water supply reliability without it.</p> <p>The continued narrow focus demonstrated by the Project Description prevents decision makers and the public from considering alternatives that could provide water supply reliability at lower cost. The proposed conveyance-only project would not produce additional water supply for State Water Project or Central Valley Project contractors south of the Delta. The Final EIR/EIS does not analyze how the Project will be operated once the State Water Resources Control Board completes its Bay-Delta Water Quality Control Plan update.</p>	This comment suggests that the Final EIR/S needs to include an alternative with a new storage component to meet water reliability objectives and requests analysis be redone to include WQCP update assumptions. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in Master Response 2 and Master Response 4 of Volume 2, Final EIR/EIS.
Solano County	4	<p>The Final EIR/EIS water quality analysis does not analyze the Preferred Alternative in the timeframe in which it is expected to be operational and does not provide mitigation for significant water quality impacts in Solano County. The Final EIR/EIS does not use the best available data, using a 16-year period rather than the 82 years simulated in the Project's Biological Assessment.</p> <p>The water quality analysis is inadequate and misleading because the simulated outflows in October are much higher than would actually occur. This results in underestimation of the significant adverse water quality impacts of the WaterFix project in the fall.</p>	<p>Regarding modeling using a 16-year versus an 82-year simulation, please refer to comment #11.</p> <p>Regarding simulated outflows in October, please refer to comment #34.</p> <p>This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.</p>

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		<p>Despite protestations to the contrary, the FEIR/EIS data continues to illustrate that the Project would increase exports during many dry months when Delta outflows are very low. These impacts must be recognized, fully disclosed and mitigated. The FEIR/EIS use of averages obscures a significantly increased combined export capacity of the project (with intakes in the north and south Delta). These flaws, along with the potential for decreased flow impacts above the proposed new intakes make it impossible to gauge impacts to Solano County water supplies and mitigation of those impacts.</p>	
Solano County	5	<p>Attachment A to this letter provides Solano County's detailed concerns and comments regarding the Final EIR/EIS. Solano County appreciates this opportunity to comment and looks forward to working with the lead agencies to develop a more sustainable array of solutions to the challenges facing the Bay-Delta system. At the very least, Solano County requests that the lead agencies prepare and recirculate a new EIR/EIS that fully discloses, analyzes, avoids, and mitigates the significant adverse environmental impacts described in this letter and its attachment.</p>	<p>This comment requests a new recirculated EIR/EIS that analyzes, avoids and mitigates for significant impacts. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.</p>
Solano County	6	<p>The following are Solano 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>I. The WaterFix Preferred Alternative Does Not Satisfy the Project Objectives</p> <p>Solano County agrees with DWR and Reclamation that there must be a "strategy for the Delta designed to restore and protect ecosystem health, water supply reliability, and water quality within a stable regulatory framework." (Final EIR/EIS Vol. 1, page 2-1.) The Final EIR/EIS explains 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." (Id. at 2-2.)</p> <p>The proposed Project, however, provides only modifications to the existing conveyance system and does not provide additional storage. The preferred alternative, Alternative 4A, will not produce any additional export supplies. As a result, the Project does not restore SWP and CVP south of Delta export supplies. The Final EIR/EIS 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.</p> <p>The Project also fails to consider any alternatives that satisfy another key Project objective: to 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. (Id. at 2-3.) Without additional storage south of the Delta, the Project will continue to reduce exports during periods of high Delta outflow, because San Luis Reservoir will be full during those times, and there will be nowhere to store or use any additional 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>This comment suggests that the Final EIR/S needs to include an alternative with a new storage component to meet water reliability objectives and requests analysis be redone to include WQCP update assumptions. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in Master Response 2 and Master Response 4 of Volume 2, Final EIR/EIS.</p>

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		<p>Alternatives to the WaterFix that include additional storage are feasible and consistent with the project objectives. The current conveyance-only alternatives are not consistent with the project objectives because they will not restore and protect water supplies.</p> <p>Solano County requests that the lead agencies develop new storage and conveyance alternatives that will meet the Project's stated purpose at the time that the Project becomes operational, and that can reliably deliver sufficient water at a reasonable cost, while restoring and protecting the ecosystem. The lead agencies must prepare a new draft EIR/EIS addressing these additional alternatives and recirculate that draft EIR/EIS for public review and comment.</p>	
Solano County	7	<p>II. Additional Storage is Not Outside Scope of Project</p> <p>The Final EIR/EIS indicates that additional storage is beyond the scope of the project. This cannot be correct because, as discussed above, additional south of Delta storage is necessary for the proposed Project to satisfy the Project's stated objectives. The modeling prepared for the Project shows that exports are reduced during high Delta outflow (wet) periods because San Luis Reservoir is already full and there is nowhere else to use or store additional 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 Delta Mendota Canal), 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 fails to meet the Project's stated purpose, especially when the analysis includes the proposed SWRCB WQCP minimum flow objectives that will be applicable by the time the WaterFix project is constructed and on line.</p> <p>Solano County requests that the lead agencies develop new storage and conveyance alternatives that will meet the Project's purpose of restoring and protecting both the Bay-Delta ecosystem and SWP and CVP export water supply. The lead agencies must prepare a new draft EIR/EIS addressing these additional storage and conveyance alternatives and recirculate that draft EIR/EIS for public review and comment.</p>	Please refer to comment 6. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.
Solano County	8	<p>III. The Final EIR/EIS Fails to Consider Impacts of the SWRCB WQCP Update on WaterFix Operations</p> <p>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 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.</p> <p>The Final EIR/EIS does not include the State Water Resources Control Board's update of the Bay-Delta Water Quality Control Plan in its analysis because "this program is still under development and the potential outcomes are not known at this time." (Final EIR/EIS, Vol 2, Appendix A-2, Response to Letter 2502, comment 7.) The lead agencies should not commit to a conveyance-only project and begin construction of a \$15 billion</p>	This comment requests additional analyses of reservoir storage and WQCP update flow objectives in a new alternative because deficiencies in the CWF will fail to meet state water supply reliability project objectives. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in Appendix 3A, Final EIR/EIS, and Master Response 2 and Master Response 4 of Volume 2, Final EIR/EIS.

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Solano County	9	<p>IV. The Final EIR/EIS Must Analyze the Current Preferred Alternative (4A) and New Alternatives at Time the Projection is Operational (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 when the Project is likely to be operational. The Project will take at least ten years to complete, meaning that it will not be operational until at least 2027. Alternatives 4A, 2D and 5A were only analyzed at 2025. Although the Final EIR/EIS refers to this time period as "Early Long Term," the Project will not be operational at that time.</p> <p>The Final EIR/EIS discusses the environmental impacts of several alternatives – Alternatives 1A, 3, and 8 and the corresponding No Action Alternative - at Late Long Term (2060). These are all BDCP Draft EIR/EIS analyses using the original, and now out of date,</p>	This comment requests Alternative 4A, 2D and 5A include model runs at the Early Long Term and Late Long Term periods consistent with the BDCP alternatives. This comment does not raise any substantive new environmental issues that were not previously addressed in Volume 2 of the Final EIR/EIS.

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		<p>2010 version of CALSIM II. Volume 1, Appendix 5E.4 of the Final EIR/EIS contains a list of runs used for the analysis of environmental impacts.</p> <p>Solano County requests that the lead agencies analyze key WaterFix alternatives and any new storage and conveyance alternatives at both a realistic Early Long Term, such as 2030, and a Late Long Term (such as 2060 or later). These analyses are necessary to understand, avoid, and mitigate the potential adverse environmental impacts of the proposed Project during the early period of operation and later in the future. The lead agencies must prepare a new draft EIR/EIS containing these analyses and recirculate it for public review and comment.</p>	
Solano County	10	<p>V. The Final EIR/EIS Must Provide Mitigation for Significant Water Quality Impacts</p> <p>The Final EIR/EIS acknowledges that there are significant adverse impacts in the Cache Slough region for all of the Draft BDCP EIR/EIS alternatives. (See, e.g., Final EIR/EIS, Vol. 1, Executive Summary, Table ES-8, p. ES-61.) However, the Final EIR/EIS declares these impacts unavoidable, and provides no meaningful mitigation. 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., Final EIR/EIS, Vol. 1, page 3-3, line 28.) DWR and Reclamation must provide full mitigation for the significant adverse impacts of all BDCP alternatives.</p> <p>The only mitigation proposed is to avoid, minimize, or offset, as feasible, adverse water quality conditions, site and design restoration sites to reduce impacts, conduct additional evaluation and modeling and develop and implement phased mitigation actions (WQ-7, WQ-7a, WQ-7b, WQ-7c, and WQ-7d). Mitigation measures may not meaningfully reduce these significant adverse water quality impacts.</p> <p>It is feasible to reduce these adverse impacts by modifying aspects of the project, such as reducing the amount of habitat restoration required in the north Delta. Table ES-8 of the Final EIR/EIS claims that 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 is inadequate because it fails to provide full mitigation for the significant adverse and avoidable water quality impacts of the original BDCP alternatives, any of which may still be chosen as the final project. Solano County requests that the lead agencies develop adequate mitigation measures for these alternatives. The lead agencies must prepare a new draft EIR/EIS that discloses and fully mitigates all adverse environmental impacts and recirculated that draft for public review and comment.</p>	<p>This comment requests new mitigation measures to reduce significant water quality impacts to a less than significant level for some BDCP alternatives. The analyses that support the significant unavoidable impacts as well as other environmental commitments are already provided in Chapter 8, Water Quality and Appendix 3B 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/S.</p>
Solano County	11	<p>VI. 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 of the Project. The Final EIR/EIS only uses a 16-year period (water years 1976-1991) to analyze the adverse water quality impacts of the Project, despite the fact that 82 years of water quality data (water years 1922-2003) were simulated for the Project's Biological Assessment.</p> <p>In order to correct major deficiencies in the WaterFix RDEIR/SDEIS, the lead agencies</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/S and in individual responses to comments which indicate a 16 year period is representative of the range of water year conditions. Please also refer to Master Response 14, Water Quality, Volume 2, of Final EIR/EIS for discussion of water quality analysis methods and Master Response 30, of Volume 2, Final EIR/EIS 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/S.</p>

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		<p>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, 2016 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 of water quality data 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. (Final EIR/EIS, Vol. 1, Appendix 5A, page 5A-D207). The memo refers to an 82-year analysis performed by the authors but does not present any of their modeling results. 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" (Id. at 5A-D208). This is a serious red flag that requires the lead agencies to use the best available data, i.e., the full 82-year period. Despite this indication of serious water quality impacts, 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. This is not correct.</p> <p>A table from the DWR memo provides the distribution of the five D-1641 water year types for the 82-year and 16-year periods. (Id. at 5A-D213). 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> <p>This table demonstrates that 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 (Id. at 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.</p>	
Solano County	12	Attachment: Table	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	13	<p>The DWR draft memo argues that 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." (Id. at 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." (Id at 5A-D216.)</p> <p>Solano 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</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/S and in individual responses to comments which indicate a 16 year period is representative of the range of water year conditions. Please also refer to Master Response 14, Water Quality, of Volume 2, Final EIR/EIS for discussion of water quality analysis methods and Master Response 30, of Volume 2, Final EIR/EIS regarding modeling approach and issues.

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		<p>(NAA), and has 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 the 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 μSiem, which is 3.5 larger than the 16-year average (28 μSiem). 97 μSiem 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 given by equation 2 on page 8-151 of Volume 1 of the Final EIR/EIS.</p> <p>Similarly, in November, the average improvement in water quality for the full 82 years (-160 μSiem) is appreciably less than the possible benefit of the WaterFix project when expressed as a 16-year average (-210 μSiem). Using a 16-year average underestimates the adverse impacts on water quality and exaggerates the improvements.</p> <p>However, long-term averages used in the Final EIR/EIS and earlier draft documents mask potentially serious adverse impacts in individual months within the full 1922-2003 period, and also hide 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).</p>	
Solano County	14	Attachment: Figure 1	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	15	<p>The Final EIR/EIS repeatedly warns that the absolute results of the DSM2 modeling cannot be trusted, but that the relative change from the applicable base case will be reliable. If that were the case, then subtracting the results of two 16-year studies should have given the same result as subtracting the results of 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 13. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.
Solano County	16	Attachment: Figure 2	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.

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Solano County	17	<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 µSiem, or about 170 mg/L chloride concentration. These significant adverse 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. (Id. at 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 13. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.
Solano County	18	Attachment: Figure 3	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	19	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. (Final EIR/EIS, Vol 2, Appendix A-2, Response to Letter 2502, comment 16.) Only one of those statements can be correct. 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.	Please refer to comment 13. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.
Solano County	20	<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 does suggest a net improvement in water quality at Old River on Bacon Island in November. 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 greater. The artificially high October outflows in the CALSIM II operations studies 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>	Please refer to comment 13. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.
Solano County	21	Attachment: Figure 4	This figure does not raise any substantive new environmental information or analysis that

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Solano County	22	Figure 4 also shows another significant problem with the water quality modeling for the WaterFix project. The daily EC values are often well in excess of 1,053 μ Siem, which is the equivalent of 250 mg/L chloride concentration (according to Equation 2, Final EIR/EIS, Vol. 1, p. 8-151). 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 μ Siem, which is the equivalent of 743 mg/L chloride concentration.	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 Master Response 14, Water Quality, of Volume 2, Final EIR/EIS for discussion of water quality analysis methods and Master Response 30, of Volume 2, Final EIR/EIS 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/S.
Solano County	23	<p>The Final EIR/EIS attempts to dismiss the fact that the BDCP and WaterFix modeling shows significant exceedances of water quality standards at Emmaton, Rock Slough, and elsewhere. However, the occurrence of 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.</p> <p>In the real world, the 250 mg/L standard would be met by increasing Delta outflow, among other potential responses. To reduce chloride concentrations from the 700s down to 250 mg/L would require significant additional outflow, which would in turn reduce exports. That reduction in exports would likely need to be made up later, thereby shifting the environmental impacts to a different month. The water quality and water supply analyses for the WaterFix project are invalid because of these extreme exceedances of water quality standards.</p> <p>The Final EIR/EIS is inadequate because it relies on operations studies and water quality analyses that are far from compliant with the SWRCB's municipal and industrial and agricultural water quality standards, and therefore fail to accurately simulate actual flow and export operations and the corresponding impacts on the Delta environment. Solano County requests that the lead agencies prepare a new draft EIR/EIS that addresses the excessively high absolute salinities, and analyzes, discloses and fully mitigates the adverse environmental impacts of the proposed project. The lead agencies must then recirculate the new draft EIR/EIS for public review and comment.</p>	Please refer to comment 13. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.
Solano County	24	<p>VII. 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." (Final EIR/EIS, Vol. 2, p. 1-259 (Master Response 28).) The Final EIR/EIS also claims 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." (Final EIR/EIS, Vol 2, Appendix A-2, Response to Letter 2502, at 5.)</p> <p>To the contrary, and as discussed in detail in Solano 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 (less than 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>	This comment is a discussion of the increased export capacity of the SWP with CWF added. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.

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		The claims of reduced exports in drier conditions in the Final EIR/EIS are based on long-term averages, but fail to disclose a significant problem with the WaterFix project: it provides a significant increase in export capacity for the SWP. Without the WaterFix project, the SWP can only export 6,680 cfs during drier periods, due to Army Corps limits on inflow to Clifton Court Forebay. If the SWRCB approves the WaterFix Change Petition, the SWP will be able to export up to 6,680 cfs 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 only be limited by the total capacity of the Banks Pumping Plant, which is 10,300 cfs. That is an increase in SWP export capacity in drier periods of 54%.	
Solano County	25	<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). In order to meet their commitment to reduce exports during drier periods and to help restore and sustain the Delta ecosystem, the lead agencies must limit total exports during drier periods on a daily basis, rather than on an 82-year average basis. A clear, enforceable 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.</p> <p>The County requests that the lead agencies include this type of dry period limit on exports as a mitigation measure in a revised EIR/EIS. Under this proposed mitigation measure, total south- of-Delta exports could only exceed the existing dry-period limit (6,680 plus 4,600 cfs) when the Delta outflow remained greater than 7,500 cfs. The WaterFix project could therefore only export at the new maximum rate of nearly 15,000 cfs if the Delta outflow remained above 10,000 cfs.</p>	<p>This comment suggests new operations criteria that could be considered a mitigation measure.</p> <p>Figure 5 doesn't disclose the months when this conditions occur. The Projects are within their 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 includes increased OMR restrictions that would constrain the south Delta exports more than or similar to the current restrictions. Also, the proposed criteria includes 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 FEIRS and the BA sufficiently analyzed and disclosed the effects of the proposed Alternative 4A operations criteria. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.</p>
Solano County	26	Attachment: Figure 5	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	27	Alternative 4A, Scenario Boundary 2 is 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. 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. The policy of the State of California is to reduce reliance on the Delta in meeting California's future water supply needs. (Cal. Water Code § 85021.) The WaterFix project's reliance on increased SWP exports during drier periods is contrary to this State policy and would harm the Delta ecosystem.	<p>See Comment 25.</p> <p>As noted in the Appendix 5E of FEIRS, 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/S.</p>
Solano County	28	Attachment: Figure 6	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	29	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	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/S.

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		during periods when river flows are high are often less than the existing limit on Delta exports. This is because San Luis Reservoir is full in these months 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."	
Solano County	30	Attachment: Figure 7	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	31	<p>The Final EIR/EIS is therefore internally inconsistent and 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"). The SWRCB's Bay-Delta Water Quality Control Plan update will likely 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. The Final EIR/EIS, however, does not inform decision makers and the public how much of a reduction in exports will occur in this case. This information is especially important for the SWP and CVP export contractors and the ratepayers that will be paying for this project.</p> <p>Solano County requests that the lead agencies develop new alternatives that are capable of regularly taking Big Gulps and Little Sips and that include a mitigation measure limiting the amount of water that can be exported from the Delta during drier periods. The lead agencies must prepare a new draft EIR/EIS containing this additional analysis and recirculate that draft for public review and comment.</p>	This comment requests additional alternatives to improve CWF operations and export ability. This comment does not raise any substantive new environmental information or analysis that was not previously addressed Master Response 4, of Volume 2, Final EIR/EIS or Appendix 3A, Final EIR/EIS.
Solano County	32	Attachment: Figure 8	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	33	<p>VIII. The Final EIR/EIS Fails to Disclose that the WaterFix Project Will Decrease Inflows to the Delta at Freeport</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 as a result of the proposed WaterFix project. Exporting water from the North Delta via the proposed twin tunnels decreases flows below the new north Delta intakes. The monthly-averaged flow data from the CALSIM operation studies also indicate, however, that the WaterFix project would reduce Sacramento inflows to the Delta (i.e., above the new intakes).</p> <p>The Final EIR/EIS presents graphs of long-term averaged Freeport flows for all years and for each water year type. (Final EIR/EIS, Vol. 1, Appendix 5E, page 5E-18.) These graphs indicate that with the project in place, 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</p>	This is a comment about changes in Sacramento River Flows at Freeport. 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. FEIRS 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/S.

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		<p>greater than 30%. These reductions could directly harm migrating salmon species and other key fish species in the Delta.</p> <p>The lead agencies must prepare a new EIR/EIS that discloses the reduction in inflows to the Delta at Freeport due to the WaterFix project, and discloses, analyzes avoids, and mitigates the corresponding significant adverse environmental impacts of the proposed project on the Delta ecosystem. The lead agencies must then recirculate this new EIR/EIS for public review and comment.</p>	
Solano County	34	<p>IX. The Final EIR/EIS Fails to Disclose Significant Adverse Water Quality Impacts of the Water Fix Project Because the Modeled October Delta Outflows are Unrealistically High</p> <p>The Contra Costa Water District's (CCWD) detailed comments on the RDEIR/SDEIS explained that the CALSIM II simulations of Delta outflows in October with the WaterFix project were not realistic and were too high. (Final EIR/EIS, Vol 2, Appendix A-2, Response to Letter 2597, comment 10.) In other words, the analysis presented the Delta as artificially fresh in October and subsequent months.</p> <p>CCWD explained 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." (Id.) The corresponding No Action Alternative did not have the same problem with October outflow, meaning that the simulated change in water quality due to the WaterFix project was significantly underestimated and the adverse impacts of the WaterFix project were not disclosed or fully mitigated. These significant problems still exist in the Final EIR/EIS modeling. 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 would provide more flexibility than the CALSIM II monthly-model time step."</p> <p>This response to CCWD's comment incorrectly assumes 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, but 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>This is a comment on October flow assumptions in CALSIM II modeling. The proposed operations criteria under Alternative 4A results in increased Delta outflow in October compared to the No Action Alternative as shown in the FEIRS. This 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/S.</p>
Solano County	35	<p>Water quality changes in the western Delta for the months of August, September, and October demonstrate the effect of the unrealistic modeling of Delta operations in October on the estimates of water quality impacts in the Delta. Take, for example, 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. 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 (Final EIR/EIS, Vol. 1, Chapter 8, p. 8- 938). However, the Final EIR/EIS fails to fully disclose these significant July-September adverse water quality impacts in the Executive Summary, instead 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>This is a comment on modeling assumptions. See comment # 34 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 Master Response 30, of Volume 2, Final EIR/EIS 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/S.</p>

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		<p>Furthermore, the Emmaton standard only applies from April 1 through August 15. Presenting western Delta water quality changes in terms of the Emmaton standard masks significant adverse degradation of western Delta water quality from August 16 through September. This is contrary to the 2009 Delta Reform Act requirement to improve water quality in the Delta.</p> <p>Figure 9, below, shows 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. The WaterFix project would increase EC by 25% or more in many cases.</p>	
Solano County	36	Attachment: Figure 9	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	37	Attachment: Figure 10	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	38	<p>Figure 10 shows the corresponding Collinsville daily-averaged EC data for the month of October. 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 (as required by SWRCB Water Rights Decision 1641).</p> <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, p. ES-938.) This is an attempt to minimize 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." (Id) 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>	See comment # 34 above regarding October outflow and comment #35 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/S.
Solano County	39	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.	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/S.
Solano County	40	Attachment: Figure 11	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	41	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. The County requests that the lead agencies prepare a new EIR/EIS that discloses, analyzes, avoids, and mitigates the water quality impacts in the Delta and any related significant adverse environmental impacts. The lead agencies should then recirculate the new EIR/EIS 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/S.

Letter	Comment #	Comment	Relation to Final EIR/EIS
Solano County	42	<p>X. The Final EIR/EIS Fails to Acknowledge 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 longfin smelt. (AQUA-22, -23, and -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 nature of any specific adjustments as a result of Adaptive Management, are unknown at this time. There is no guarantee that these flow increases and adjustments will be sufficient to restore and sustain this key fish species. It is also unclear 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. (Final EIR/EIS, Executive Summary, Fig. ES-10). As the U.S. Environmental Protection Agency explained in their January 18, 2017 comments, 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." (Letter from Kathleen Johnson, U.S. E.P.A to David Murillo, U.S. Bureau of Reclamation.) This key species is already depleted and seriously threatened by the existing Delta operations. This harm to already depleted fish species 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." (Final EIR/EIS, Vol. 1, Chapter 2, p. 2-3).</p> <p>The Final EIR/EIS is inadequate because it discounts the adverse impacts of the proposed project on Central Valley, Delta, and Bay fish species that are already adversely impacted by the operations of the projects. The County requests that the lead agencies prepare a new EIR/EIS 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. The lead agencies should alter the Project to avoid any further degradation of the already degraded Delta ecosystem. The lead agencies must fully analyze, avoid, and mitigate the corresponding impacts of such improvements on Delta water quality and export water supply need. The lead agencies should then recirculate the new EIR/EIS for public review and comment.</p>	<p>This comment suggests that mitigation for Longfin Smelt and other species presented in the Final EIR/EIS is inadequate to reduce the effects and therefore the analysis is invalid. This comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.</p>
Solano County	43	<p>XI. 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. 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. (Final EIR/EIS, Appendix 5G,</p>	<p>Commenter claims that the Delta outflow under Alternative 4A H3+ scenario does not fall within H3 and H4 scenarios. This is incorrect. Changes in long-term average Delta outflow under Alternative 4A (ELT) as compared to the No Action Alternative (ELT) and Existing Conditions are shown in Figures 5-37 through 5-39 and Tables 5-10 through 5-12. As shown in Figure 5F.4-27, the incremental changes in Delta exports under H3+ compared to the No Action Alternative are found to be within the H3 and H4 scenarios. Similarly 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, Final EIR/EIS. Similarly, the incremental changes in comparison to Existing Conditions would be the same, except for the added impacts from sea-level rise and climate change, as indicated by the comparison of Alternative 4A H3+ to Existing Conditions in Figures 5-37 through 5-29 and</p>

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		<p>p. 5G-5.)</p> <p>Contrary to numerous claims in the Final EIR/EIS and submissions in support of the WaterFix Change Petition hearing that Scenario H3+ lies within the range of Scenarios H3 and H4 (see, e.g., Final EIR/EIS at p. 8-916, line 7, and Chapter 5-167, line 25), Scenario H3+ is very different than Scenarios H3 and H4. The Final EIR/EIS acknowledges that 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., Final EIR/EIS at p. 5F-8, line 42.)</p> <p>The following table, derived from Tables 5E-75 and 5E-78 in Appendix 5E of the Final EIR/EIS, clearly shows that the total south-of-Delta exports in April and May 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 for either Scenario H3 or H4. This also means that other parameters, such as Delta outflows, do not lie within this range.</p>	<p>Tables 5-8 through 5-12. 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. Also see Master Response 28, Volume 2, Final EIR/EIS, regarding operations.</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>
Solano County	44	Attachment: Table	This figure does not raise any substantive new environmental information or analysis that would result in a new significant environmental impact.
Solano County	45	<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 future operating scenario are much less than the No Action Alternative. The WaterFix conveyance-only project will not meet the project's objective of 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. (Final EIR/EIS, Vol. 1, Chapter 3, p. 3-46). That differs significantly from the RDEIR/SDEIS and the Biological Assessment.</p> <p>The lead agencies must fully model and analyze the environmental impacts of this proposed limit on south Delta exports. The lead agencies must also avoid and mitigate and any significant adverse impacts. The lead agencies must use modeling for the most likely operating rules, rather than a range, such as between Scenarios H3 and H4, which is not representative of the likely final project. Solano County requests that the lead agencies prepare a new EIR/EIS that corrects these flaws and recirculate the new EIR/EIS for public review and comment.</p>	<p>See comment # 27 regarding Boundary 2.</p> <p>The 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. FEIRS 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 comment does not raise any substantive new environmental information or analysis that was not previously addressed in the Final EIR/S.</p>
Solano County	46	<p>XII. The Final EIR/EIS Relies on Flawed Modeling That Cannot Support the Selection of a Preferred Alternative</p> <p>The modeling results presented in the Final EIR/EIS are not adequate to support a final determination by the lead agencies on a preferred Project alternative. The BDCP Draft EIR/EIS studies (Alternatives 1 through 9) generally assumed that 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, and 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</p>	<p>The commenter states the assumptions of 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>The commenter is correct in that the Final EIR/EIS modeling was based on the 2010 version of the CalSim II, which was the latest available version at the initiation of the BDCP DEIR/EIS modeling, and continued forward in the RDEIR/SDEIS and the Final EIR/EIS for maintaining comparability with the baselines. Changing models in the middle of a series of model runs would have introduced inconsistencies, albeit relatively minor ones, into the ongoing analyses. The effects of the assumed approach of computing export-inflow ratio under some of the Alternatives were analyzed and disclosed sufficiently in</p>

Letter	Comment #	Comment	Relation to Final EIR/EIS
		<p>outflows consistent with the SWRCB's 2010 Delta Flow Criteria Report and the SWRCB's current and imminent WQCP Update process. The Draft BDCP EIR/EIS studies were also performed using a now-replaced 2010 version of CALSIM II. And 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. The lead agencies could still chose one of the BDCP Alternatives 1 - 9.</p> <p>The lead agencies use standard language in their responses to criticisms of the sensitivity analyses in the RDEIR/SDEIS, and 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. (Final EIR/EIS, Vol 2, Appendix A-2, Response to Letter 2502, comment 49, p. 21.)</p> <p>Even the lead agencies agree that the RDEIR/SDEIS studies, which also rely on the 2010 version of CALSIM II as sensitivity studies, are not valid for use in supporting selection of alternatives 4A, 2D or 5A. The RDEIR/SDEIS studies also made many of the same assumptions regarding whether SWRCB Decision 1641 and the requirements of the NMFS Biological Opinions will need to be met in the future.</p> <p>The lead agencies have added new modeling studies from the WaterFix Change Petition hearing process and the Biological Assessment studies that are supported by 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 completed 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 modeling results presented in the Final EIR/EIS are not adequate to support a final determination by the lead agencies on a preferred Project alternative, or to make a final decision on the Project. Solano County requests that the lead agencies perform new modeling that includes realistic assumptions about future Delta operations and future conditions corresponding to a time when the project would actually be completed and operating, as well as a Late Long Term scenario. The lead agencies should then recirculate a new EIR/EIS containing this information for public review and comment.</p>	<p>the Final EIR/EIS. 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>The commenter claims that the lead agencies questioned validity of the 2010 version of CalSim II used in the Final EIR/EIS. DWR does not make this claim, and in fact the impact 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. Although modeling results in comparison to Existing Conditions were not provided in Appendix 5G, the incremental changes would be similar with both versions of CalSim II, when compared to the respective versions of the Existing Condition CalSim II model, as well.</p> <p>According to the Appendix 3D of the Final EIR/EIS: “In addition to relevant, well-defined, plans and projects that would likely occur by the year 2025 and 2060, in the absence of the project, the No Action Alternative for the EIR/EIS entails programs, projects, and policies included in Existing Conditions assumptions.”</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>