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**From:** CateK <books4us.kuhne@gmail.com>  
**Sent:** Friday, October 30, 2015 3:37 PM  
**To:** BDCPcomments  
**Cc:** MBrown; ATant  
**Subject:** Reclamation District 2059, Bradford Island's RDEIR/SDEIS Comments  
**Attachments:** BDCP comments\_103015.pdf

Attached please find Reclamation District 2059, Bradford Island's Comments Regarding the Bay Delta Conservation Plan/California Water Fix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement ("RDEIR/SDEIS"). We look forward to the published environmental analyses once finalized under CEQA and NEPA this coming spring.

Respectfully submitted,

CJ Kuhne

Board President, Bradford Island Reclamation District 2059



# Bradford Reclamation District 2059

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October 29, 2015

BDCP/Water Fix Comments  
P.O. Box 1919  
Sacramento, California 95812  
[BDCPComments@icfi.com](mailto:BDCPComments@icfi.com)

**Re: Reclamation District 2059, Bradford Island's Comments Regarding the Bay Delta Conservation Plan/California Water Fix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement ("RDEIR/SDEIS")**

Dear BDCP/Water Fix Staff,

Reclamation District 2059, Bradford Island submits the following comments to the Bay Delta Conservation Plan/California Water Fix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement ("RDEIR/SDEIS"):

**1. Critical Studies Are Not Completed, Therefore The Project Description and Analysis of Impacts Are Incomplete.**

The Change Petition submitted to the State Water Resources Control Board ("SWRCB") makes reference to studies regarding the operation and design of the Project, which are, to date, not completed. These studies related directly to the design and operation of the diversion structures, and as such, indicate that the Project and the corresponding RDEIR/SDEIS are incomplete and insufficient. Further, adaptive management and operating scenarios for the Project have not been completed, and are slated for development at an undetermined time in the future. This information is critical to assess the potential environmental impacts of the Project, rendering the RDEIR/SDEIS inadequate under CEQA, as it fails to properly inform the public of potential environmental impacts.

**2. The RDEIR/SDEIS Does Not Adequately Explain How the Project Will Achieve the Co-Equal Goals of the Delta Reform Act and Comply With the Delta Plan.**

Public Resources Code section 29702 sets forth the "co-equal goals" of providing a more reliable water supply and "protecting, restoring, and enhancing the Delta ecosystem." Section 29702 states that the co-equal goals shall include protecting and enhancing the "unique cultural, recreational, natural resource" values of the Delta. The BDCP/California Water Fix Project does nothing to improve water quality and reliability of supply within the Delta—in fact, diversion Project's proposed intake prevents substantial fresh water inflows from entering the Delta which will assuredly degrade water quality within the Delta. This degraded water quality will negatively impact senior in-Delta water rights, recreation, fisheries, and the Delta environment

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in general. Further, now that the Project is no longer a “habitat conservation plan” or “natural community conservation plan,” it is unclear how the Project will become part of the Delta Plan as contemplated under Water Code section 85320.

**3. The RDEIR/SDEIS Does Not Consider All Potential Impacts Resulting From Land Acquisitions Potentially Associated with the Project.**

Metropolitan Water District and Westlands Water District have indicated their respective intent to acquire large tracts of land within the Delta (namely, Webb and Holland Tracts, and Bacon and Bouldin Islands). The concern is that the acquisition of these lands will be made to facilitate the Project and potentially circumvent eminent domain proceedings under Water Code section 250. If these properties are to serve as a component of the Project, the cumulative impacts must be analyzed in detail under CEQA. The Project description must include these properties, and the resulting impacts, if they are to be a component of the Project. Further, Webb Tract is immediately adjacent to Bradford Island. Inundating Webb Tract with water will more than likely cause significant seepage on Bradford Island. Properties adjacent to Holland Tract, and Bacon and Bouldin Islands will likely be similarly impacted. These impacts must be addressed

**4. The Project’s Long-Term Impacts Are Not Properly Considered.**

The environmental documents relating to the Project indicate a 15-year initial term, but acknowledge that the “project will continue indefinitely” (See .4.1-42). The impacts that extend beyond the initial term are not fully considered, and mitigation measures are not proposed. This is partly due to the fact that long-term operating scenarios and studies have not yet been performed, which, as stated above, make the RDEIR/SDEIS inadequate as a matter of law.

**5. The RDEIR/SDEIS Fails to Address How the Project Will Comply With The Delta Protection Act.**

The RDEIR/SDEIS fails to explain how the Project meets the requirements of the Delta Protection Act of 1959 (Water Code sections 12200 *et seq.*, hereafter, “Act”). The Act was intended to ensure that water exports from the Delta do not deprive in-Delta users of water required for beneficial uses and salinity control. The RDEIR/SDEIS does not analyze the threshold amount of water available for export that would not result in adverse impacts on in-Delta beneficial uses (including water rights that are senior to the State Water Project and the Central Valley Project, as well as recreation, fisheries, and environmental uses of water).

**6. The Project Will Adversely Impact Recreation and Public Trust Resources in the Western Delta.**

The Western Delta relies on recreation and fisheries as a substantial part of its economy. The RDEIR/SDEIS fails to adequately address the long-term impacts on boating, water recreation, and fishing activities within the Delta, and provides no mitigation measures for these impacts.

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Lower freshwater outflow and increased salinity within the Delta that will result from the Project will negatively impact fish species, boating, and recreation. Further, decrease in fresh water outflow and increased salinity will impact native plants and wildlife, navigation, and aesthetics.

Sincerely,

*Cate Kuhne*

Cate Kuhne  
President, Board of Trustees  
RECLAMATION DISTRICT 2059, BRADFORD ISLAND