RECIRC Ltr#	Cmt#	Comment	Response
600	1	At every place in the world, people must learn to live within the resources of their own geographic area. If that means fewer people, so be it. The earth cannot support the continued growth of the population.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please refer to master Response 3 regarding the purpose and need for the project.
601	1	As a longstanding California resident, I am opposed to the Delta tunnels plan. The Delta tunnels plan fails to conform to CEQA in that there are less impacting alternatives. There are numerous untapped resources for water still within the urban water system. First off sewage treatment plants could be upgraded to tertiary treatment facilities which would produce massive amounts of non-potable water. California could eliminate the filling of pools. It could require commercial tourist industries and other commercial entities restrict their water use as well.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The alternatives included in the Draft EIR/EIS and Final EIR/EIS represent a legally adequate reasonable range of alternatives and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The Lead Agencies carefully considered all potential alternatives that were proposed during the scoping process and during time of preparation of the EIR/EIS. In fact, as a direct result of the extensive public comments and agency input, the water facility and conveyance options proposed as part of the project changed significantly during the planning process in ways that reduce impacts in the Delta communities. Additional unique Alternatives that were proposed during review of Administrative Drafts of the BDCP and EIR/EIS were also considered and described, See Appendix 3A of the EIR/EIS and Section 4 of the RDEIR/SDEIS. Please see Master Response 4 (Alternatives) for additional information. It is important to note that the proposed project is not intended to serve as a state-wide solution to all of California's water problems and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage. Nor is the proposed project intended to solve all environmental challenges facing the Delta. Please see Master Response 6 (Demand Management) for further information regarding how many of the suggested components have merit from a state-wide water policy standpoint, and some are being implemented or considered independently throughout the state, but are beyond the scope of the proposed project. The proposed project does not make determinations regarding how water delivered through the proposed project conveyance, California Aqueduct, Delta Mendota Canal, or other water conveyance facility will be put to a beneficial use. The proposed project would be operated as a component of the State Water Project (SWP) and would be used to help convey SWP, CVP, and transfer water to contracted water users. As indicated in the FEIR/FEIS, the operation of the new conveyance facilities includes diverting water through the new north delta diversion facilities or through the existing south delta water diversion facilities. It is outside the scope of the proposed project (and in fact, outside the purview of the lead agencies) to make determinations regarding what constitutes a beneficial use or modify stipulations in water service contracts between the DWR and the SWP contractors, Reclamation and their contractors, and between water transfer sellers and buyers. Please see Master Response 34 regarding the potential uses of water delivered via Waterfix's proposed conveyance facilities.
601	2	To take water from the Delta where it would further threaten fish populations is unconscionable. It will unacceptably jeopardize the existence of endangered salmon runs and other native fish populations in the Sacramento River and Bay-Delta estuary.	Whether a project will jeopardize the continued existence of a listed fish species in a regulatory context is determined by the USFWS and NMFS during the Section 7 ESA consultation.

RECIRC Ltr#	Cmt#	Comment	Response
602	1	I am very disappointed in this "boondoggle" extraction-at-any-price attitude from the bureaucracies in my service. Californians must learn to live with less, which means a lot more tightening of the belt through eliminating capricious turf grass, water thirsty crops and other means of conservation.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. It is important to note, as an initial matter, that the proposed project is not intended to serve as a state-wide solution to all of California's water problems and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage. Nor is the proposed project intended to solve all environmental challenges facing the Delta. Please see Master Response 6 for further information regarding how many of the suggested components have merit from a state-wide water policy standpoint, and some are being implemented or considered independently throughout the state, but are beyond the scope of the proposed project. Additionally, the Lead Agencies do not have land use planning authorities (such as changing local land uses and zoning ordinances or controlling what crops should be planted). The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. Although the project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline. Please refer to Master Responses 34 (Beneficial Uses), Master Response 3 (Purpose and Need), and Master Response 35 (MWD Water Supply).
603	1	What a joke! Taking water from drought stricken California, and using it for almonds and pistachios!!! unbelievable!!!!!!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under a fully-implemented Alternative 4A are projected to be about the same as the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline. See Master Response 34 (Beneficial Use of Water).
604	1	I believe that this is against the people of California and against the fish populations that live in fresh water.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The commenter does not offer any evidence on how the project would result in Delta ecosystem and aquatic impacts related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
604	2	If this is such a great bargain, why isn't the private company paying for their own tunnels?	DWR's fundamental purpose of 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

RECIRC Ltr#	Cmt#	Comment	Response
		Why are the people of California being forced to have their tax money used?	and CVP south of the Delta, and water quality within a stable regulatory framework, consistent with statutory and contractual obligations. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project. Please see Master Response 5 for more information on costs and funding.
605	1	The idea that California can solve the water problem by taking water away from natural systems is not acceptable. The diversion of the Delta and rivers will leave California in worse straits than currently exists. The fresh water exit will, most likely, cause the infusion of ocean/salt water into the Delta, making agriculture impossible. This California WaterFix is a sham and not scientifically or morally prudent.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/EIS.
606	1	Save the water where it is -- don't just transfer it to another area for human use!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The premise of the California WaterFix is that it will provide environmental benefits while stabilizing water supplies for a large population of California residents, consistent with statutory policy as found in the Delta Reform Act of 2009 (see, e.g., California Public Resources Code, §§ 85001(c), 85002, 85004(a), 85020.) Refer to Master Response 31 (Compliance with the Delta Reform Act). The project would help to address the resilience and adaptability of the Delta to climate change through water delivery facilities combined with a range of operational flexibility. In addition to the added water management flexibility created by new water diversions and operational scenarios, the project would improve habitat, increase food supplies and reduce the effects of other stressors on the Delta ecosystem. Please refer to Master Response 3 (Purpose and Need).
607	1	When are you going to start conserving water instead of acting like you have an endless supply? Stop growing water hungry crops like almonds. Restrict water for lawns and golf courses and give the fish water to swim in!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights that were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The issue of crops and water use is beyond the scope of the Proposed Project. For more information please refer to the updated draft 2013 California Water Plan's strategy for agricultural water use efficiency, which describes the use and application of scientific processes to control agricultural water delivery and use. Also, refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and conservation. The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is

RECIRC Ltr#	Cmt#	Comment	Response
			not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures The proposed project would not increase the amount of water to which SWP and CVP hold water rights for use allowed under their contracts and permits and approvals for refuge water supplies or other environmental purposes.
608	1	I grew up in California, benefitting from the great water transfers from northern to southern California. Even then, we knew "water shuttling" was putting Delta and river wildlife at risk.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings.
609	1	As an Oregonian, I care deeply about the well-being of salmon, which play such a large role in our economy and culture. The water that allows them to reach their spawning grounds should not be diverted into the production of crops like almonds and pistachios that because of climate change are no longer sustainable.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. For information on potential impacts to salmonid spawning habitat conditions and migration, please see Chapter 11, Fish and Aquatic Resources, which indicates effects would not be adverse.
610	1	We can live without almonds and pistachios; water is another matter. The "Fix" is driven by greed, and is unsustainable and irresponsible.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The California WaterFix project is being proposed to address the conflict between the ecological needs of a range of at-risk Delta species and natural communities, while providing for more reliable water supplies for people, communities, agriculture, and industry. State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 34 regarding the potential uses of water delivered via proposed conveyance facilities.
611	1	This [project] doesn't make sense. We can work in other ways to deal with the drought, and save our ecosystems and the countless species that live there.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and

RECIRC Ltr#	Cmt#	Comment	Response
			salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.
612	1	America needs its fish populations restored. At one time, these fish could feed millions of people without endangering the environment.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
613	1	It appears clear that this is not going to help with the real water problems faced in California -- perhaps it's a desperate move given the crisis, yet should be rethought, and certainly assessed as to who will benefit at cost to the taxpayers, and effective investment in real solutions.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Refer to Master Response 3 (Purpose and Need), Master Response 6 (Demand Management), Master Response 4 (Alternatives), and Master Responses 5.
614	1	It seems to be primarily to serve the interests of corporate funders of California Governors such as Big Ag billionaire and water profiteer Stuart Resnick who has also been instrumental in campaigns to eviscerate Endangered Species Act protections for Central Valley Chinook salmon and Delta smelt, and striped bass in California.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. Regarding the benefits of the project, consider the purpose of, and need for, the proposed project. As a plan prepared to meet the rigorous standards of the Clean Water Act and federal and state Endangered Species Acts, the proposed project is intended to be environmentally beneficial, not detrimental. Existing water diversions, including the existing State Water Project/Central Valley Project diversions in the southern Delta, can impact water flows and quality. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under a fully-implemented Alternative 4A are projected to be about the same as the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline.
614	2	The WaterFix is simply a plan to export more water out of the Bay-Delta estuary to the benefit of people like Stuart Resnick and his buddies the Waltons of WalMart	In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/S), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The proposed project does not seek any new water rights nor reduction in

RECIRC Ltr#	Cmt#	Comment	Response
			total water rights issued to DWR and Reclamation. The amount of water that DWR and Reclamation can divert from the new north Delta facilities is set by Federal and State regulating agencies, ESA compliance, and project design. Operations for the Proposed Project would still be consistent with the criteria set by the U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions and State Water Resources Control Board Water Right Decision 1641 (D-1641), subject to adjustments made pursuant to the project and the adaptive management process, as described in Chapter 5, Water Supply of the EIR/EIS. Over the long-term, 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; and increase exports in the wet winter months when the river flows are high.
615	1	This plan is not a water fix. I didn't like it when I first read of it, and I do not like it any better today. Too much water being diverted to the entitled, not nearly enough allocated to wildlife and lands.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project.
616	1	If Central Valley agricultural interests want that much water, let them pay for it at residential rates.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
617	1	Are you guys stupid? This is bad for just about everything you can think of and it will not fix the water problem in California. Get your head out of the sand or clouds or whatever. You view is way too short sighted!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. Please note that the project has been initiated and carried forward by two Governors acting on a mandate from the voters of the State as a whole. Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings.
618	1	Please use one or more of the less expensive and less environmentally destructive alternatives to the Delta tunnels that could save taxpayers billions of dollars, while investing	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the

RECIRC Ltr#	Cmt#	Comment	Response
		in the jobs and local water sources that build sustainability.	index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Also, please see Master Response 4 for additional details on the selection of project alternatives and Master Response 5 regarding the costs and funding of the project.
619	1	This "plan" is nothing more than another water give away to big [agriculture] - welfare for the rich! At this time of dire drought in California, when hundreds of wells are going dry, thousands of forest trees are dying and we are all threatened with wildfires and water shortages, for the state to say that this is [a] "water fix" is ludicrous! We, in Northern California know all too well that big [agriculture] demands more and more water at the expense of the residents and family farmers as well as the natural world of this state! We will not let the state get away with declaring this plan as a water fix. It is another sleazy grab at stealing even more of our precious water for crops that are not important except to the pocket books of big [agriculture]. We will not let you steal our water. We will not cooperate in taking our water for crops to be exported while we watch our gardens die, wear dirty clothes and are afraid to flush our toilets!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/S), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The proposed project does not seek any new water rights nor reduction in total water rights issued to DWR and Reclamation. The amount of water that DWR and Reclamation can divert from the new north Delta facilities is set by Federal and State regulating agencies, ESA compliance, and project design. Operations for the Proposed Project would still be consistent with the criteria set by the U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions and State Water Resources Control Board Water Right Decision 1641 (D-1641), subject to adjustments made pursuant to the project and the adaptive management process, as described in Chapter 5, Water Supply of the EIR/EIS. Over the long-term, 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; and increase exports in the wet winter months when the river flows are high.
620	1	While I do not live in California, I hope to visit. But the reasons to come spend my tourist dollars in California are rapidly -- and literally -- drying up.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
621	1	the ignorance of men is the enemy of mama nature why is it that the most educated people commit the worst crimes against nature and humanity? men has turn earth into a painful place for all living beings...when you do wrong nothing goes unpunished. Stop the war against the environment by men I blame you for being cruel	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The issue raised by the commenter addresses the merits of the project and does not raise any issues with

RECIRC Ltr#	Cmt#	Comment	Response
			the environmental analysis provided in the EIR/S.
622	1	Alternatives such as water recycling, storm water retention, restoration of aquifers and water use reduction should all be done first. Drastically reducing the pollution of our aquifers and rivers due to fracking waste water, mining waste water, and agricultural runoff would also help ensure an adequate water supply.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. Please see Master Response 4 regarding the selection of alternatives analyzed. The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. Although conservation components and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project. The California WaterFix is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. Appendix 1C, Demand Management Measures, in the EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including storm water drainage. While these elements are not proposed as part of the BDCP or the California WaterFix, the Lead Agencies recognize that they are important tools in managing California's water resources.
623	1	Make people waste less -- then you have enough for twice as many. Facilitate more collection and use of grey water.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project. It is important to note that the proposed project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage. Please refer to Master Response 6 for additional details on demand management.
624	1	With climate change the sea levels are rising, so why not take advantage of the abundant seawater along the California coast [and] build several recycling seawater plants and infuse the water back into the depleted aquifers?	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. This comment is beyond the scope of the project. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
624	2	I urge you to reject this horribly harmful project.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
625	1	How in God's name does anyone believe that taking basically desert land and stealing water from someplace far away equals prime agricultural farmland? Cities in the desert crying for water to water grass and create artificial lakes for bass fishing. . . Anyone see the idiocy in	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the

RECIRC Ltr#	Cmt#	Comment	Response
		both of these scenarios? Maybe this world really needs that genetically altered killer virus to make things right. People and harm and destruction seem to go hand in hand. Is there a place to donate to the killer Ebola fund? Let me know. I'm in.	index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under a fully-implemented Alternative 4A are projected to be about the same as the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline. See Master Response 34 (Beneficial Use of Water).
626	1	I am writing to express my opposition to the Delta tunnels plan. The plan endangers fish habitat but does not supply more water to those who will need it for human needs. The Delta does not have more water to give. Instead, we should be focusing, in these extraordinary times, on conservation and triaging our water supplies. Clearly, this means we should not be supporting the growing of water-intensive crops in the Central Valley. The future in California is arid and we need to adjust.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights that were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The issue of crops and water use is beyond the scope of the Proposed Project. For more information please refer to the updated draft 2013 California Water Plan's strategy for agricultural water use efficiency, which describes the use and application of scientific processes to control agricultural water delivery and use. Also, refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and conservation. The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). The proposed project would not increase the amount of water to which SWP and CVP hold water rights for use allowed under their contracts and permits and approvals for refuge water supplies or other environmental purposes.
627	1	You testified at the Senate Budget Hearing on May 21, 2015 that DWR did stop and review whether the BDCP and California WaterFix proposed project was the right one (Senate Budget Hearing, May 21, 2015). Apparently, you decided that it was. It is unfortunate that you did not invite Delta stakeholders and environmental agencies to participate in that review, or seriously consider the detailed comments you received on the BDCP Administrative Draft and Draft EIR/EIS. You also said that "when the right idea comes along that sets us back and really reconsider what we're proposing comes along, we will do so."	The commenter raises an issue related to public participation, transparency and the range of alternatives studied. As state agencies, the Department of Water Resources and the California Natural Resources Agency have an obligation to provide the public with educational information that is rooted in fact, based on reasonable assumptions supported by facts and expert opinions substantiated by facts. Doing so for a project of large scale and complexity can be a challenge. The Proposed Project is the result of more than seven years' collaboration and consultation with numerous stakeholders, agencies, public water agencies and environmental organizations. The organizations that have participated in the Steering Committee, public meetings or written letters to provide input on the Plan include, among others: American Rivers, Bay Institute, Defenders of Wildlife, The Endangered Species Coalition, Environmental Defense Fund, The Golden Gate Salmon Association, National Audubon Society, Natural Resources Defense Council, the Nature

RECIRC Ltr#	Cmt#	Comment	Response
			Conservancy, and Planning and Conservation League. The feedback was used to guide the development and subsequent revisions of the Proposed Project and its associated EIR/EIS to reflect concerns addressed from the various groups. All of the documents, studies, administrative drafts, and meeting materials have been posted online since 2010 in an unprecedented commitment to provide public access and government transparency. Representatives from the State have also held numerous meetings and briefings around the state to educate stakeholders and provide them with critical information about project developments and the EIR/EIS process. Overall, more than 600 public meetings, working group meetings and stakeholder briefings have been held during the preparation of the proposed project's environmental documents. DWR staff has made best efforts to try to maintain contact with interested citizens. In 2013, DWR staff and the public outreach team conducted a series of “Delta Office Hours” in communities throughout the Sacramento-San Joaquin Delta. In many instances, attendees had questions outside the scope of the BDCP that staff committed to following up on. Such comments and questions were recorded and DWR staff attempted to follow up with participants. In some circumstances, such as where DWR staff was being unable to identify whom to follow up with when participants met in small groups, DWR staff was not able to follow-up with all participants. Contact information for the DWR Landowner Liaison was provided to all participants, and was made available online for any Delta Landowners to contact outside of the scheduled office hours. Ultimately, Alternative 4 was modified, and non-HCP Alternatives 4A, 2D, and 5A were developed, in part, in response to public and agency input following issuance of the 2013 DEIR/EIS. Additional stakeholder outreach has been conducted through the public review process for the 2015 RDEIR and SDEIS. The public review processes for both CEQA and NEPA environmental documents are part of the process of getting input from stakeholders. For more information on the public outreach efforts made during the BDCP and EIR/EIS process, please see Chapter 32 of the EIR/EIS and Master Response 40. For additional information about how this project has been developed in an open and transparent manner, please refer to Master Response 41. For how comments received from stakeholders were responded to, please see Master Response 42.
627	2	The current California WaterFix proposal will not contribute to achieving the coequal goals or solving the serious and urgent problems of the Delta ecosystem and California’s water supply reliability. Worse still WaterFix will actually hinder achievement of these coequal goals and the inherent State objectives of improving water quality in the Delta, protecting the Delta as an evolving place, etc. This unfortunate situation arose because the State and Federal government were not able to fund a project to address these issues and instead accepted the offer from the export water contractors to pay. The concept of beneficiary pays has unfortunately been turned into "he who pays is the only one that benefits." Sadly, even those benefits, apart from a possible improvement in export water quality, are minimal.	DWR’s fundamental purpose of 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. The proposed project was developed to meet the rigorous standards of the Clean Water Act and federal and state Endangered Species Acts; as such it is intended to be environmentally beneficial. The project objectives and purposes as outlined in Chapter 2 of the FEIR/FEIS, Purpose and Need, comply with CEQA and NEPA, and are sufficiently broad, and appropriately reflect the State of California’s intention to advance the coequal goals set forth in the Sacramento-San Joaquin Delta Reform Act of 2009 by providing a more reliable water supply for California, reducing effects of the project on state and federally listed species and improving the Delta ecosystem. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. As an example of positive steps toward meeting the coequal goals, the covered fish species would benefit from proposed alternative 4A: water operations under Alternative 4A would have beneficial effects with respect to entrainment of delta and longfin smelt and winter-run ESU Chinook salmon, as well as spawning and egg incubation habitat for Sacramento Split tail. See also Master Response 5 regarding project funding. The funding issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. FROM DWR:

RECIRC Ltr#	Cmt#	Comment	Response
			The proposed project was developed to meet the rigorous standards of the Clean Water Act and federal and state Endangered Species Acts; as such it is intended to be environmentally beneficial. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. As an example of positive steps toward meeting the coequal goals, the covered fish species would benefit from proposed alternative 4A: water operations under 4A would have beneficial effects with respect to entrainment of delta and longfin smelt and winter-run ESU Chinook salmon, as well as spawning and egg incubation habitat for Sacramento splittail. See Master Response 39 regarding project funding and the Water Quality section for the finding of the water quality assessment.
627	3	The export contractors control spending on the environmental review process, and the existing budget is pretty much spent, so the RDEIR/SDEIS was released with no new modeling and only brief sensitivity analyses, even though major flaws in CALSIM and DSM2 have been corrected since the BDCP modeling (Appendix B, page B-1). DWR's modeling data disclaimer states these analyses are incomplete, not balanced, etc. As a result, the RDEIR/SDEIS is embarrassingly inadequate for use by decision makers such as the SWRCB [State Water Resources Control Board], U.S. Army Corps [of Engineers] or even the lead agencies. The Delta ISB [Independent Science Board], in its draft comments on the RDEIR/SDEIS, agreed that presentation of the impact analyses is not adequate and hides actual impacts from decision makers.	Modeling for the EIR/EIS has been based on the Existing Conditions, No Action Alternative, and Alternative 1 models developed in April – May of 2010 (2010 models), which were the state-of-the-art at the time, and formed the basis for universal assumptions in the other action alternatives in the EIR/EIS. However, in August 2011 several model improvements were identified by the water agencies, fishery agencies, and the modeling community. The identified improvements were compiled, and the Existing Conditions, No Action Alternative, and Alternative 1 models were updated in coordination with DWR, Reclamation and USFWS. This update was performed to verify if the compiled model improvements altered the incremental changes between the BDCP Alternative 1 and the Existing Conditions and the No Action Alternative relative to the 2010 models. The findings from the 2011 update showed that the incremental differences between Alternative 1 and the Existing Conditions and the No Action Alternative remained consistent with the 2010 modeling. Therefore, the action alternatives modeled since 2011 continued to rely on the 2010 modeling, allowing consistency and comparability throughout the BDCP EIR/EIS. Similarly, when Alternative 4A was modeled using the 2013 baseline, the incremental changes in the operational results for Alternative 4A as compared to the No Action Alternative were similar to the prior incremental results between the 2010 modeling for the No Action Alternative and Alternative 4A. It should be noted that the modeling used in the EIR/EIS must be used in a comparative manner and not to define absolute values. 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. For responses to comments related to the Delta Independent Science Board's letters, please refer to comment letters BDCP 1448 and/or RECIRC 2546.
627	4	The BDCP and WaterFix are being described as a Big Gulp, Little Sip project. This is an attempt to say that the project is consistent with the original BDCP planning principle: Divert more water in the wetter periods and less in the drier periods. However, the modeling data and subsequent sensitivity analyses actually indicate exports will increase in dry months when outflows are very low and the Delta is most stressed. Without any additional storage, WaterFix also fails to regularly capture more water during wet months. The truth is the project would not take little sips in dry periods and is unable to regularly take big gulps when it is wet.	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 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; and increase exports in the wet winter months when the river flows are high to improve conditions for aquatic resources in the Delta. As shown in Appendix 5A, Section C, annual total Delta exports for SWP and CVP would increase in wet, above normal, and below normal years; be similar under dry years; and decrease under critical dry years under Alternative 4A as compared to the No Action Alternative. Overall, total Delta exports would be similar or greater in December through July and less from August through November under Alternative 4A as compared to the No Action Alternative.

RECIRC Ltr#	Cmt#	Comment	Response
627	5	The project is said to provide ecosystem benefits by minimizing reverse flows in the south Delta. However, the modeling shows that OMR [Old and Middle River] flows remain more negative than -2,000 cfs [cubic feet per second], 55% of the time. Even in the more critical months, November-June, OMR remains more negative than -2,000 cfs, 44% of the time. The most negative OMR with WaterFix is -13,800 cfs. In some months, OMR actually gets worse. The preferred alternative does not minimize reverse flows.	The Final EIR/EIS includes model results for Alternatives 2D, 4A, and 5A at ELT conditions as compared to the No Action Alternative at ELT conditions and compared to Existing Conditions. The results are presented 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. As described in Appendix 5A of the EIR/EIS, the numerical models cannot be used in a predictive manner to define absolute values. Rather, they must be used in a comparative manner to indicate overall changes between alternatives as compared to the Existing Conditions and the No Action Alternative. As shown in Appendix 5A, Section C, the Old and Middle River flows under Alternative 4A would be more positive than under the No Action Alternative and Existing Conditions except in April and May except in wet years. The model results indicate that in these months, the increased reverse Old and Middle River flows would range from approximately -119 to -427 cfs under Alternative 4A as compared to the No Action Alternative, and from approximately -72 to -748 cfs as compared to the Existing Conditions which includes the effects due to climate change and sea level rise. The purpose and need of the proposed project was to minimize the effects of the action alternatives as compared to the No Action Alternative, and not to eliminate reverse flows.
627	6	The sensitivity analyses used to support the RDEIR/SDEIS and Clean Water Act application to the Army Corps [of Engineers] contain persistent exceedances of the Army Corps limits on inflow to Clifton Court Forebay, as well as numerous exceedances of the Rio Vista standards. There is no mention of eliminating the Clifton Court inflow limits in the RDEIR/SDEIS or the Army Corps application. If the benefit of the project is to reduce south Delta pumping, why does DWR want to eliminate the Army Corps limits? The benefits of the new north Delta intakes are also greatly exaggerated because the unscreened south Delta intakes would still be used for 50% of the exports from the Delta to Southern California. Even more bizarre, a recently posted WaterFix animation proudly states that most of the exports during dry years will be from the south Delta, i.e., when the Delta is most stressed.	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. Under the Proposed Project (Alternative 4A), the model assumptions maintained the existing diversion limits at Clifton Court Forebay per the USACE agreements; and export of up to 10,300 cfs of SWP water in the wetter months is based upon conveyance through the Banks Pumping Plant of water diverted at the north and south Delta intakes. As presented in Appendix 5A, Section C, exports through the south Delta intakes would be substantially decreased in wet through dry years and similar in critical dry years. Overall, total Delta exports increase in wetter years and decrease in drier years.
627	7	Adding new intakes in the north Delta does not represent a net environmental benefit for fish. The November 2013 Draft BDCP Executive Summary admitted that the north Delta intakes would harm many of the key fish species. This was to be offset by habitat restoration but the habitat restoration has now been reduced from 150,000 acres to little more than 2,000 acres. Reverse flows in Sutter and Steamboat Slough were also identified as a serious impact of the north Delta intakes (BDCP DEIR/EIS, App. 3F). These were to be minimized by habitat restoration in the Cache Slough region, but that is no longer part of the project.	For clarification, tidal habitat restoration in the Cache Slough ROA was not proposed to minimize the potential effects of changed hydrodynamics, as the commenter suggests, but rather to provide enhanced habitat and food web benefits for covered species; however, it is correct that tidal habitat restoration of the extent proposed in the Cache Slough ROA would divert considerable tidal energy away from the Sacramento River, changing the hydrodynamics of channels in the north Delta. The potential hydrodynamic effects of the NDD on juvenile salmonids in particular have been examined in considerable detail in the California WaterFix BA submitted in August 2016. As described in the RDEIR/SEIS, an Environmental Commitment 16 Nonphysical Fish Barriers is intended to minimize the effects of potential adverse effects from the NDD, and real-time operational adjustments to NDD operations would aim to limit NDD exports at the principal times when juvenile salmonids from the Sacramento River basin would be shown or anticipated to be entering the Delta.
627	8	All parties agree that reverse flows in the south Delta harm migrating fish species by drawing them out of the Sacramento River down to the south Delta pumps. It makes no sense to propose moving the export intakes to the Sacramento River in the north Delta (bring the pumps to the fish), and directly impact these anadromous fish species. If south Delta and north Delta intakes both seriously harm fish, why hasn't DWR seriously considered locating the new intakes elsewhere, e.g., in the western Delta, or added new storage to allow exports to be significantly reduced when Delta outflows are low?	Alternative concepts that included diversions from the western Delta, including diversions near Decker Island (near Rio Vista), Sherman Island, and along the Contra Costa County shoreline were considered in Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1. The ability to divert water in the western Delta could be limited due to the presence of Delta smelt in the winter and spring months by requirements of the U.S. Fish and Wildlife. In July through November, salinity could be too high for diversion into the SWP and CVP facilities, especially as sea level rise progresses through the end of the study period in 2060. Therefore, these alternatives were not evaluated in detail in the EIR/EIS. The Proposed Project is not intended to serve as a state-wide solution to all of California's water problems,

RECIRC Ltr#	Cmt#	Comment	Response
			and it is not an attempt to address directly the need for continued investment by the State and other public agencies in other measures to expand supply and storage. Please see Master Responses 3, 4, and 37 related to future expansion or new surface water storage projects.
627	9	The WaterFix proponents are assuming they can export more than 90% of Delta inflow by redefining the SWRCB [State Water Resources Control Board]'s export/inflow limits. SWRCB Water Right Decision 1641 limits total exports to 65% of Delta inflow, sometimes only 35% of inflow. How is that good for the Delta ecosystem? Why aren't there detailed graphs showing these monthly ratios in the environmental documentation?	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The amount of Delta inflow that can be conveyed through the SWP and CVP Delta facilities under the proposed project and all alternatives that would utilize the south Delta intakes would continue to be in accordance with the water rights and other regulatory requirements established by the State Water Resources Control Board, including the existing export/inflow criteria established in Decision 1641 (D-1641). All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights that were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. Senior water rights holders are not affected by implementation of action alternatives. The amount of water that DWR and Reclamation would be able to pump from the proposed north Delta facilities is set by Federal regulating agencies, ESA compliance and project design, and not by the water contractors. Operations for the proposed project would still be consistent with the criteria set by the U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions and State Water Resources Control Board Water Right D-1641, subject to adjustments made pursuant to the adaptive management process, as described in Chapter 5, Water Supply of the EIR/S. In addition to permitting constraints on daily operations of the SWP and CVP, DWR and Reclamation must maintain proper performance and bypass flows across fish screens when endangered and threatened fish species are present within the north Delta facilities area. Projected flow conditions for Delta inflow are presented in Appendix 5A, Section C, Model Results, in the EIR/S for the Sacramento River at Freeport and San Joaquin River at Vernalis. Total exports for the SWP and CVP Delta conveyance facilities are also provided in Appendix 5A, Section C.
627	10	DWR and [Bureau of] Reclamation have studied and disclosed the environmental impacts of 19 alternatives (including new SWRCB [Stae Water Resources Control Board] alternative 4H3), but only one, BDCP Alternative 9, is different than the other 18. The others all involve new north Delta intakes and isolated conveyance of water to Clifton Court Forebay. This is not a reasonable range of alternatives under CEQA, and is unacceptable for addressing the serious water problems in California.	DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria, the project would help to address the resilience and adaptability of the Delta to climate change through water delivery facilities combined with a range of operational flexibility. In addition to the added water management flexibility created by new water diversions and operational scenarios, the project would improve habitat, increase food supplies and reduce the effects of other stressors on the Delta ecosystem. The Proposed Project is intended to provide a more reliable water supply, with diversions that are more protective for fish, in accordance with the Delta Reform Act co-equal goals of improving water supply reliability and Delta ecosystem health. The alternatives included in the Public Draft EIR/EIS, RDEIR/SDEIS, and Final EIR/EIS represent a legally adequate reasonable range of alternatives, and the scope of the analysis of alternatives fully complies with both CEQA and NEPA. The text of the Draft EIR/EIS in Chapter 3 (section 3.2) and Appendix 3A thoroughly explain the process used to develop the alternatives, and explain why certain potential alternatives were considered but ultimately rejected by the Lead Agencies. Please also see Master Response 4 for additional response to whether a reasonable range of alternatives was developed and how the alternatives were developed and chosen.
627	11	The 2009 Reclamation Reform Act requires that the SWRCB [State Water Resources Control Board] develop new Delta flow criteria before BDCP can be approved. Strong legal arguments in support of this statutory requirement are laid out in the September 29 letter from NRDC [National Resources Defense Council], et al. to Tom Howard. The SWRCB and	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

RECIRC Ltr#	Cmt#	Comment	Response
		Department of Fish and Wildlife have already determined significant increases in flows are needed. BDCP Alternative 8 and WaterFix Alternative 4H3 demonstrate that the preferred alternative infrastructure will not be viable with these necessary increased flow requirements. Once the SWRCB sets new flow requirements, the north Delta intakes and twin tunnels would become a very expensive stranded asset.	operations would need to be reviewed to determine if the operations continued to comply with the new regulations. As described in Appendix 3A, Identification of Water Conveyance Alternatives, Conservation Measure 1, of the EIR/EIS, one of the potential alternatives considered was based upon the State Water Resources Control Board 2010 Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem, which described providing up to 75 percent of unimpaired flow into the Delta to improve aquatic resources habitat conditions. This potential alternative was not evaluated in detail because the flow recommendations in the 2010 report could not 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 purpose and need of this EIR/EIS would not allow changes to non-SWP and non-CVP water rights. However, Alternatives 7 and 8 in the EIR/EIS reflect similar flow criteria in a manner that would only affect SWP and CVP water rights. As described in Section 3A.9.3 of Appendix 3A, the State Water Resources Control Board prepared a Delta Flow Criteria Report in accordance with the requirements of the Sacramento-San Joaquin Delta Reform Act of 2009. Consideration of the specific determination contained in the Delta Flow Criteria Report, which identified 75% of unimpaired net Delta outflow for January through June, would not have been feasible to include as an alternative in the EIR/EIS. A letter from the Executive Director of the State Water Board to the deputy secretary of the Natural Resources Agency on April 19, 2011 recognized that the determination did not consider the competing needs for water or other public trust resource needs, such as the need to manage cold-water resources in tributaries to the Delta. Further, implementation of these flows would also likely affect water users beyond those receiving CVP and SWP deliveries south of the Delta. As described in Section 3A.3.5, alternatives requiring impairment of senior water rights held by entities not participating in the BDCP were eliminated from full consideration in the EIR/EIS, as such rights could not be infringed by CDFW, USFWS, or NMFS through those agencies' actions or through "ESA Section 7 consultation" with Reclamation. Please also see Appendix 5E of the FEIR/FEIS, Supplemental Modeling Requested by State Water Resources Control Board Related to Increased Delta Outflows. FROM DWR: The EIR/EIS presents the compliance with the Delta Reform Act in Appendix 3I and consistency with the Delta Plan in Appendix 3J. DWR will continue to comply with WQCP objectives. All of the Alternatives evaluated in the EIR/EIS including Alternative 4, operational scenario H3 and Alternative 8 meet all or a portion of the project objectives and purpose and need statement.
627	12	Because the export contractors control the BDCP and WaterFix process, they fought the concept of Fall X2 requirements, just as they argued in court that the south Delta export pumps are not causing fish decline (but still arguing that moving the intakes to the north Delta benefits fish). They continue to argue that fish do not need additional flows and claim in the SWRCB [State Water Resources Control Board] petition that D-1641 and the WaterFix operating rules are sufficiently protective of fish. DWR and the Department of Fish and Wildlife need to claim back their leadership role in protecting Delta water resources and the Delta ecosystem. Give the fish what they need to recover and then develop alternatives that will also achieve a significant improvement in water supply reliability.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. The proposed project was developed to meet the rigorous standards of the Clean Water Act and federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. DWR and Reclamation will continue investigating strategies to increase fish salvage efficiency, reduce pre-screen losses, and improve screening efficiencies, consistent with the 2009 biological opinion of the SWP/CVP.

RECIRC Ltr#	Cmt#	Comment	Response
627	13	The situation in the Delta ecosystem is dire and an effective sustainable solution is needed now. The California WaterFix preferred alternative will make things worse, not bette,r and will hinder progress toward a real solution. As [the] Interior Deputy Secretary said in the September 30 press release regarding the new report on "Challenges facing the Sacramento-San Joaquin Delta," we must adopt bold new approaches, and any necessary water infrastructure improvements should be accompanied by a portfolio of actions such as water conservation and efficiency measures, habitat improvements, and improved groundwater management and storage. Just because the BDCP proponents have spent $250 million on the BDCP and WaterFix planning and environmental documents, and have "put a million hours into it" (Governor Brown, May 6, 2015), does not mean that WaterFix has not gone seriously off track. Just because 9 years have been largely wasted in developing BDCP and WaterFix alternatives (without any meaningful consideration of stakeholder input since 2010) does not mean that it is too late to do the right thing. It is time to acknowledge "the emperor has no clothes," stop the current export contractor only process, and invite stakeholder involvement in developing a real solution, one that actually achieves both coequal goals. We are sure no one in the current Administration wants the Delta smelt or any other of the key fish species in the Delta to go extinct on their watch.	Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. The documentation generated by this proposed project has undergone extensive public and scientific input, discussion, and transparency, including the posting of administrative draft chapters online and providing many more opportunities for public participation than is normally required by the CEQA/NEPA processes (see Master Response 41 [Transparency]). Master Response 40 (Public Outreach) provides a summary of the public outreach activities that have been conducted since the planning process began in 2006. The lead agencies believe that the public outreach efforts summarized here more than adequately satisfy the public outreach goals requirements under state and federal laws and guidelines. The commenter suggests that additional stakeholder involvement is needed to identify an alternative that meets the coequal goals. However, the BDCP/California WaterFix has a long history of doing extensive stakeholder outreach far beyond the requirements of CEQA and NEPA. Overall, more than 600 public meetings, working group meetings and stakeholder briefings have been held during the preparation of the proposed project's environmental documents. DWR staff has made best efforts to try to maintain contact with interested citizens. In 2013, DWR staff and the public outreach team conducted a series of “Delta Office Hours” in communities throughout the Sacramento-San Joaquin Delta. In many instances, attendees had questions outside the scope of the BDCP that staff committed to following up on. Such comments and questions were recorded and DWR staff attempted to follow up with participants. In some circumstances, such as where DWR staff was being unable to identify whom to follow up with when participants met in small groups, DWR staff was not able to follow-up with all participants. Contact information for the DWR Landowner Liaison was provided to all participants, and was made available online for any Delta Landowners to contact outside of the scheduled office hours. Ultimately, Alternative 4 was modified, and non-HCP Alternatives 4A, 2D, and 5A were developed, in part, in response to public and agency input following issuance of the 2013 DEIR/EIS. Additional stakeholder outreach has been conducted through the public review process for the 2015 RDEIR and SDEIS. The public review process for both CEQA and NEPA environmental documents are part of the process of getting input from stakeholders. For more information regarding public outreach efforts, please see Master Response 40 for information on the Public Outreach efforts and Master Response 42 for information on how stakeholder comments were addressed. As the commenter points out, the existing operation of the SWP and CVP pumps in the south Delta can cause reversals in river flows, potentially altering migratory patterns for key fish species or harming Delta smelt. Alternative 4A addresses the reverse flow problem by focusing on the construction and operation of new north Delta intakes and on habitat restoration commensurate with the footprint of these new facilities. The construction and operation of new conveyance facilities would help resolve many of the concerns with the current south Delta conveyance system while otherwise helping to reduce threats to endangered and threatened species in the Delta through habitat restoration, as necessary to mitigate significant environmental effects and satisfy applicable ESA and CESA standards. Implementing a dual conveyance system, in which water could be diverted from either the north or the south or both, depending on the needs of aquatic organisms, would align water operations to better reflect natural seasonal flow patterns by creating new water diversions in the north Delta equipped with state-of-the-art fish screens. The new system would reduce the ongoing physical impacts associated with sole reliance on the southern diversion facilities and allow for greater operational flexibility to better protect fish. Minimizing south Delta pumping would provide more natural east–west flow patterns. The new diversions would also help protect critical water supplies against the threats of sea level rise and earthquakes. The Proposed Project is intended

RECIRC Ltr#	Cmt#	Comment	Response
			to provide a more reliable water supply, with diversions that are more protective for fish, in accordance with the Delta Reform Act coequal goals of improving water supply reliability and Delta ecosystem health. For additional information on the Delta Reform Act requirements, please see Master Response 31.
627	14	The process, including the comment periods on the RDEIR/SDEIS and Army Corps [of Engineers] application, needs to be suspended, and the SWRCB [State Water Resources Control Board] water rights petition needs to be withdrawn. DWR and [Bureau of] Reclamation need to convene a widely-represented stakeholder technical group to develop new alternatives along the following lines: 1. Incorporate actions for water use efficiency and development of local water supplies to reduce the demand for water from the Delta, especially in dry months. 2. Incorporate actions to strengthen Delta levees to protect the continued (reduced) use of the south Delta export intakes, and protect the Delta as an evolving place. 3. Incorporate actions to manage and recharge groundwater basins, especially in the San Joaquin Valley. Groundwater overdraft was a major reason given for the construction of the CVP and SWP, yet no infrastructure was ever implemented to restore aquifer levels. 4. Incorporate Delta operating rules that significantly restore Delta inflows and outflows, consistent with the SWRCB's findings in its 2010 Delta Flow Criteria report. Support implementation of these flows through the SWRCB Bay-Delta process. 5. Set protective limits on exports from the south Delta, e.g., OMR [Old and Middle River] > -2,000 cfs [cubic feet per second] year round. Only protecting so-called key months redirects reverse flow impacts to subsequent months which will eventually result in listings of other resident Delta fish. 6. Having established conditions necessary to achieve the goal of restoring the Delta ecosystem (which will severely restrict exports in drier months), develop storage and conveyance infrastructure to capture "new" water in wetter months. Note that most of the CALFED storage projects currently being considered by the California Water Commission will not necessarily be sufficient. One idea is to captured water in the western Delta during large flow events, store within the Delta and upstream of the California Aqueduct and DMC [Delta-Mendota Canal] until capacity is available to move it to additional groundwater and surface storage south of the Delta. The current WaterFix proposal is contrary to this approach because it typically fails to maximize exports during wetter months, and instead relies on maximizing exports during drier months.	The solution to the State's water problem is multi-faceted and will include multiple actions throughout the state. The proposed project is one component, among many, of the California Water Action Plan. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. Follow the California Water Plan here: http://www.waterplan.water.ca.gov/. Ways to reduce demand are in process at this time. Various programs for storage, reuse and added reliability are being evaluated and implemented. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Demand Management Measures, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources. However, those actions do not provide the entire solution; therefore, the project is being proposed as one of the pieces of the overall program. Please also see Master Response 6 (Demand Management) for additional information on the role DWR is able to play in terms of reducing water demand at a local level. Additional water storage was eliminated from consideration in the Draft EIR/EIS and RDEIR/SDEIS through the alternatives development and screening process (discussed in Appendix 3A, Identification of Water Conveyance Alternatives and Master Response 37). As such, the proposed project does not propose storage as a project component. Although the proposed project would be part of an overall statewide water system of which new storage could someday also be a part, Alternative 4A is a stand-alone project which demonstrates independent utility just as future storage projects would demonstrate.
627	15	It is also important to acknowledge that the goal is no longer to merely balance competing beneficial uses. That is a lose-lose situation. The Delta Vision Blue Ribbon Panel and the 2009 Delta Reform Act established a new requirement to achieve both coequal goals, i.e., develop alternatives that create a win-win solution, for the Delta ecosystem, water supply reliability, Delta water quality and the Delta as an evolving place. The SWRCB [State Water Resources Control Board] and DWR now have an obligation to move us beyond the current lose-lose status quo. The State's California Water Action Plan (developed by DWR and others) already acknowledges that additional storage and a portfolio of other actions is necessary to achieve a sustainable Delta solution.	The comment suggests the project will fail to meet the coequal goals, in part due to lack of funding. Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to

RECIRC Ltr#	Cmt#	Comment	Response
		The CALFED Bay-Delta Program failed in part because no one made a commitment to fund the project. The State and Federal government must find a way to fully fund this new planning effort and fund the eventual project. A great deal of time and money has been wasted on BDCP and the California WaterFix. Action and leadership is needed right now to get us back on track.	improve native fish migratory patterns and allow for greater operational flexibility. The Lead Agencies' formulation of Alternative 4A and the other subalternatives presented in the RDEIR/SEIS represents an effective implementation strategy. Implementing Alternative 4A would address the reverse flow problem, promote habitat restoration commensurate with the impacts of the new water facilities, and allow other programs including EcoRestore to more effectively advance habitat restoration separate from the water conveyance facility implementation. No issues related to the adequacy of the environmental impact analysis in the CEQA and NEPA documents were raised.
627	16	[ATT1: Chart of Chronology of BDCP/WaterFix Process 1994-2015.]	This comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
628	1	I am opposed to the project. Here are some reasons. The delta is not healthy now and diverting water around it will lead to further decline. Salt content in channel is slowly killing off redwoods on two golf courses that irrigate from the channel. We need more flow-not less to alleviate the problem. Further sacrificing the estuary for corporate farming interests down south is galling. Find/create alternate storage scenarios for those interests that don't create devastation in our delta.	As a plan prepared to meet the rigorous standards of the federal and state Endangered Species Acts, the proposed project is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility by conveying more water in the wet years and reducing water exports in the dry years, as described in Chapter 5, Water Supply. The EIR/S modeling results for the No Action Alternative indicate that, with or without the project, rising sea levels will bring saline tidal water further into the Delta than occurs at present. Changes in surface water quality, including salinity, under each action alternative and the proposed project as compared to the No Action Alternative and Existing Conditions are discussed in Chapter 8, Water Quality, in the EIR/S. The assessment of the project alternatives in Chapter 8, Water Quality, shows that the preferred alternative 4A would have substantially less effect on Delta water quality such that significant impacts were only identified for electrical conductivity (EC) at Emmaton and Prisoners Point, and mercury associated with the limited tidal habitat restoration that would be implemented. The significant impacts to EC are to be mitigated through real-time operations that could not be completely represented in the modeling on which the EC assessment is based. Appendix 1B, Water Storage, EIR/EIS, describes the potential for additional water storage and Appendix 1C, Water Demand Management, EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including desalination. While these elements are not proposed as part of the proposed project, the Lead Agencies recognize that they are important tools in managing California's water resources.
629	1	Please do not build those twin tunnels. To do so would only hurt the Central Valley more than it already is hurting. So. California should be building dams to hold rainwater, not taking what belongs to farmers and what will ruin our economy in the Central Valley.	It is important to note, as an initial matter, that the proposed project is not intended to serve as a state-wide solution to all of California's water problems and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage. Nor is the proposed project intended to solve all environmental challenges facing the Delta. Please see Master Response 6 (Demand Management) for further information regarding how many of the suggested components have merit from a state-wide water policy standpoint, and some are being implemented or considered independently throughout the state, but are beyond the scope of the proposed project. Additional water storage was eliminated from consideration in the EIR/EIS and RDEIR/SDEIS through the alternatives development and screening process (discussed below and in Appendix 3A, Identification of Water Conveyance Alternatives). As such, the proposed project does not propose storage as a project component. Although the proposed project would be part of an overall statewide water system of which

RECIRC Ltr#	Cmt#	Comment	Response
			new storage could someday also be a part, Alternative 4A is a stand-alone project which demonstrates independent utility just as future storage projects would demonstrate. Please see Master Response 37 (Water Storage) for additional information regarding on and off stream water storage. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. The plan does not increase the amount of water to which DWR holds water rights or for use as allowed under its contracts. Although the project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline. It is projected that water deliveries from the federal and state water projects under a fully-implemented California Waterfix project would be about the same as the average annual amount diverted in the last 20 years. Please see Master Response 26 for additional information on effects on northern California. Please refer to Master Response 4 (Alternatives), Master Response 31 (Delta Reform Act), and Master Response 3 (Purpose and Need) for additional information.
630	1	I am against the twin tunnel project. Please do not build them. In doing so you will destroy our Delta.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts; as such the proposed project is intended to be environmentally beneficial. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.
631	1	Despite all the studies, there is no clear answer that the Tunnels will not harm the Delta. Like many other man-made structures, each time we do something, there are unexpected consequences and there is no need to take such a huge risk with the Delta. There are many other ways to collect and harness water by building more dams, increasing collection of runoff etc., without doing something that, down the road, would be seen as a big mistake. I am opposed to the Twin Tunnels and I urge all state officials to not build these tunnels.	Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project.
632	1	This is a total waste of money.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S.
632	2	Taking fresh water out of the Delta will make the Delta more salty and ruin it.	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
632	3	It is stealing water. Using state tax dollars to build tunnels that take water from one community to give to another is stealing. The solution to this whole problem is for the state to increase the price of water that it already steals from the north. Make the price closer to the market price of water. Closer to around $1,000 per acre-foot. The demand for water in the south will obviously drop with	In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/S), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of

RECIRC Ltr#	Cmt#	Comment	Response
		the higher price and stop this madness.	Origin laws and requirements. The proposed project does not seek any new water rights nor reduction in total water rights issued to DWR and Reclamation. The amount of water that DWR and Reclamation can divert from the new north Delta facilities is set by Federal and State regulating agencies, ESA compliance, and project design. Operations for the Proposed Project would still be consistent with the criteria set by the U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions and State Water Resources Control Board Water Right Decision 1641 (D-1641), subject to adjustments made pursuant to the project and the adaptive management process, as described in Chapter 5, Water Supply of the EIR/EIS. The construction of the water delivery facilities is estimated to cost $14.9 billion, an amount that would be paid for by the state and federal water contractors who rely on Delta exports. The range of costs for water vary widely among contractors south of the Delta. Costs depend on the source of water, transport facilities, energy requirements, among other factors. For the agricultural customers of the CVP, prices range from $100 per acre-foot to more than $400 per acre-foot. The Metropolitan Water District of Southern California, which buys water from the SWP, estimates that the cost of the proposed project would translate into about $5.00 extra per household, per month in its service area. The final cost of water from the new conveyance facilities would be determined by numerous factors. A number of these significant factors, such as the project yield and allocation of costs, have yet to be determined. Please see Master Response 5 for information regarding funding of the proposed project.
632	4	The rich farmers in the south keep giving the state and federal politicians money that allow them to purchase government-subsidized water at very low prices. They then bank the water underground and use it for almonds, pistachios, or sell it back when there is no more surface water.	The California WaterFix project is being proposed to address the conflict between the ecological needs of a range of at-risk Delta species and natural communities, while providing for more reliable water supplies for people, communities, agriculture, and industry. Please refer to Master Response 34 regarding the potential uses of water delivered via California WaterFix proposed conveyance facilities and Master Response 26 for additional discussion regarding exports and water rights.
632	5	Brown is doing this because he is a narcissist and wants a project with his name on it like his father. Feinstein and Boxer are doing it for the money. It is disgusting.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
633	1	Don't kill the Delta! Count me in for your support!	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
634	1	I am writing to express my strong opposition to the Delta tunnels plan. I am normally a citizen/voter that politicians love: quiet, law abiding, and generally non-argumentative in the drama of politics. But the proposed Delta tunnels/California Water Fix has angered me enough to speak out. Never before in my sixty-nine years have I seen such bullying and arrogance on the part of a state governor or his state organizations with the intent to ramrod through an agenda. Apparently most of us were naïve enough to think such tactics only occurred in third world or dictator led countries. It is clear to me that Governor Brown is not basing his decisions on long term consequences for the Bay and Delta estuary or the state in general. Years ago a northeast fisherman was being interviewed about the possibility of fish catch limitations in his area of fishing. His response was a belief that the fishery should be fished out until it was gone. Governor's Brown's solution to California's water dilemma appears to be the same as the fisherman's. Drain all possible water supplies until the resource is gone. Witness the Colorado River. Unfortunately we do not elect politicians with the fortitude to make the hard decisions required to manage our water resources: stop new development, disallow	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. Please see Master Response 41 regarding Transparency.

RECIRC Ltr#	Cmt#	Comment	Response
		agricultural watering and stop hydraulic fracking. It seems to me that the principle being applied here is as important as the reality of the project. Why as we going to destroy one of the finest natural resources this state has?	
635	1	With regards to the Bay Delta Conservation Plan/California WaterFix (BDCP/WaterFix), we wish to state our support for Alternative 4A whose objective is to enhance the ability to capture water for drought cycles and protect the supply from natural disasters. We feel this is the proper approach in dealing with the decades-old water systems in the Delta which can no longer perform reliably, and which are subject to ongoing outages from seismic activity which could lead to levee collapses. Water needs for Southern California water require conservation means that will deal effectively with unreliable climate patterns to [ensure] reliable and adequate supplies of water from the state water. We believe is it vital to adopt a final plan by next year and hope your WaterFix plan will be implemented in order to [ensure] proper amounts of stored water will occur for future needs associate with drought cycles.	The issues raised by the commenters address the merits of the project and do not raise any issues with the environmental analysis provided in the EIR/EIS documentation.
637	1	You will not build those tunnels and devastate the economy and my home of 56 years. That money needs to stay in San Joaquin County, fixing roads and bridges. Our streets in our neighborhood are so bad, you drive an obstacle course to get where you are going.	Please refer to master Response 3 regarding the purpose and need for the project. For more information regarding impacts to socioeconomics and its mitigation measures please see Chapter 16 of the FEIR/EIS.
637	2	Water is a precious thing and we need to keep ours for our county and our Delta.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The project water delivery system would be operated in a manner to protect water users and environmental habitat located upstream of and in the Delta in accordance with permits issued by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife. The project only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. More information on the ranges of project water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Section 3.6.4.2, North Delta and South Delta Water Conveyance Operational Criteria, EIR/EIS. Current limitations and operational criteria for existing facilities can be found in DWR's State Water Resources Control Board Permit D1641 (see http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/decision_1641/index.shtml) and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits (see http://www.usbr.gov/mp/cvo/ocap_page.html).
638	1	I strongly oppose the construction of the twin tunnels. I have lived in and worked and fished the Delta for 50 years and seen its fisheries decline as more and more water has been sucked out of it. The tunnels will most probably cause some very abnormal situations to develop in the Delta and further degrade it. Other means must be found to supply southern California with water.	It is important to note, as an initial matter, that the proposed project is not intended to serve as a state-wide solution to all of California's water problems and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage. Nor is the proposed project intended to solve all environmental challenges facing the Delta. Please see Master Response 6 for further information regarding how many of the suggested components have merit from a state-wide water policy standpoint, and some are being implemented or considered independently throughout the state, but are beyond the scope of the proposed project. Since the late 1800s, the Bay-Delta ecosystem has been substantially altered. Changes in key environmental attributes of the Bay-Delta have contributed to the current degraded state of the ecosystem and appear to be proximate causes of declines in desired fishes and increases in non-native species. California WaterFix is not intended to address all the factors that have contributed to the Delta's decline and briefly summarizes a

RECIRC Ltr#	Cmt#	Comment	Response
			few but not all of those factors. Many factors that have contributed to the decline of the Delta's ecosystem including the conversion of tidal marsh and floodplains to farmland, construction of levees and altering of tide flows, in-Delta and upstream water diversions, contaminant discharges, ammonia and nutrient discharges and changes to the food web, increases in water temperatures, and introduction of non-native and invasive species. The Delta will remain in a highly altered state for the foreseeable future and the project is not intended to address all the past harms or restore the Delta to a pre-altered state. It is projected that water deliveries from the federal and state water projects under a fully-implemented California WaterFix project would be about the same as the average annual amount diverted in the last 20 years. Please see Master Response 26 for additional information on effects on northern California. Please also refer to Master Response 4 (Alternatives), Master Response 31 (Delta Reform Act), Master Response 3 (Purpose and Need), Master Response 35 (MWD Water Supply), and Master Response 24 (Delta as a Place).
639	1	Do not waste billions of dollars of money building the twin tunnels. It will not generate a single drop of new water and it will decimate the Delta. The Delta is in bad enough condition already. Find other ways for the southern end of the state to get water.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts; as such the proposed project is intended to be environmentally beneficial. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Refer to Master Response 3 (Purpose and Need), Master Response 5 (Cost), and Master Response 6 (Demand Management).
640	1	Although I was raised in the southern San Joaquin Valley and continue to hold property interests in Tulare County, I strongly urge that the twin tunnel project be defeated. California and the United States have lost over 90% of our historic wetlands and the twin tunnels would greatly impact the fish and bird population throughout the Delta, not to mention well over 100 years of a way of life for those who live in the Delta or enjoy recreation in the area. I understand that powerful political interests are advocating that more water be sent south, but doing so would be an environmental and economic nightmare for the Delta and the areas around it.	Although Alternatives 4A, 2D, and 5A include only those habitat restoration measures needed to provide mitigation for specific regulatory compliance purposes, habitat restoration is still recognized as a critical component of the state's long-term plans for the Delta. Such larger endeavors, however, will likely be implemented over time under actions separate and apart from these alternatives. The primary parallel habitat restoration program is called California EcoRestore (EcoRestore), which will be overseen by the California Resources Agency and implemented under the California Water Action Plan. Under EcoRestore, the state will pursue restoration of more than 30,000 acres of fish and wildlife habitat by 2020. These habitat restoration actions will be implemented faster and more reliably by separating them from the water conveyance facility implementation. Additional priority restoration projects will be identified through regional and locally-led planning processes facilitated by the Delta Conservancy. Plans will be completed for the Cache Slough, West Delta, Cosumnes, and South Delta. Planning for the Suisun Marsh region is already complete and a process for integrated planning in the Yolo Bypass is underway. The Delta Conservancy will lead the implementation of identified restoration projects, in collaboration with local governments and with a priority on using public lands in the Delta. The Lead Agencies discuss community character in Chapter 16 of the EIR/EIS and RDEIR/SDEIS Appendix A (Socioeconomics) identifies the unique features of the Delta and describes the potential effects on Delta communities. Please see chapter 15 for a discussion on impacts to recreation. Impacts to agriculture are identified and discussed in Chapter 14; project proponents have proposed measures that would support and protect agricultural production in the Delta by securing agricultural easements and/or by seeking opportunities to protect and enhance agriculture with a focus on maintaining economic activity on agricultural lands. Please see Master Response 18 for more information on agricultural mitigation.
641	1	Please add my comments to the list of those who do not favor the tunnels. I have read enough about this project to understand that diverting water from a source above the Delta region can in no way help the Delta. I do not understand the mentality of elected officials	The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts; as such the proposed project is intended to be environmentally beneficial. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and

RECIRC Ltr#	Cmt#	Comment	Response
		that support such an expensive project and bypass such issues as greater storage, reclamation, and possible desalination plants for a state that is located on a massive water source like the Pacific Ocean. Yes, I understand that it is expensive to desalt water, but it makes more sense as an emergency backup or supplemental source then building a tunnel to transport water that may not even exist to transport if we go another year like this last one. The votes may be in Southern California, and maybe that is Mr. Brown's support base, but I believe he is very misguided. Use your head, people. Think outside the box!	salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Appendix 1C of the Final EIR/EIS, Demand Management Measures, describes conservation, water use efficiency, and other sources of water supply including desalination. Refer to Master Response 6 for more information on demand management. Although components such as desalination plants and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the State, they are beyond the scope of the project. Please refer to Master Response 4 for additional details on the selection of alternatives. Also, please see Master Response 3 for additional details on the project purpose and need, Master Response 7 for information on desalination and why it was not included as a project alternative. For more information on why water storage was not considered as part of the proposed project please refer to Master Response 37 (Storage) and Appendix 1B, Water Storage, EIR/EIS.
642	1	My answer is no. You can't take our water away from this area to go to the south! You will destroy our communities here in San Joaquin!	In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/S), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The proposed project does not seek any new water rights nor reduction in total water rights issued to DWR and Reclamation. The amount of water that DWR and Reclamation can divert from the new north Delta facilities is set by Federal and State regulating agencies, ESA compliance, and project design. Operations for the Proposed Project would still be consistent with the criteria set by the U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions and State Water Resources Control Board Water Right Decision 1641 (D-1641), subject to adjustments made pursuant to the project and the adaptive management process, as described in Chapter 5, Water Supply of the EIR/EIS.
643	1	You will not ruin my home on the Delta by building the tunnels!	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Refer to Master Response 3 (Purpose and Need) and Master Response 24 (Delta As A Place).
644	1	Humans have made their bed and should now, instead of lying on it, work for a better way to resolve the water issue. Humans, no matter how many time you say it, will not stop their water abuse. Water can be saved, but it must be a world effort. Those that abuse water should pay the price. Why should wildlife pay the price for the stupidity and abuse of water by humans? This may be a "fix" for California, but it will not end there. Humans are a bunch of spoiled, rotten, stupid people. You can't fix stupid by taking water from those whose life depends on it. Let's take air away from humans and see how they feel!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The alternatives considered in the EIR/S would only deliver the amount of water diverted under the existing SWP and CVP water rights and the existing and future related regulatory requirements based upon river water levels and flow, water available in the system, the presence of threatened and endangered fish species, and water quality standards. The alternatives do not change diversion of senior water rights and continue to meet instream flow requirements. Under the range of alternatives considered in the EIR/S full contract amounts are not delivered in the majority of times to the SWP and CVP water contractors. Full contract deliveries occur in extremely wet years. The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and

RECIRC Ltr#	Cmt#	Comment	Response
			long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Water Demand Management).
645	1	I strongly oppose the Delta tunnels plan that favors unsustainable big [agriculture] practices and profits and jeopardizes the existence of endangered salmon runs and other native fish populations in the Sacramento River and Bay-Delta estuary.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. See Master Response 3 (Purpose and Need) and Master Response 34 (Beneficial Use of Water).
646	1	Simply put, this is merely "robbing Peter to pay Paul"--taking water from a natural source (and its inhabitants) for the benefit of artificial "needs" (growing crops that are too water dependent for the environment).	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. It is important to note, as an initial matter, that the proposed project is not intended to serve as a state-wide solution to all of California's water problems and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage. Nor is the proposed project intended to solve all environmental challenges facing the Delta. Please see Master Response 6 for further information regarding how many of the suggested components have merit from a state-wide water policy standpoint, and some are being implemented or considered independently throughout the state, but are beyond the scope of the proposed project. The Lead Agencies do not have land use planning authorities (such as changing local land uses and zoning ordinances or controlling what crops should be planted). Contractors and their customers must make economic decisions about planting in light of the amounts of water they are likely to receive going forward. Please refer to Master Responses 34 (Beneficial Uses), Master Response 26 (Changes In Delta Exports), and Master Response 3 (Purpose and Need).
647	1	Protect these waters from exploitation and keep the salmon running!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds

RECIRC Ltr#	Cmt#	Comment	Response
			to the specific substantive portions of the comment letter that were submitted by the commenter. In accordance with the Project Objectives and Purpose and Need (see Chapter 2 of the EIR/S), all of the action alternatives would continue the operation of the SWP and CVP in accordance with the existing water rights and regulatory criteria adopted by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights which were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The proposed project does not seek any new water rights nor reduction in total water rights issued to DWR and Reclamation. The amount of water that DWR and Reclamation can divert from the new north Delta facilities is set by Federal and State regulating agencies, ESA compliance, and project design. Operations for the Proposed Project would still be consistent with the criteria set by the U.S. Fish and Wildlife Service and National Marine Fisheries Service biological opinions and State Water Resources Control Board Water Right Decision 1641 (D-1641), subject to adjustments made pursuant to the project and the adaptive management process, as described in Chapter 5, Water Supply of the EIR/EIS.
648	1	After all that water is sucked up by big agriculture and the wetlands have been destroyed -- then what will you do?	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
649	1	Alleged "quick fixes" are never the answer and are never fixes! They have just about always created much worse problems in their aftershock. Please do not be seduced by just another of the billions throughout history of "If it sounds too good to be true, then it is." (Not just "probably" is, but is.)	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The documentation generated by this proposed project has undergone extensive public and scientific input, discussion, and transparency, including the posting of administrative draft chapters online and providing many more opportunities for public participation than is normally required by the CEQA/NEPA processes (see Master Response 41 [Transparency].
650	1	Restore the Delta, Earth Law Center, Friends of the River (FOR), the Center for Biological Diversity, the California Water Impact Network, the California Sportfishing Protection Alliance, and the Environmental Water Caucus (EWC, a coalition of over 30 nonprofit environmental and community organizations and California Indian Tribes) object to the adverse water quality effects which would occur under the Bay Delta Conservation Plan (BDCP)/California Water Fix/water tunnels project (water tunnels project). Under the BDCP, three large new intakes would divert vast amounts of water from the Sacramento River between Clarksburg and Courtland through two tunnels roughly 35 miles south for export from the Central Valley and State Water Projects' pumping plants. As a result of this massive new diversion ("water tunnels project"), enormous quantities of freshwater which now flow through the Sacramento-San Joaquin Delta before being diverted would never even reach the Delta.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Commenters' objection is noted.
650	2	The BDCP Delta water tunnels project is not a permissible project under the federal Clean Water Act (CWA) because it would degrade water quality in the San Francisco Bay-Delta Estuary. This in turn will adversely impact numerous recognized beneficial uses and public	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the

RECIRC Ltr#	Cmt#	Comment	Response
		health. The water tunnels project will require a Clean Water Act Section 401 certification; it cannot legally be given one since it will not comply with established water quality standards.	index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The assessment of potential water quality effects of the project alternatives fulfills a primary public disclosure purpose of the CEQA and NEPA process. The Clean Water Act section 404 and 401 regulatory compliance processes are separate from the CEQA/NEPA process, and involve their own procedures and policies. With regards to water quality, please see Final EIR/EIS, Chapter 8; please also see Master Response 14.
650	3	The Delta water tunnels project will violate water quality standards. Because the state cannot issue a 401 certification to a water tunnels project that does not meet water quality standards and objectives, the Corps of Engineers cannot legally issue a 404 permit regulating dredge and fill in waters of the United States. The water tunnels project has no defensible antidegradation analysis in either the Draft EIR/EIS or the Recirculated Draft EIR/Supplemental Draft EIS (RDEIR/SDEIS), which is required for compliance with the Clean Water Act. And the lack of an adequate antidegradation analysis is yet another reason the state will be unable to issue the 401 certification. The water tunnels project threatens to dictate water quality objectives and prejudice ongoing State Water Resources Control Board's Bay-Delta Water Quality Control Plan Phase 1 and 2 processes, in violation of the Clean Water Act. [Footnote 2: The project may, on one hand, receive conditional permits for the north Delta intakes of the tunnels project, including gaping exemptions from water quality standards that undermine beneficial that should be protected by the water quality control plan. On the other hand, the tunnels project will prejudice the Phase 1 and 2 processes with premature diversion and 404 permit requests, potential Delta island purchases by the Metropolitan Water District of Southern California, as well as the inadequate tunnels environmental review process. Under both of these circumstances, the tunnels project tail threatens to wag State Water Board and Army Corps dog.] The proposed project fails to meet the Clean Water Act's requirement for the Least Environmentally Damaging Practicable Alternative (LEDPA).	Regarding the applicability of Section 401 certification, the comment is not correct in stating that a project cannot change water quality conditions and obtain authorization under Section 401. Section 401 is a permit process that may (and typically does) include terms and conditions for the project in question to promote or require avoidance, reduction, and minimization of potential adverse water quality effects. The assessment of potential water quality effects of the project alternatives fulfills a primary public disclosure purpose of the CEQA and NEPA process. The Clean Water Act section 404 and 401 regulatory compliance processes are separate from the CEQA/NEPA process, and involve their own procedures and policies. Please see Master Response 14 regarding the role of antidegradation analyses in the CEQA/NEPA and permitting processes.
650	4	Four million people in the five Delta counties depend on good water quality in the Delta for their livelihoods and quality of life. Nearly one million Delta residents depend on the Delta as their primary drinking water supply. To improve the Delta as a fishable, swimmable, drinkable, and farmable region will require protecting and enhancing the Estuary's water quality, pure and simple. If we are to leave generations to come an Estuary with sustained and diverse ecological fertility, the Estuary deserves and needs more flowing water, cleansed of the pollutants that now plague it, and state and federal rejection of the water tunnels project will help in realizing this goal.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
650	5	Historically, the Bay-Delta Estuary has been enormously productive, a magnet for many aquatic species to reproduce in and migrate through. Its native species evolved to take advantage of the Estuary's annual and seasonal variations in water quality and flow. As the seasons change, the Bay Delta Estuary cycles through such ecological roles as aquatic nursery, restaurant, and crossroads. The Delta's communities and economy were built on this ecological foundation. The health of this diverse ecosystem depends on having variable and good water quality that benefits each of these roles.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
650	6	Development and implementation of the water tunnels project must be accountable to the CWA. Sound planning dictates that implementation of the CWA's requirements should begin	Please see response to comment 650-2.

RECIRC Ltr#	Cmt#	Comment	Response
		now, to prevent violations by the water tunnels project. One CWA requirement that will arise during water tunnels project implementation is CWA Section 401 certification, which is necessary for any "[f]ederal license or permit to conduct any activity ... [that] may result in any discharge into navigable waters." [Footnote 3: 33 U.S.C. [Section] 1341(a)(1).]	
650	7	The California Department of Water Resources and the United States Bureau of Reclamation filed an application for a CWA Section 404 dredge and fill permit with the US Army Corps of Engineers on August 24, 2015, and they filed an application for a 401 certification on September 23, 2015 with the State Water Resources Control Board (SWRCB). [Footnote 4: Accessed September 15, 2015, at http://www.spk.usace.army.mil/Media/RegulatoryPublicNotices/tabid/1035/Article/616568/spk-2008-00861-california-waterfix-project.aspx.] The 404 permit will be needed from the Army Corps of Engineers because construction of the water tunnels project will result in discharges of dredge or fill material into waters of the United States. [Footnote 5: "Many of the actions that will be implemented under the water tunnels project will result in the discharge of dredged or fill materials into waters of the United States and will need to be authorized by USACE."Public Draft Plan [Section] 1.3.7.1 (Nov. 2013), available at: http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Public_Draft_BDCP_Chapter_1_-_Introduction.sflb.ashx. This is no less true of intake construction of the "California WaterFix" version (Alternative 4A) of the water tunnels project.] Section 401 requires that the SWRCB certify that the Corps' Section 404 permit meets CWA requirements before the permit may be legally issued. [Footnote 6: "No license or permit shall be granted until the certification required by this section has been obtained or has been waived as provided in the preceding sentence. No license or permit shall be granted if certification has been denied by the State, interstate agency, or the Administrator, as the case may be." 33 U.S.C. [Section] 1341(a)(1).] State and federal agencies have long recognized the importance of this requirement, meeting several times to discuss it in the context of the preparation of the water tunnels project EIR/EIS. [Footnote 7: As reflected by U.S. EPA in its comments on these discussions: "[a]lthough there is no statutory requirement that the NEPA document prepared for an HCP under the Endangered Species Act be used as the basis for permits and certifications required under CWA [Section] 404 to authorize and implement the project, EPA recognizes the importance of coordination in federal review. Toward this end, EPA and the Corps have met with the project proponent on numerous occasions over the past several years in the interest of using the BDCP EIS/EIR to inform the Corps' 404 regulatory decisions. Despite these efforts, significant unresolved issues remain about the scope of analysis for the proposed project, the level of detail required to trigger the consultation process and federal permitting, and the structure of a comprehensive permitting framework for the proposed project." U.S. EPA, "EPA's Comments on BDCP ADEIS," p. 6 (July 03, 2013), available at: www2.epa.gov/sites/production/files/documents/july3-2013-epa-comments-bdcp-adeis.pdf.] The project reduces Delta freshwater flow conditions in violation of CWA requirements to fully protect the most sensitive beneficial uses. The inadequate flow proposals of the water tunnels project EIR/EIS alternatives will ensure that its implementation trips over mandatory compliance with the CWA. Flow regimes that fully protect Delta ecosystems and aquatic species are necessary to avoid this result. CWA regulations dictate that adopted criteria must protect the "most sensitive" beneficial use. [Footnote 8: 40 CFR [Section] 131.11 ("For waters with multiple use designations, the	Please see response to comment 650-2 and 650-3.

RECIRC Ltr#	Cmt#	Comment	Response
		criteria shall support the most sensitive use"); see also 40 CFR [Section] 131.6.] The SWRCB's August 2010 flow criteria report used science to identify the minimum amount of unimpaired flow that would protect Delta fish species and habitats. That report thus reflects flows needed to comply with CWA mandates. A new Bay-Delta Plan adopting the water tunnels project's proposed flow regimes would fall significantly short of this benchmark, and thereby would fail to protect the most sensitive beneficial uses as required by the CWA.	
650	8	Instead of improving flow conditions in the Delta, the water tunnels project will actually increase average exports [Footnote 9: See Public Draft Plan, App. 5B, Fig. 5.B.4-4, available at: http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Public_Draft_BDCP_EIREIS_Appendix_5B_-_Responses_to_Reduced_South_of_Delta_Water_Supplies.sflb.ashx. See also BDCP/California WaterFix, RDEIR/SDEIS, 2015, Section 4.3.1, Figures 4.3.1-15, -16, -18, -19, -20, and -21.] and reduce already inadequate Delta outflow in many months. Specifically, on average for February through June, the water tunnels project would decrease Delta outflow by about 1,000 cubic feet per second and also decrease the median Delta outflow by about 2,000 cfs. [Footnote 10: See Public Draft Plan, App. 5C, Attachment 5.C.A, Table C.A-41, available at: http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Public_Draft_BDCP_Appendix_5C_-_Part_5_-_Flow_Passage_Salinity_and_Turbidity.sflb.ashx.] For the period of January through June (the time period during which the August 2010 Flow Criteria from the SWRCB called for an increase of outflow to 75 percent of unimpaired Delta outflow), the BDCP decreases outflow. Water tunnels project modeling shows that long-term average Sacramento River flows below the north Delta intake diversions would decrease between 6 to 38 percent from current and future flows without the tunnels project, and in wet years river flows would decrease between 7 and 42 percent. Overall, monthly lower Sacramento River flows are projected by "California WaterFix" to decrease between 20 and 24 percent. (See Attachments 1 [ATT1], 2 [ATT2], and 3 [ATT4] to this letter.) [Footnote 11: Estimates derived by Restore the Delta from graphical analysis interpolating data in Figures 4.3.2-7 and 4.3.2-8 from the Recirculated Draft EIR/EIS, Section 4.3. See Attachment 1 [ATT1] to this letter. See also Appendix B, Tables B.7-28 (downstream of north Delta intakes), B.7-30 (Sacramento River at Rio Vista), B.7-32 (Delta outflow), and B.7-34 (San Joaquin River at Vernalis), pp. B-357 to B-370. These tables show that most changes are decreases in flow of 5 percent or more compared with Existing Conditions and the No Action Alternative (especially along the Sacramento River downstream of the north Delta intakes). Only slight improvements occur in just a handful of months and water year types. Most San Joaquin River flows at Vernalis between February and September in most water year types decrease greater than 5 percent relative to existing conditions as well.] Decreased flows and increased residence times will cause the designated beneficial uses of migratory and rare fish species to decline, according to water tunnels project RDEIR/SDEIS modeling results. Through-Delta survival rates of the juvenile and smolt life stages of winter-run, spring-run, fall-run and late-fall-run Chinook salmon are all expected to decrease relative to both existing conditions and the No Action Alternative. (See Attachment 4 to this letter. [ATT5]) These fish species are "rare and endangered species" beneficial uses as well as "migration of aquatic organisms" beneficial uses. These reduced flows will decrease the size of critical open water estuarine habitat beneficial uses for state and federally-listed species like Delta smelt and longfin smelt, both of which count also as rare and endangered beneficial uses under the current Bay-Delta Water Quality Control Plan. [Footnote 12: State Water Resources Control Board, Water Quality Control Plan for the	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 and in drier years; and increase exports in the wet winter months in wetter years when the river flows are high. The water would be stored at locations south of the Delta during the high flow periods to allow reductions in deliveries to SWP and CVP water users in drier periods. As shown in Appendix 5A, BDCP EIR/EIS Modeling Technical Appendix, of the Final EIR/EIS, Section C, Delta outflow would be similar under the proposed project, Alternative 4A, as compared to the No Action Alternative. Summer Delta outflows under the proposed project and No Action Alternative would be less than under Existing Conditions due to climate change and sea level rise. As described in Appendix 3A, Identification of Water Conveyance Alternatives Conservation Measure 1, of the EIR/EIS, one of the potential alternatives considered was based upon the State Water Resources Control Board 2010 Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem, which described providing up to 75 percent of unimpaired flow into the Delta to improve aquatic resources habitat conditions. This potential alternative was not evaluated in detail because the flow recommendations in the 2010 report could not 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 purpose and need of this EIR/EIS would not allow changes to non-SWP and non-CVP water rights. However, Alternatives 7 and 8 in the EIR/EIS reflect similar flow criteria in a manner that would only affect SWP and CVP water rights. With respect to beneficial uses related to fishes, the EIR/S recognizes the potential for negative effects and as a result includes a number of environmental commitments and mitigation measures. Assessment of the preferred alternative's (4A, California WaterFix) effects to beneficial uses is being undertaken by the State Water Resources Control Board as a result of changed points of diversion (the NDD), following which the Board will provide terms and conditions for the preferred alternative. In addition, the preferred alternative would have to comply with regulations related to Bay-Delta Water Quality Control Plan, currently being updated by the Board.

RECIRC Ltr#	Cmt#	Comment	Response
		San Francisco Bay/Sacramento-San Joaquin Delta Estuary, December 13, 2006, p. 9.] The U.S. EPA expressed serious concerns about the EIR/EIS Administrative Draft's (ADEIS) proposed decrease in outflow "despite the fact that several key scientific evaluations by the federal and State agencies indicate that more outflow is necessary to protect aquatic resources and fish populations." [Footnote 13: U.S. EPA, "EPA Comments on Administrative Draft EIR/EIS, III Aquatic Species and Scientific Uncertainty, Federal Agency Release," p. 4 (July 18, 2013), available at: http://www2.epa.gov/sites/production/files/documents/july3-2013-epa-comments-bdcp-adeis.pdf.] The water tunnels project's flow regime will violate the beneficial uses of affected waterways and therefore violate water quality objectives. In order to receive the Section 404 permit, DWR and the Bureau of Reclamation must revise the water tunnels project to ensure that it fully protects all designated beneficial uses.	
650	9	The project increases Delta contamination, resulting in violations of pollutant criteria. Reduced through-Delta flows will stagnate water conditions and cause Delta water quality to deteriorate badly. (See Attachment 5 to this letter, citing model results supporting this analysis. [ATT6]) RDEIR/SDEIS modeling documents find that the project will violate standards for boron, bromide, chloride, electrical conductivity, nitrate, dissolved organic carbon, mercury, and selenium. [Footnote 14: RDEIR/SDEIS, Appendix B.] While these constituents' concentrations will increase in western and central Delta locations, as well as Contract Costa Water District's Pumping Plant No. 1, their concentrations are expected to decrease in export waters of the North Bay Aqueduct in Barker Slough, and Jones Pumping Plant and Banks Pumping Plant in the south Delta. These results hold for both changes compared with existing conditions as well as the No Action Alternative, the latter of which factors out most sea level rise and climate change impacts.	The water quality assessment in Chapter 8, Water Quality, and modeling results find that the project (Alternative 4A) would result in less-than-significant impacts to water quality for all parameters assessed except for mercury and electrical conductivity (EC). Impacts to EC would be less than significant with implementation of the proposed mitigation. The specific constituents raised in this comment, and further discussed in Attachment 5 to the comment letter are addressed in responses to comments 650-34 through 650-42.
650	10	Because it cannot meet water quality standards, the water tunnels project cannot obtain the required Clean Water Act 401 Certification it needs for a 404 permit to build the project. To obtain CWA Section 401 certification, the project at issue must meet several CWA requirements, including the requirement to meet water quality standards under CWA Section 303. [Footnote 15: 33 U.S.C. [Section] 1341(a)(1), (d). A state agency may also condition, deny or waive certification under certain circumstances. See also 33 U.S.C. [Section] 1341(a)(1)-(2), and 33 U.S.C. [Section] 1341(d). According to [Section] 401(d), certification "shall set forth any effluent limitations and other limitations ... necessary to assure that any applicant" complies with certain provisions of the CWA. The Supreme Court in PUD No. 1 of Jefferson County v. Washington Department of Ecology held that this includes CWA [Section] 303, since [Section] 301 incorporates it by reference. PUD No. 1 of Jefferson County v. Washington Department of Ecology, 511 U.S. 700, at 713-715 (1994) (PUD No. 1).] If these requirements are met, then either the Regional Water Quality Control Boards (RWQCB) or the SWRCB may grant Section 401 certification. [Footnote 16: In California, the Regional Water Quality Control Boards are responsible for granting water quality certification, unless the project occurs in two or more regions, in which case the SWRCB is responsible. See SWRCB, "Instructions for Completing the Clean Water Act Section 401 Water Quality Certification Application" (Jan. 2005), available at: www.swrcb.ca.gov/centralcoast/water_issues/programs/401wqcert/docs/instruct_401_wq_cert_app.pdf.]	Please see response to comment 650-2.
650	11	As implementing U.S. EPA regulations assert [Footnote 17: The Supreme Court held that the EPA's interpretation is consistent with the CWA in PUD No. 1.], Section 401 certification "shall" include "a statement that there is a reasonable assurance that the activity will be	Please see response to comment 650-2.

RECIRC Ltr#	Cmt#	Comment	Response
		conducted in a manner which will not violate applicable water quality standards." [Footnote 18: 40 CFR [Section] 121.2(a)(3); PUD No. 1 at 712.] In other words, the state cannot grant Section 401 certification to a project if there is no reasonable assurance that it will meet water quality standards. The examination of whether a project violates water quality standards does not include "balancing" factors such as economic considerations -- a project either meets water quality standards, or it does not. [Footnote 19: 40 CFR [Section] 131.11 ("For waters with multiple use designations, the criteria shall support the most sensitive use"); see also 40 CFR [Section] 131.6. As noted by the state Supreme Court, Porter-Cologne "cannot authorize what federal law forbids"; that is, California cannot allow for the "balancing away" of the most sensitive beneficial uses in a reliance on Porter-Cologne rather than the Clean Water Act. City of Burbank v. State Water Resources Control Bd., 35 Cal. 4th 613, 626, 108 P.3d 862 (2005).] Furthermore, as confirmed by the 1994 U.S. Supreme Court decision in PUD No. 1 of Jefferson County v. Washington Department of Ecology (PUD No. 1), CWA Section 401 certification considers the impacts of the entire activity -- not just impacts of any particular discharge that triggers Section 401. [Footnote 20: PUD No. 1, 511 U.S. 700 (1994). PUD No. 1 established that so long as there is a discharge, the state can regulate an activity as a whole under [Section] 401. PUD No. 1 at 711-712.] For the water tunnels project to receive Section 401 certification, the entire project must show it can be built and operated so as to meet all water quality standards. This it will not do, because water quality standards cannot be met under the currently-proposed water tunnels project flow regimes and related effects on estuarine water quality and beneficial uses.	
650	12	The CWA states that water quality standards "shall consist of the designated uses of the navigable waters involved and the water quality criteria for such waters based upon such uses." [Footnote 21: 33 U.S.C. 1313(c)(2)(A) (emphasis added); PUD No. 1 at 704. In addition to the uses to be protected and the criteria to protect those uses, water quality standards include an antidegradation policy to ensure that the standards are"sufficient to maintain existing beneficial uses of navigable waters, preventing their further degradation." PUD No. 1 at 705; 33 U.S.C. 1313(d)(4)(B); 40 CFR [Section] 131.6. EPA regulations add that "[e]xisting instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." 40 CFR [Section] 131.12.] In other words, "a project that does not comply with a designated [i.e., beneficial] use of the water does not comply with the applicable water quality standards." [Footnote 22: PUD No. 1, 511 U.S. at 715. See also 40 CFR [Section] 131.3(b) (U.S. EPA stating that "[w]hen criteria are met, water quality will generally protect the designated use," [emphasis added] indicating that numerical criteria do not always by themselves protect a designated use). Recognized beneficial uses in the Bay-Delta Estuary include, but are not limited to, agricultural supply (AGR), groundwater recharge (GWR), Water Contact Recreation (REC-1), Non-Contact Water Recreation (REC-2), Migration of Aquatic Organisms (MIGR), Spawning, Reproduction, and/or Early Development (SPWN), Estuarine Habitat (EST), and Rare, Threatened, or Endangered Species (RARE).] This fundamental CWA mandate does not change when the impact on beneficial uses arises from altered flow. The CWA was established specifically to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters" -- not solely to regulate "pollutants." [Footnote 23: 33 U.S.C. [Section] 1251(a).] The U.S. Supreme Court addressed this issue directly in PUD No. 1, stating that: "Petitioners also assert more generally that the Clean Water Act is only concerned with water 'quality,' and does not allow the regulation of water 'quantity.' This is an artificial distinction." [Footnote 24: PUD No. 1, 511 U.S. at 719. In PUD No. 1, the U.S. Supreme Court took up the question of whether Washington state had properly issued a CWA Section 401	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.

RECIRC Ltr#	Cmt#	Comment	Response
		certification imposing a minimum stream flow requirement to protect fish populations. The Supreme Court held that conditioning the certification on minimum stream flows was proper, as the condition was needed to enforce a designated use contained in a state water quality standard. Id. at 723. In reaching this decision, the court noted that the project as proposed did not comply with the designated use of "[s]almonid [and other fish] migration, rearing, spawning, and harvesting," and so did not comply with the applicable water quality standards. Id. at 714.] The Court specifically took note of CWA Sections 101(g) and 510(2), which address state authority over the allocation of water as between users. The Court found that these provisions "do not limit the scope of water pollution controls that may be imposed on users who have obtained, pursuant to state law, a water allocation." [Footnote 25: Id. at 720.] This conclusion is supported by the "except as expressly provided in this Act" language of Section 510(2), which conditions state water authority; and by the legislative history of Section 101(g), which allows for impacts to individual water rights as a result of state action under the CWA when "prompted by legitimate and necessary water quality considerations." [Footnote 26: Id. "See 3 Legislative History of the Clean Water Act of 1977 (Committee Print compiled for the Committee on Environment and Public Works by the Library of Congress), Ser. No. 95--14, p. 532 (1978) ('The requirements [of the Act] may incidentally affect individual water rights. . . .It is not the purpose of this amendment to prohibit those incidental effects. It is the purpose of this amendment to insure that State allocation systems are not subverted and that effects on individual rights, if any, are prompted by legitimate and necessary water quality considerations')." See also Memorandum from U.S. EPA Water and Waste Management and General Counsel to U.S. EPA Regional Administrators, "State Authority to Allocate Water Quantities -- Section 101(g) of the Clean Water Act" (Nov. 7, 1978), available at: http://water.epa.gov/scitech/swguidance/standards/upload/1999_11_03_standards_waterquantities.pdf.] Accordingly, these CWA provisions are not impediments to California's implementation of its CWA mandate to ensure compliance with water quality standards, including within the context of flows.	
650	13	In its August 2010 flow criteria report, the Water Board found that "[t]he best available science suggests that current flows are insufficient to protect public trust resources," and that "[r]ecent Delta flows are insufficient to support native Delta fishes for today's habitats." [Footnote 27: SWRCB, 2010 Delta Flow Criteria Report, pp. 2, 5. Accessible at http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/docs/final_rpt080310.pdf.] However, flow regimes proposed by the current water tunnels project rely on water quality (including flow) objectives that have been failing to protect Delta ecosystem and aquatic species beneficial uses for the last 15 years or more. These include: Water Right Decision 1641 (D-1641) [Footnote 28: D-1641 requires the SWP and CVP to meet flow and water quality objectives, including specific outflow requirements, an export/import ratio, spring export reductions, salinity requirements, and, in the absence of other controlling restrictions, a limit to Delta exports of 35 percent total inflow from February through June and 65 percent inflow from July through January.]; the 2006 San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan; the 2009 NMFS Biological Opinion (BiOp); and the 2008 USFWS BiOp. Further, the water tunnels project notably incorporates "bypass flows" that ostensibly establish the minimum amount of water that must flow downstream of the planned north Delta intake. Rather than protecting Delta flow, the water tunnels project reduces average	As described in Appendix 3A, Section 3A.9.3, of the 2013 Public Draft EIR/EIS the State Water Resources Control Board prepared a Delta Flow Criteria Report in accordance with the requirements of the Sacramento-San Joaquin Delta Reform Act of 2009. Information from that report included "determinations of flow criteria for the Delta ecosystem to protect public trust resources. The report makes clear, however, that the flow criteria do not consider the balancing of public trust resource protection with public interest needs for water. The flow criteria also did not consider other public trust resource needs such as the need to manage cold-water resources in reservoirs tributary to the Delta. Nonetheless, the flow determinations contained in the Delta Flow Criteria Report, together with recent scientific conclusions of other State and federal agencies, including the Department of Fish and Wildlife, National Marine Fisheries Service, and the Interagency Ecological Program provide a useful guide to establish one side of a reasonable range of alternatives" (State Water Resources Board letter dated April 19, 2011). The information in the flow criteria report was used to inform the development of the proposed project. The modeling results included Appendix 5E of the Final EIR/EIS may be considered by the State Water Resources Control Board consideration of the DWR and Reclamation Change of Place of Diversion petition for the proposed project. Please see Master Response 13 regarding public trust. Additionally, with regards to modeling, please see Master Response 30.

RECIRC Ltr#	Cmt#	Comment	Response
		annual Sacramento River flow downstream of the North Delta intakes. [Footnote 29: See Attachment 1 [ATT1] in this letter, above, and Public Draft Plan [Section] 5.3.1.1, available at: http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Public_Draft_BDCP_Chapter_5_-_Effects_Analysis.sflb.ashx. See Also BDCP Draft EIR/EIS Chapter 3, Description of Alternatives, Table 3-17, p. 3-186.] Reduced flows downstream of the north Delta intakes extend all the way past Rio Vista as well. [Footnote 30: See RDEIR/SDEIS, 2015, Appendix B, Table B.7-30, pp. B-361 to B-362.] Because it fails to put needed flows back into failing waterways, the water tunnels project will violate water quality standards by failing to protect sensitive beneficial uses. These include "rare, threatened or endangered species habitat," "estuarine habitat," "spawning, reproduction, and/or early development," and other sensitive beneficial uses. [Footnote 31: State Water Resources Control Board, Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta, December 13, 2006, p. 9.] Chinook salmon, Central Valley steelhead, sturgeon and lamprey all migrate and spawn in this area, with Delta smelt and longfin smelt likely spawning in the lower Sacramento River, or in hydraulically connected adjacent channels. Factoring out climate change effects, juvenile and salmon smolt survival rates through the Delta to Chipps Island decrease for each run of salmon under the flow regimes put forward by proponents of the water tunnels project. [Footnote 32: By "factoring out climate change effects," we refer to the water tunnels project proponents' preference for environmental impact comparisons between the No Action Alternative and Alternative 4A (either Scenarios H3 or H4). This comparison reflects the future migration prospects of these fish with and without the proposed water tunnels project. Even by their preferred comparison of the water tunnels project with the No Action Alternative, juveniles and smolts have lower survival rates through the Delta to Chipps Island.] The water tunnels project will thus fail as a set of flow regimes that could support Section 401 certification for necessary Section 404 permits.	
650	14	Actions that "reasonably protect" [Footnote 33: SWRCB, "Comments on the Second Administrative Draft Environmental Impact Report/Environmental Impact Statement for the Bay Delta Conservation Plan," p. 1 (July 05, 2013), available at: baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/State_Water_Resouces_Control_Board_Comments_on_BDCP_EIR- EIS_7-5-2013.sflb.ashx] rather than "protect" the beneficial use are insufficient. If multiple beneficial uses are at stake, adopted flow criteria must protect the most sensitive beneficial use (i.e., they cannot "balance" away uses) and must be based on science. [Footnote 34: EPA regulations state that "criteria must be based on sound scientific rationale and must contain sufficient parameters or constituents to protect the designated use. For waters with multiple use designations, the criteria shall support the most sensitive use." See 40 CFR [Section] 131.11; see also 40 CFR [Section] 131.6.] As the state Supreme Court found, Porter-Cologne balancing provisions [Footnote 35: Calif. Water Code [Section] 13000.] that provide only "reasonable" protection "cannot authorize what federal law forbids." [Footnote 36: City of Burbank v. State Water Resources Control Bd., 35 Cal.4th 613, 626, 108 P.3d 862 (2005) (citing the Supremacy Clause).] The more protective CWA water quality standard requirements take precedence over weaker Porter-Cologne language; ecosystem and species needs cannot--and must not--be balanced away.	Regarding the applicability of Section 401 certification, the comment is not correct in stating that a project cannot change water quality conditions and obtain authorization under Section 401. Section 401 is a permit process that may (and typically does) include terms and conditions for the project in question to promote or require avoidance, reduction, and minimization of potential adverse water quality effects. The commenter states that the proposed flows would not protect sensitive beneficial uses such as rare, threatened, or endangered species habitat, estuarine habitat, spawning, reproduction, and/or early development. RDEIR/SDESIS Section 4.3.4 (4A) describes whether concentrations of various water quality constituents are expected to increase or decrease with the project, relative to existing conditions and the No Action Alternative. To the extent that concentrations of various water quality constituents are expected to increase, Section 4.3.4 describes whether these increases are expected to result in impacts to beneficial uses of water in the Delta. For constituents for which adverse impacts were expected, mitigation and other commitments, such as additional evaluation and modeling and consultation with water purveyors to identify additional measures to avoid and minimize or offset these impacts, were introduced to address those impacts. The incremental changes in Delta outflow under Alternative 4A compared to baseline conditions are a function of both the facility and operations assumptions, including north Delta intakes capacity of 9,000 cfs, OMR flow requirements, Fall X2 requirements, and the reduction in water supply availability due to increased north of Delta urban demands, sea level rise, and climate change (the last three assumptions, plus Fall X2 requirements, are included in both the No Action Alternative (ELT) and Alternative 4A, but not in Existing Conditions). Results for the range of changes in Delta outflow under Alternative 4A are presented in

RECIRC Ltr#	Cmt#	Comment	Response
			more detail in Appendix 5A, BDCP/California WaterFix EIR/S Modeling Technical Appendix. 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 in Chapter 5. Please also see Master Response 30 regarding modeling. With regards to water quality, please see Master Response 14. With regard to mitigation measures, please see Master Response 22. With regards to beneficial uses of water, please see Master Response 34.
650	15	USEPA commented last year on the Bay Delta Conservation Plan and its draft EIR/EIS that "[b]ecause the location of X2 [the estuarine habitat water quality objective] is closely tied to freshwater flow through the Delta, the proposed project would have a strong influence on this parameter, yet the Draft EIS does not analyze each alternative's impacts on aquatic life in the context of this relationship." [Footnote 37: USEPA, "Draft Environmental Impact Statement for the Bay Delta Conservation Plan, San Francisco Bay Delta, California (CEQ# 20130365), August 26, 2014, p. 5. Accessible at http://www.friendsoftheriver.org/site/DocServer/8-26-14_EPA_Cmmnt_on_BDCP.pdf?docID=9539.] The Bay-Delta Water Quality Control Plan's estuarine habitat water quality objective will likely be violated by the water tunnels project as well. In the RDEIR/SDEIS nor the Draft EIR/EIS there is no modeling of how changes in X2, the Delta's estuarine habitat water quality objective may affect a variety of estuarine species. X2, which measures the approximate center of the estuary's low salinity zone relative to the Golden Gate, was shown last year in BDCP modeling to migrate upstream under the tunnels' influence relative to existing conditions and the No Action Alternative. [Footnote 38: See Figure 7, p., 66 of Environmental Water Caucus comments on Bay Delta Conservation Plan, June 11, 2014; accessible online at http://ewccalifornia.org/reports/bdcpcomments6-11-2014-3.pdf.] The modeled upstream migration of X2 means that critical habitat for estuarine species will shrink, especially relative to the No Action Alternative. Species abundance and X2 are negatively: when X2 moves further from the Golden Gate, species abundances typically decrease as the size of the Low Salinity Zone decrease (with lower flows), with few exceptions. [Footnote 39: Panel Summary Report on Workshop on Delta Outflows and Related Stressors, May 5, 2014. Accessible online at http://deltacouncil.ca.gov/sites/default/files/documents/files/Delta-Outflows-Report-Final-2014-05-05.pdf. This report identifies "key papers" in which the relationships of X2, Delta outflow, and species abundances are anchored.] This apparently remains true of the RDEIR/SDEIS, in which no new modeling is conducted.	The location of X2 for each alternative is described in Chapter 5. The EIR/EIS uses the applicable literature related to X2 and impacts on species, including Feyrer 2011 and Kimmerer 2009. Documented relationships between X2 and species abundance or survival were used for the analysis in the EIR/EIS, including for longfin smelt, striped bass, and bay shrimp. The delta smelt abiotic habitat index was used to assess effects on fall delta smelt habitat. For additional information regarding water quality, please see Master Response 14.
650	16	The State Water Board has indicated tentative interest in designating subsistence fishing as a beneficial use statewide, including in the Delta. [Footnote 40: Email from Esther Tracy of State Water Resources Control Board, Office of Public Participation, to Andria Ventura, Clean Water Action, "State Water Resources Control Board Beneficial Uses," May 6, 2014, forwarded to Colin Bailey of Environmental Justice Coalition for Water, thence to Tim Stroshane, Environmental Water Caucus consultant. Tracy's message primarily concerns subsistence fishing by California Indian Tribes.] Our organizations and others would certainly welcome such a beneficial use designation in the Delta as elsewhere because protection of the most sensitive ecological and estuarine beneficial uses will also protect subsistence fishing as a beneficial use. Humans are connected to these other beneficial uses, no less so in the Bay-Delta Estuary.	Additional detail related to microcystis (due to longer residence times of water) and mercury and selenium related to subsistence fishing was added to Chapter 28, Environmental Justice, in the RDEIR/SDEIS. As described under each alternative in Chapter 28 for Impact PH-3, the associated increase in human consumption of mercury caused by the action alternatives would depend upon the selection of the fishing location (and associated local fish body burdens), and the relative proportion of different Delta fish consumed. Different fish species would suffer bioaccumulation at different rates associated with the specific species, therefore the specific spectrum of fish consumed by a population would determine the effect of increased mercury body burdens in individual fish species. These confounding factors make demonstration of precise impacts on human populations infeasible. However, because minority populations are known to practice subsistence fishing and consume fish exceeding US EPA reference doses, any increase in the fish body burden of mercury may contribute to an existing adverse effect. Because subsistence fishing is specifically associated with populations in the Delta compared to the population at large this effect would be disproportionate on those populations. This effect would be adverse. Please also see Master Response 14 regarding water quality, including Microcystis. Please also see Master Response 27 regarding

RECIRC Ltr#	Cmt#	Comment	Response
			environmental justice.
650	17	The water tunnels project will violate numerous pollutant criteria with drastic consequences for public health and vitality of the region's ecosystems and water-dependent economic sectors like tourism, recreation, agriculture, and subsistence fishing. On this score, the water tunnels project will further violate water quality standards, precluding the State Water Resources Control Board from certifying the project under Clean Water Act Section 401.	The EIR/EIS fully addresses the potential water quality effects of the California WaterFix on beneficial uses upstream of the Delta, in the Delta and downstream of the Delta. Most of the water quality constituent effects would not be significant. Where significant effects are identified impacts are reduce to less than significant levels with mitigation (i.e electrical conductivity). One impact for the California WaterFix related to mercury levels in tidal restoration areas is considered significant. Please refer to Chapter 8, Water Quality and Master Response 14, which addresses water quality issues.
650	18	Implementation of the water tunnels project will require a CWA Section 404 permit from the Army Corps of Engineers, which it cannot receive unless the state issues a CWA Section 401 certification. The certification in turn cannot be legally issued unless the project as a whole (i.e., rather than the individual discharge mandating the 404 permit) meets water quality standards, which includes meeting beneficial uses designed to protect Delta species and ecosystems. The water tunnels project will fails across the board; we provide more details of this failure in Attachment 5 to this letter [ATT6].	Please see response to comment 650-2 and 650-3.
650	19	A cornerstone of the State Water Board and Regional Water Board's regulatory authority is the Antidegradation Policy (Resolution 68-16), which is included in the Basin Plans as an appendix. However, the water tunnels project Draft EIR/EIS and RDEIR/SDEIS fail to discuss or analyze constituents which will "degrade" water quality. These documents do not evaluate whether the designated beneficial use is degraded and what it means for Clean Water Act compliance. Section 101(a) of the Clean Water Act (CWA), the basis for the antidegradation policy, states that the objective of the Act is to "restore and maintain the chemical, biological and physical integrity of the nation's waters." Section 303(d)(4) of the CWA carries this further, referring explicitly to the need for states to satisfy the antidegradation regulations at 40 CFR [Section] 131.12 before taking action to lower water quality. These regulations (40 CFR [Section] 131.12(a)) describe the federal antidegradation policy and dictate that states must adopt both a policy at least as stringent as the federal policy and implementing procedures. The CWA requires the full protection of identified beneficial uses. The Federal Antidegradation Policy, as required in 40 CFR 131.12 states, "The antidegradation policy and implementation methods shall, at a minimum, be consistent with the following: (1) Existing instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." The Delta is classified as a Tier II, "high quality," waterbody by US EPA and the SWRCB [State Water Resources Control Board]. EPA Region 9's guidance on implementing antidegradation policy states, "All actions that could lower water quality in Tier II waters require a determination that existing uses will be fully maintained and protected." [Footnote 41: EPA, Region 9, Guidance on Implementing the Antidegradation Provisions of 40 CFR 131.12, page 7.]	Please refer to Master Response 14 regarding assessment of water quality degradation in the EIR/EIS, and the relevance of federal and state antidegradation policy considerations in the CEQA/NEPA process.
650	20	California's antidegradation policy is described in the State Antidegradation Guidance, SWRCB [State Water Resources Control Board] Administrative Procedures Update 90-004, 2 July 1990 ("APU 90-004") and USEPA Region IX, ("Region IX Guidance"), as well as Water Quality Order 86-17. [Footnote 42: "Guidance on Implementing the Antidegradation Provisions of 40 CFR 131.12" (3 June 1987).] California's Antidegradation Policy (Resolution 68-16) requires that:	Please see response to Comment 650-19.

RECIRC Ltr#	Cmt#	Comment	Response
		- Existing high quality water will be maintained until it has been demonstrated that any change will be with the maximum benefit to the people of the State. - The change will not unreasonably affect present and anticipated beneficial uses. - The change will not result in water quality less than prescribed in the policies. - Any activity which produces a waste or increased volume or concentration will be required to meet waste discharge requirements using the best practicable treatment or control of the discharge necessary to assure that neither pollution nor nuisance will occur and the highest water quality with maximum benefit to the people of the state will be maintained. While California's Antidegradation Policy requires that, "[t]he change will not unreasonably affect present and anticipated beneficial uses and the change will not result in water quality less than prescribed in the policies," the Federal Antidegradation Policy requires a "determination that existing uses will be fully maintained and protected." [Footnote 43: Draft BDCP EIR/EIS, 2013, page 8-408.]	
650	21	The water tunnels project will reduce flows and result in poorer water quality for a number of constituents, including boron, bromide, chloride, electrical conductivity, nitrate, organic carbon, some pesticides, mercury and selenium. The Delta is currently impaired for many of the constituents that will increase under the proposed alternative. Several water quality constituents are detailed in Attachment 5 [ATT6] where degradation is expected should the water tunnels project be constructed and operated.	The water quality assessment in Chapter 8, Water Quality, and modeling results find that the project (Alternative 4A) would result in less-than-significant impacts to water quality for all parameters assessed except for mercury and electrical conductivity (EC). Impacts to EC would be less than significant with implementation of the proposed mitigation. Please see Master Response 14 regarding water quality. Please see response to Comment 650-19.
650	22	Even if DWR and the Bureau of Reclamation provide an adequate antidegradation analysis of the water tunnels project, the point remains that they cannot move forward on a 401 certification from the State Water Resources Control Board if any water quality standards are not met. The antidegradation analysis is supposed to ensure they comply with any and all water quality standards, but there is clear evidence that cannot and will not.	Please see response to Comment 650-19. The assessment of potential water quality effects of the project alternatives fulfills a primary public disclosure purpose of the CEQA and NEPA process. The Clean Water Act section 404 and 401 regulatory compliance processes are separate from the CEQA/NEPA process, and involve their own procedures and policies. Please see Master Response 45 regarding the interplay of the EIR/EIS and this project with permitting efforts.
650	23	A large but wholly implicit assumption through the water tunnels project and its EIR/EIS is that any one of these alternatives would require wholesale revision to how water quality is regulated in the Bay Delta estuary, in order for the water tunnels project to move forward. The setting sections of Chapter 5, 6, 7, and 8 (comprising water supply, surface water, groundwater, and water quality) contain no descriptions of the existing water quality objectives as they apply to flow and operational actions by the state and federal water facilities in the Delta. The Draft EIR/EIS Executive Summary last year only hints at this matter, titling one section "New Rules for North Delta Diversions," but does not address this matter, making no mention of the regulatory regime change that would apparently be required of the State Water Board. [Footnote 44: Bay Delta Conservation Plan, Draft EIR/EIS, November 2013, Executive Summary, Section ES.9.1.4, "New Rules for North Delta Diversions," pp. ES-52 to ES-53.] This year, the RDEIR/SDEIS announces "proposed new flow criteria" for north and south Delta SWP and CVP export facilities, and the proposed new head of Old River operable barrier. [Footnote 45: RDEIR/SDEIS, Section 4.1, pp. 4.1-11 through 4.1-13.] Such changes to Delta flows and hydrodynamics must be evaluated through public review	The preferred alternative, 4A, does not require or include any changes to water quality regulations, although the SWRCB is currently in the process of their regular update to the Water Quality Control Plan. Whatever that update includes, the proposed project, along with all other users in the Bay-Delta will need to comply with it. The preferred alternative represents new infrastructure and that infrastructure requires initial operating criteria to assess the effects of its operations on environmental resources. Relative to the preferred alternative, DWR and the Bureau have filed for a change in point of diversion with SWRCB for the proposed project. The update to the WQCP is an entirely different process, and the SWRCB has separate environmental review pertaining to those decisions. With regard to RTOs in the Delta, these would be implemented within the bounds of the criteria described for Alternative 4A and would be consistent with the take authorizations included in the BiOp and 2081 ITP. With regard to drought conditions and RTO management over the last several years for upstream temperature, Reclamation has committed to revising the RPA that governs Shasta operations so that better real-time temperature management can be implemented. The proposed project does not affect this

RECIRC Ltr#	Cmt#	Comment	Response
		before the State Water Resources Control Board, the only state body authorized to change water quality standards. We [Restore the Delta et al.] are concerned that the tunnels proponents hope to circumvent the process by making tunnels operational criteria seem inevitable and necessary; they are neither, and must be the subject of careful and critical review in the Board's Bay-Delta Plan update process, before the water tunnels project receives permit approvals for new diversions. Put simply: water quality policy must come before plumbing decisions are made. What is best for the Bay-Delta Estuary, and the Delta's economy and communities comes first. [Footnote 46: This stance is also consistent with the Delta Protection Act of 1959.] Further complicating this picture is the role and regulation by SWRCB of "Real-Time Operations [RTOs]." [Footnote 47: Real-time operational decisions "are expected to be needed during at least some part of the year at the Head of Old River gate and the north and south Delta diversion facilities." RDEIR/SDEIS, p. 4.1-13, lines 17-18. Real-time operations are defined in Conservation Measure 1 of the Bay Delta Conservation Plan, November 2013, Section 3.4.1.4.5, Real-Time Operational Decision-Making Process, p. 3.4-26, lines 14-18: "[R]eal-time operational decision-making process (real-time operations [RTOs]) allows for short-term adjustments in operations within the range of CM1 [that is, water tunnels project operating] criteria..., in order to maximize water supply for SWP and CVP relative to the [BDCP] Annual Operating Plan and its quarterly updates subject to providing the necessary protections for covered species." The water tunnels project's documents expect retention of BDCP's use of RTO teams focused on each Delta facility and coordinating with each other. We note that the RDEIR/SDEIS does not specify that post hoc descriptions of RTOs would be made public through such an Annual Operating Plan.] Our organizations are not opposed to RTOs in principle. Water tunnels proponents acknowledge that RTOs cannot be modeled. [Footnote 48: This is most explicitly noted in BDCP Appendix 5.C, Attachment 5C.A, CALSIM II and DSM2 Modeling Results for the Evaluated Starting Operations Scenarios, pp. 5C.A-157 to 162. Old and Middle River flow real-time operations are an example, p. 5C.A-157, lines 31-44. "The magnitude of the export restrictions [relating to Old and Middle River flows] cannot be simulated accurately with CALSIM because the limits will be adaptively specified by the USFWS smelt working group, based on real-time monitoring of fish and turbidity and temperature conditions. The assumed restrictions provide a representative simulation compared to D-1641 conditions without any OMR restrictions." Moreover, real-time operations pose dramatic uncertainties for South Delta export operations with real- time adaptive operations in place. "If the least restrictive OMR flow of -5,000 cfs were allowed for 6 months (January-June), a maximum of 1,800 taf per year could be pumped (assuming the San Joaquin River diversion to Old River satisfied the 35% of the net Delta depletion that is south of the OMR flow stations. But because of the 1,500 cfs limit on exports in April and May (2009 NMFS BiOp), the maximum exports would be 1,400 taf per year. If the OMR restriction was reduced to -2,500 cfs for the 6 months (with 1,500 cfs in April and May), a total of 780 taf could be pumped from the South Delta. This is a very dramatic reduction for the CVP and SWP exports which historically have exported about half (45%) of the total exports during these months. This uncertainty in the potential south Delta exports is a consequence of the adaptive management framework for the 2008 USFWS BiOp and 2009 NMFS BiOp actions regarding OMR flow." Since BDCP contemplates real-time operations in several other Delta and Yolo Bypass locations, uncertainties will compound for planning operations, exports, and outflows.] Not only can they not be modeled, RTOs themselves will be difficult, if not impossible to regulate and monitor by state authorities when the most sensitive beneficial uses have admittedly	operation. Please see Master Response 14 regarding water quality.

RECIRC Ltr#	Cmt#	Comment	Response
		uncertain threshold conditions that should not be exceeded. But the water tunnels project proponents push use of RTOs as "silver bullets" for gaps in mitigation that ought to protect listed fish species but which come up short. This implies that individual experts will be given broad discretion over project operations to make "short-term adjustments"--possibly to the usurpation of established laws and regulations in the name of optimizing or maximizing Delta exports relative to Delta inflows, water quality objectives, and Delta outflow, and potentially contrary to the SWRCB's role as the sole body with authority to change and enforce water quality objectives. For example, real-time operations and modeling were employed in 2014 and 2015 along the upper Sacramento River by the Bureau of Reclamation to manage and control temperature conditions, but failed to prevent large scale losses of winter-run and spring-run Chinook salmon while SWRCB staff and officials could only stand by helplessly. Real-time operations can create situations in which project operators can behave as they see fit, and apologize later. That is unacceptable now that listed fish species are so close to extinction. We doubt that real-time operations will have sufficient margins of error to prevent catastrophe. Instead, adjustments to water quality flow objectives should err on the side of precaution. Designated beneficial uses should be protected as required under the CWA and its implementing regulations. The most sensitive of them will be endangered further by water tunnels project operating criteria that reduce and reverse Sacramento River flows, and bring more polluted San Joaquin River water to Delta channels. The precautionary principle must come to the fore in state and federal fisheries and water project operations management. [Footnote 49: Peter Montague, accessed online 11 September 2015 at http://www.precaution.org/lib/pp_def.htm.] Sound policy preventing extinction and restoring and enhancing the integrity of Bay-Delta Estuary waters must come before new plumbing and south of Delta export deliveries. This is not a call to end south of Delta exports, but an appeal to state and federal officials that they realistically assess how to protect fully all beneficial uses under the CWA before reasonable quantities of Delta exports can be determined and permitted. The water tunnels project as proposed would put plumbing and exports first, which is neither an acceptable, lawful nor reasonable prioritization.	
650	24	The tunnels project fails to meet Section 404 requirement, "[t]he requirement [under CWA [Section] 404(b)(1)...that the project proponent must demonstrate that the project is the [Least Environmentally Damaging Practicable Alternative] LEDPA." [Footnote 50: USEPA, Preliminary Administrative Draft Comments for the Bay Delta Conservation Plan DEIR/S p. 2, April 26, 2012.] "A proposed action is not the LEDPA simply because a federal agency is a partner and chooses that proposed action as its preferred alternative." [Footnote 51: EPA, BDCP DEIS Corrections and Additional Editorial Recommendations, p. 1, August 27, 2014.] The tunnels project appears to be the most environmentally damaging alternative possible. It most definitely is not the least damaging, and therefore, it is not the LEDPA. Over two years ago, EPA pointed out that "Chapter 8 of the [Administrative Draft EIS] ADEIS indicates that, as proposed, all project alternatives of the BDCP would result in adverse effects to one or more beneficial uses within the affected water bodies." [Footnote 52: EPA's Comments on BDCP ADEIS, p. 3, July 3, 2013.] EPA also explained that "The DEIS should sharply distinguish between alternatives and evaluate their comparative merits,	Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. Because Clean Water Act Section 404 is a separate US. Army Corps of Engineers permitting process, the NEPA analysis does not reference the LEDPA but instead presents analyses of all of the alternatives for purposes of comparison and consideration by decision-makers. The EIR/EIS presents a reasonable range of 18 alternatives that vary by facilities proposed, operational scenarios and restoration types and amounts. This range of alternatives is considered more than adequate for the purposes of CEQA and NEPA. In addition Appendix 3A of this Final EIR/EIS discloses how alternatives were screened, including discussion of some of the alternatives proposed during the scoping process and from comments received on the Draft EIR/EIS. Please also refer to Master Response 4 for additional details on the selection of alternatives and compliance with CEQA and NEPA.

RECIRC Ltr#	Cmt#	Comment	Response
		consistent with 40 CFR 1502.14(b)." [Footnote 53: Id. p. 2.] Over one year ago, EPA explained to state agencies that: "Other reasonable alternatives could be developed by incorporating a suite of measures, including water conservation, levee maintenance, and decreased reliance on the Delta. Such alternatives would be consistent with the purpose and need for the project, as well as with the California Bay-Delta Memorandum of Understanding among Federal Agencies and the Delta Reform Act of 2009." [Footnote 54: EPA Detailed Comments on the Draft Environmental Impact Statement for the Bay Delta Conservation Plan; August 26, 2014, p. 13.] The "alternatives" of the water tunnels project presented in the Draft EIR/EIS and the RDEIR/SDEIS are nothing more than peas out of the same pod. There has been a complete failure on the part of the water tunnels project proponents to develop and consider a reasonable range of alternatives. That failure also includes refusal to consider and develop the Environmental Water Caucus Responsible Exports Plan, updated to A Sustainable Water Plan for California, that the Caucus provided to water tunnels project proponents on a silver platter almost 3 years ago--as well as failure to consider and develop "The 'Portfolio Approach' developed by a diverse set of stakeholders . . . one attempt to place Delta water management into the larger context of facilities investments and integrated operations." [Footnote 55: Id.] There has been a complete failure on the part of water tunnels project proponents to obtain and present the Reasonable and Prudent Alternatives (RPA) required under the Endangered Species Act. Under the NEPA Regulations, "This [alternatives] section is the heart of the environmental impact statement." The alternatives section should "sharply" define issues and provide a clear basis for choice among options by the decision-maker and the public. 40 C.F.R. [Section] 1502.14. Moreover, if "a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion." [Footnote 56: 40 C.F.R. [Section] 1502.9(a).]	
650	25	Operation of the water tunnels project would have enormous adverse environmental impacts causing and worsening violations of water quality standards. We understand that the exporters and their supporters wish to take enormous quantities of water away from the Delta upstream. But we have a government of laws, not of men and women. It is time either to drop this horrendously damaging and expensive project or follow the law whether certain interests want to do so or not. If the project is not dropped, it is time to prepare a new Draft EIR/EIS for public and decision-maker review that presents some actual--alternatives--that would not include the water tunnels project and that would finally began to increase flows through the Delta. The range of reasonable alternatives required by NEPA in the new Draft EIR/EIS must include the Reasonable and Prudent Alternatives (RPA) produced pursuant to the Endangered Species Act and the Least Environmentally Damaging Practicable Alternative (LEDPA) pursuant to the Clean Water Act.	Please see Master Response 14, Water Quality. Also see Master Response 4, Alternatives Development and Master Response 45, Permitting.
650	26	The long-term decline of the San Francisco Bay Delta Estuary is a story of our lost connection with nature. Once a pristine ecosystem and the West Coast's largest estuary--a rich, biodiverse habitat of unspoiled grasslands, riparian forests, willow thickets, and other features, with an abundance of native fish species such as salmon--the Delta has suffered	The preferred alternative, Alternative 4A, proposes to stabilize water supplies, and exports could only increase under certain circumstances in which hydrological conditions result in availability of sufficient water and ecological objectives are fully satisfied. It is projected that water deliveries from the federal and state water projects under the preferred alternative would be about the same as the average annual amount of

RECIRC Ltr#	Cmt#	Comment	Response
		tremendously from the misguided belief that nature can be endlessly exploited and degraded. As a first step towards recovery, we must enhance flow, which is essential for aquatic species populations, the larger health of the Delta, and Delta communities. The water tunnels project instead reinforces the objective of increasing Delta exports, while reducing Delta outflow and San Francisco Bay inflow. As such, it fails to achieve its purpose of conserving the Delta ecosystem and recovering threatened and endangered species.	water that would be diverted under the No Action Alternative (i.e. 2025 conditions without the preferred alternative). It is projected that Delta exports from the federal and state water projects would either remain similar or increase in wetter years and decrease in drier years under Alternative 4A as compared to exports under No Action Alternative (ELT) depending on the capability to divert water at the north Delta intakes during winter and spring months. The estimated changes in deliveries for 4A are provided in the Section 4.3.1 and Appendix A Chapter 5 Water Supply. Although exports under the preferred alternative would be about the same as the amount water exported in recent history, it would make the deliveries more predictable and reliable, while reducing other stressors on the ecological functions of the Delta.
650	27	The water tunnels project also will violate the CWA, by harming designated beneficial uses of water (especially the most sensitive uses like migrating and spawning rare fish) and violating pollutant numeric criteria. The water tunnels project will lead to the degradation of water for human use by millions in the region of the San Francisco Bay-Delta Estuary.	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
650	28	We can still restore and enhance the integrity and health of the Bay-Delta Estuary by adopting (at a minimum) sufficient flows to support healthy fish species and Delta habitats. Moreover, the time is overdue to establish a comprehensive instream water rights program that ensures the longevity of the Delta ecosystem and species, and serves as a model for the state as a whole.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised.
650	29	[ATT1: Attachment 1 -- Graphs and tables of Modeled Flow Reductions below the North Delta Intakes]	This comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
650	30	[ATT2: Attachment 2 -- Graphs of Average Residence Time of Water in Delta Regions, Alternative 4 (and 4A) and No Action Alternative]	This comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
650	31	[ATT3:] Reducing flows in the Sacramento River is not a "waterfix," certainly not for the Bay- Delta Estuary. This will increase residence time of water in the Bay-Delta Estuary relative to current conditions and to a future without the tunnels; salinity violations and will increase with the water tunnels project as well. [Footnote 57: RDEIR/SDEIS, Section 4.3.4, p. 4.3.4-67, lines 4-12.] (See Attachments 2 [ATT2] and 3 [ATT4].) DWR and its partners opted not to model residence time behavior for Alternative 4A and the other "California WaterFix" alternatives (2D and 5A). However, the water source "fingerprinting" analyses in both last year's and this year's modeling appendices show replacement of good quality Sacramento River water with lower-flow and poorer quality San Joaquin River water, so it is reasonable, in the absence of more definitive modeling, that relative to existing conditions residence times will increase with the tunnels project under both Alternatives 4 and 4A. This is borne out in our analysis of criteria pollutants in Attachment 5 [ATT6]. The lower-flowing and more polluted San Joaquin River will make up greater fractions of water flowing into the western Delta, Franks Tract, and at Contra Costa Water District's Rock Slough intakes. [Footnote 58: This reasoning is confirmed by source-water fingerprint modeling provided in both the 2013 Draft EIR/EIS and the 2015 RDEIR/SDEIS. The source water fingerprint modeling results are found in Bay Delta Conservation Plan, Draft EIR/EIS/November 2013, Appendix 3D, pp. 147-168, 8D-171 to 8D-192; and in Bay Delta Conservation Plan, Recirculated Draft EIR/Supplemental Draft EIS, Appendix B, pp. B-191 to B-256.] Meanwhile, better quality Sacramento River water diverted into the tunnels will	The water quality analysis presented in Chapter 8, Water Quality, and resulting impact determinations for each constituent assessed is based on the modeling that is discussed in this comment, including the changing source water fractions where each alternative's effects on changing San Joaquin River, Sacramento River, and San Francisco Bay at Delta assessment locations is accounted for. As shown by the impact assessment in Chapter 8, the changing source water fractions due to the operations of facilities under Alternative 4A would have a less than significant impact on assessed constituents, except for electrical conductivity (EC). The impact to EC would be less than significant with implementation of the proposed mitigation. The specific constituents raised in this comment, and further discussed in Attachment 5 to the comment letter, are addressed in responses to comments 650-34 through 650-42. Please also see Master Response 14 regarding water quality.

RECIRC Ltr#	Cmt#	Comment	Response
		improve state and federal export water quality, making Delta water quality elsewhere the poorer. [Footnote 59: Bay Delta Conservation Plan Draft EIR/EIS, November 2013, Appendix 8D (figures for Alternative 4, Scenarios H3 and H4), 2013; BDCP/California WaterFix, Recirculated Draft EIR/Supplemental Draft EIS, Appendix B, Section B.4.2 (figures for No Action Alternative, Alternative 4A, Scenarios H3 and H4), 2015; analyzed by Restore the Delta.]	
650	32	[ATT4: Attachment 3 -- Graphs of Projected Salinity Effects by 2060]	This comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
650	33	[ATT5: Attachment 4 -- Graphs of Through-Delta Survival Rates of Emigrating Juvenile Salmon Races Under Alternative 4A]	This comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.
650	34	[ATT6:] Although period average concentrations decrease with tunnels operations (except for Sacramento River at Emmaton and Contra Costa Water District's Pumping Plant No. 1), agricultural (that is, crop sensitivity) threshold of 500 micrograms per liter (µg/L) would see exceedances a substantial percentage of the time at San Joaquin River at Antioch and Sacramento River at Mallard Island. [Footnote 60: RDEIR/SDEIS, Appendix B, Table Bo-3, p. B-71.] The tunnels project will increase boron concentrations throughout the year at the south fork of the Mokelumne River, as well as at Franks Tract and Old River at Rock Slough, relative to both existing conditions and No Action Alternative. [Footnote 61: RDEIR/SDEIS, Appendix B, Table Bo-4 and Bo-5, pp. B-73 and B-74.] In the western Delta, boron concentrations increase with tunnels operation relative to existing conditions and No Action Alternative between February and September, most months of the year. Finally, boron concentrations increase at the Contra Costa Water District's Pumping Plant No. 1, while boron concentrations decrease the North Bay Aqueduct intakes at Barker Slough and at Banks and Jones pumping plants of the state and federal water projects.	As noted by the comment letter Attachment 5, modeling results show that the only two assessed Delta locations that show exceedances of the 500 µg/L threshold used to evaluate effects to agricultural uses are the San Joaquin River at Antioch and the Sacramento River at Mallard Island. These locations also show exceedances under Existing Conditions. With Alternative 4A, the frequency of exceedance of the threshold would decline at both locations relative to Existing Conditions. Further, the 500 µg/L threshold is a literature value from which agricultural effects were evaluated, but it is not a federal or state adopted water quality criterion/objective. There would be no exceedance of the 2,000 µ/L human health threshold utilized for the assessment. Thus, for the reasons described in Chapter 8, Water Quality, Impact WQ-3, Alternative 4A (and 2D, and 5A) would have less than significant impacts to boron. Please see Master Response 14 regarding water quality.
650	35	[ATT6:] For both human health and aquatic life criteria, the tunnels project would increase the frequency of criteria violations in the interior and western Delta, but would decrease bromide violations 25 to 305 percent of the time at Banks and Jones pumping plants. Western Delta bromide concentrations are a problem for Antioch diversions as well. One method of evaluating the tunnels project's bromide concentrations suggests that wet years may see increases rather than decreases. [Footnote 62: RDEIR/SDEIS, Appendix B, Table Br-1 and Table Br-2, pp. B-84, and Tables Br-5 and Br-6, p. B-87.]	As described in the Bromide subsection of Section 8.3.1.7, Constituent-Specific Considerations Used in the Assessment, in Chapter 8, Water Quality, there are no federal or state regulatory criteria/objectives for the bromide for surface waters. This section states that source water with bromide between 100 µg/L and 300 µg/L is believed sufficient to meet currently established drinking water criteria for disinfection byproducts, depending on the amount of Giardia inactivation required. This section also acknowledges the CALFED Drinking Water Program goal of 50 µg/L. The finding of less than significant impacts of Alternative 4A for bromide in Impact WQ-5 is based on the quantified small changes in bromide concentration identified in the modeling relative to these thresholds. Please see Master Response 14 regarding water quality.
650	36	[ATT6:] The Mokelumne River south fork at Staten Island sees significant increases in chloride concentrations all year, every year. This is closely influenced by reduced flow through Georgiana Slough downstream of the north Delta intakes. Other interior and western Delta areas will see increased chloride concentrations relative to both existing conditions and No Action Alternative by the tunnels during March through June (for interior locations) and March through August for Sacramento River at Emmaton, San Joaquin River at Antioch and Sacramento River at Mallard Island. [Footnote 63: RDEIR/SDEIS, Appendix B, Tables Cl-6	While the modeling shows that Mokelumne River chloride concentrations at Staten Island would increase, Tables Cl-2 and Cl-3 in Appendix B of the RDEIR/SDEIS show that those concentrations would be relatively small and long-term average concentrations would be 20 mg/L, well below the 250 mg/L drinking water MCL. Regarding the Sacramento River at Emmaton, San Joaquin River at Antioch, and Sacramento River at Mallard Island, changing chloride concentrations is just one component of the chloride assessment to make impact determinations. As described in Impact WQ-7 in Chapter 8, Water Quality, the combined considerations of changes in chloride concentrations, frequency of exceedance of applicable water quality objectives, and degradation relative to the No Action Alternative condition (the comparison of which isolates the effects of the alternative from those due to climate change), relative to beneficial uses lead to the less

RECIRC Ltr#	Cmt#	Comment	Response
		through Cl-9 for two estimation methods and the two operational scenarios (H3 and H4), pp. B-93 and B-96.]	than significant impact conclusion. Please see Master Response 14 regarding water quality.
650	37	[ATT6:] The "California WaterFix" tunnels will more than triple the number of spikes in excess of salinity objectives along the Sacramento River downstream of the tunnels, and along the San Joaquin River at Prisoners Point. Outright violations of salinity objectives are expected to more than double with the tunnels in place. [Footnote 64: RDEIR/SDEIS, Appendix B, Table EC-1, p. B-129. "Spikes" here means daily exceedances of a salinity objective, while compliance with objectives is determined by comparing multi-day running averages with an objective. When the running average is exceeded, a violation is then deemed to occur by regulators.] These violations will degrade water quality for Delta agriculture and for fish and wildlife beneficial uses. This means that the State Water Resources Control Board cannot issue a 401 certification regardless of whether it has adequately assessed the project's propensity to degrade water quality. Along the lower Sacramento River, salinity violations will more than double, and will occur about a quarter of the time that salinity objectives are in effect, up from about 11 percent of the time now and with the "California WaterFix" tunnels in place. These conditions will worsen relative to current and future conditions between May and September, especially in drought years (which are expected to increase in frequency). Interior Delta salinity will also worsen between March and September (such as along the South Mokelumne River and at San Andreas Landing on the San Joaquin), as well as between February and June at Prisoners Point along the San Joaquin. [Footnote 65: RDEIR/SDEIS, Appendix B, Tables EC-8A and EC-8B, pp. B-134 to B-135.] The tunnels will be the opposite of a "WaterFix" for Suisun Marsh. "California WaterFix" modeling results show that every month's average salinity will increase about 56 percent over present conditions and about 60 percent over future conditions in the Beldon Landing area, 28 percent over present conditions and 27 percent over future conditions near Sunrise Duck Club, and 27 percent over present conditions and 26 percent over future conditions along Suisun Slough near Volanti Slough. [Footnote 66: RDEIR/SDEIS, Appendix B, Tables EC-5, EC-6, and EC-7, pp. B-131 to B-132.] This altered salinity regime will result in less habitat for fish and other aquatic species native to the Bay-Delta Estuary, as well as affect agricultural soils and vegetation in Suisun Marsh.	Impacts to electrical conductivity in the Sacramento River at Emmaton and San Joaquin River at Prisoners Point due to Alternative 4A have been acknowledged and identified as significant in Chapter 8, Water Quality, Impact WQ-11. Mitigation has been proposed that would reduce this impact to less than significant. EC changes at other Delta locations would not result in objective exceedances or degradation that would result in adverse effects to beneficial uses, as described further in Impact WQ-11. Regarding Suisun Marsh, the modeling results provided in the RDEIR/SDEIS and cited in the comment are based on modeling that assumed no operation of the Montezuma Slough Salinity Control Gates. As explained in the RDEIR/SDEIS, Appendix A, Chapter 8, Water Quality, Impact WQ-11, the project description includes continued operation of the gates and modeling conducted for the Final EIR/EIS included the gate operation. The modeling results for EC in the Final EIR/EIS in Chapter 8, Water Quality, Impact WQ-11 confirm that EC levels in Suisun Marsh would not be substantially different from Existing Conditions or the No Action Alternative. With regards to water quality, please see Master Response 14. With regards to beneficial use, please see Master Response 34.
650	38	[ATT6:] Tunnels project modeling results indicate increases of nitrates relative to the No Action Alternative of 19 to 34 percent for interior Delta locations in all years (except for San Joaquin River at Buckley Cove near Stockton). Similar modeling results are shown for the western Delta as well, 16 to 30 percent increases in salinity. And Contra Costa Water District's Pumping Plant No. 1 is projected to see a 25 percent increase in nitrates. This would likely result in significant increases in water treatment costs for the District. In all of these locations the monthly period average changes were almost all increases in the range of 10 to 30 percent. As with other pollutants, nitrate concentrations are expected in tunnels modeling results to decrease significantly at Barker Slough, Jones and Banks. [Footnote 67: RDEIR/SDEIS, Appendix B, Tables N-4 and N-5, pp. B-162 and B-163.]	This comment identifies how nitrate is projected to increase at certain Delta locations, but the resulting long-term average concentrations and degradation relative to applicable water quality objectives must be considered, along with the non-conservative nature of nitrate in ambient surface waters. As explained in Chapter 8, Water Quality, Impact WQ-15, long-term average nitrate concentrations would change little on an absolute concentration basis, and would remain well below adopted state water quality objectives at all Delta assessment locations. These considerations lead to the less than significant impact determination for nitrate. Please see Master Response 14 regarding water quality.

RECIRC Ltr#	Cmt#	Comment	Response
650	39	[ATT6:] Algae occur naturally in all fresh and marine water environments. Most species are harmless under normal circumstances, but some "cyanobacteria" (also known as "blue-green algae") which use photosynthesis can "bloom" or undergo a rapid population boom during periods of slack flow, nutrient pollution conditions (such as from nitrates, nitrogen and phosphorus), and rising temperatures. Their sheer biomass can cause, according to the USEPA, a dramatic reduction or complete consumption of all dissolved oxygen in the water, suffocating oxygen-respiring organisms like fish, and can produce "cyanotoxins" that pose a significant potential threat to human and ecological health and affect taste, odor and safety of drinking water. They can degrade water ways used for recreation and as drinking water supplies. [Footnote 68: USEPA Region 9, Frequently Asked Question and Resources for Harmful Algal Blooms and Cyanobacterial Toxins, Version 1, July 2015. Accessible at http://www2.epa.gov/sites/production/files/2015-07/documents/habs_faqs-and-resources_v1-july2015.pdf.] When these conditions combine, harmful algal blooms can result. These conditions are ripest in August and September in the Estuary, but drought can increase harmful algal bloom activity. The most common blue-green algae species in the Bay-Delta Estuary is called Microcystis. In 2014, Microcystis algal blooms lasted beyond October into December due to low flows and warm temperatures--water residence time was that long. [Footnote 69: Peggy Lehman, Staff Environmental Scientist, California Department of Water Resources, presentation to IEP 2015 Workshop, Folsom, California, "Response of Microcystis to Drought," , March 20, 2015.] Its toxin is deadly to wildlife, dogs, and human beings, and exposure can cause liver cancer in humans. It is a dangerous ecological and public health threat. The tunnels are likely to increase residence times and slow flows in the western and central Delta. The recirculated Draft EIR/S this year acknowledges that "it is possible that increases in the frequency, magnitude, and geographic extent of Microcystis blooms in the Delta would occur relative to Existing Conditions" [Footnote 70: RDEIR/SDEIS, Section 4.3, p. 4.3.4-67.] as well as compared with the "no action alternative" (or the future condition of the Delta without "California WaterFix" tunnels).	The comment is correct in that Impact WQ-32 for Alternatives 4A, 2D, and 5A identifies increased Microcysis bloom formation potential relative to Existing Conditions, but that is due to the effects of increased temperatures and lower residence times due to climate change. Compared to the No Action Alternative, which isolates the effects of the project alternatives separate from climate change, Impact WQ-32 for Alternatives 4A, 2D, and 5A concludes that no expected to result in adverse effects on Microcystis. Please see Master Response 14 for additional address of comments regarding the Microcystis assessment, and regarding new information supporting the Microcystis assessment for Alternatives 4A, 2D, and 5A.
650	40	[ATT6:] The San Joaquin River is an impaired water body for chlorpyrifos, diazinon, diuron, DDT, and Group A pesticides (human carcinogens) under the Clean Water Act. [Footnote 71: US EPA, 2010 California 303(d) List of Water Quality Limited Segments. Accessible online at http://gispublic.waterboards.ca.gov/pub/303d/2010_USEPA_approv_303d_List_Final_122311wsrcs.xls.] Increasing that river's fraction of water contributed to the Delta will result in more concentrated pesticides reaching central and western Delta water ways from the San Joaquin, and with longer residence times, its pesticide burdens stay longer. The Bay-Delta Estuary will be left with a worsening pesticide "cocktail" supplied by the San Joaquin River's agricultural effluent.	The changing source water fractions, including the higher fraction of San Joaquin River, were a consideration in the determination that Alternative 4A would have a less than significant impact to pesticides at the Delta assessment locations, as described in Chapter 8, Water Quality, Impact WQ-21. The assessment concluded the relatively higher proportion of San Joaquin River water would not increase the risk of toxicity to aquatic life. Please see Master Response 14 regarding water quality.
650	41	[ATT7: Graphs of Mercury Concentrations in Largemouth Bass]	This comment describes an attachment to the comment letter. The attachment does not raise any additional issues related to the environmental analysis in the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS that are not already addressed in comment referencing the attachment or the Final EIR/EIS.

RECIRC Ltr#	Cmt#	Comment	Response
650	42	[ATT6:] As shown in the table of charts [ATT7], the ratio of mercury concentrations in largemouth bass tissue was for Alternative 4 tunnels scenarios well over 1.5 to twice or more the toxicity threshold. [Footnote 72: Environmental Water Caucus, Comment Letter on Bay Delta Conservation Plan and Draft Environmental Impact Report/Statement, June 11, 2014, Figure 9, pp. 85-86. Accessible online at http://ewccalifornia.org/reports/bdcpcomments6-11-2014-3.pdf.] (DWR and its partners try to divert attention from the toxicity threshold by comparing these levels to continuation of the status quo No Action Alternative [Footnote 73: Bay Delta Conservation Plan/California WaterFix, Recirculated Draft EIR/Supplemental EIS, 2015, Section 4.3.4, p. 4.3.4-33, lines 15-45.], but the important comparison is to the toxicity threshold for ecological and public health protection.) Alternative 4A modeling in 2015 shows that the tunnels project despite having less habitat restoration and no Yolo Bypass improvements would have only slightly less effect on fish tissue concentrations of mercury. Moreover, fish tissue concentrations at several Estuary locations would still be more than 1.5 to 2 times the USEPA's mercury guidance concentration. This analysis, however, does not reflect "California EcoRestore's" habitat restoration efforts, which cumulatively can be expected to have impacts similar to the tunnels and the Bay Conservation Plan last year. [Footnote 74: Based on Equation 1 calculations according to Appendix 8I of the Bay Delta Conservation Plan Draft EIR/EIS in 2013-2014 and Appendix B (Tables Hg-5 and Hg-7) and Appendix 8I of the Recirculated Draft EIR/Supplemental EIS in 2015. See also Environmental Water Caucus, Comment Letter, June 11, 2014, above.] The Bay Delta Conservation Plan states that "at this time... there is no proven method to mitigate methylation and mobilization of mercury into the aquatic system resulting from inundation of restoration areas. The mitigation measures...are meant to provide a list of current research that has indicated potential to mitigate mercury methylation." [Footnote 75: Charles N. Alpers, et al, Sacramento-San Joaquin Delta Regional Ecosystem Restoration Implementation Plan, Ecosystem Conceptual Model: Mercury, prepared January 24, 2008, pp. 12-13. Accessible online at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=6413. "The net formation of ...(MeHg) in sediment and/or water is the result of competing microbiological and abiotic reactions..."] The water tunnels project provides no mitigation method at all, just a list of "adaptive management" research issues to be handled later. [Footnote 76: These research approaches include: Characterize soil mercury concentrations and loads on a project-by-project basis; sequester MeHg using low-intensity chemical dosing techniques using metal-based coagulants like ferric sulfide or poly-aluminum chloride. These flocculants bind with dissolved organic carbon and MeHg to flocculate and deposit mercury out of solution; minimize microbial methylation activity in restored wetlands; design restored wetland habitat to enhance photodegradation of MeHg; remediate sulfur-rich sediments with iron to prevent the biogeochemical reactions that methylate mercury; cap mercury-laden sediments (essentially entomb and bury them permanently to keep from mobilizing and methylating mercury). The research "measures" that BDCP proposes do not include basic toxicological research into mercury's effects on these and other fish and aquatic species found in the Delta.] Calling the tunnels project "California WaterFix" plus DWR's premature application to the Corps of Engineers are not real adaptive management, but political	Please refer to Master Response 14 regarding mercury.

RECIRC Ltr#	Cmt#	Comment	Response
		prejudging of scientific outcomes. For both tunnels construction and habitat restoration work in and around the Bay-Delta Estuary, DWR and its partners would have to handle MeHg on a case by case basis. [Footnote 77: Bay Delta Conservation Plan Environmental Impact Report/Environmental Impact Statement, Chapter 8, Water Quality, p. 8-260, lines 30-35; p. 8-446, lines 39-42, and p. 8-447, lines 1-2. "Because of the uncertainties associated with site-specific estimates of methylmercury concentrations and the uncertainties in source modeling and tissue modeling, the effectiveness of methylmercury management...would need to be evaluated separately for each restoration effort, as part of design and implementation. Because of this uncertainty and the known potential for methylmercury creation in the Delta this potential effect...is considered adverse."]	
650	43	[ATT6:] Selenium concentrations in water are expected to change only slightly under the tunnels project's flow regimes, annual average selenium concentrations in whole-body sturgeon are expected to increase substantially, according to tunnels project modeling results in the RDEIR/SDEIS. These results are summarized in the table below. In addition, the RDEIR/SDEIS reports that protective toxicity thresholds recommended by Presser and Luoma will be exceeded under tunnels project flow regimes relative to No Action Alternative conditions. In particular, their "low" threshold of 5 mg/kg, dry weight would see an exceedance quotient of 1.1 for both operational scenarios of the Tunnel Project, relative to the No Action Alternative condition of 0.95 for the San Joaquin River at Antioch. Under the higher protective threshold they recommend, the exceedance quotient would not rise above 1.0, but would nonetheless increase from 0.59 to about 0.7. For Sacramento River at Mallard Island, average annual exceedance quotients under tunnels project flow conditions would increase over the No Action Alternative from 0.88 to 0.99, very close to exceedance. Modeling results do not report the error rate for the modeling here performed, so these results could represent exceedance, since they are so close to 1.0. [Footnote 78: RDEIR/SDEIS, Appendix B, Table Se-7, p. B-186.] Retirement of the drainage impaired lands of the western San Joaquin Valley has been found time and again to be the most cost-effective solution to the problem of selenium-tainted irrigation drainage. [Footnote 79: Presser, T.S. and S.E. Schwarzbach. 2008. Technical Analysis of In-Valley Drainage Management Strategies for the Western San Joaquin Valley, US Geological Survey Open File Report 2008-1210. Accessible online at http://pubs.usgs.gov/of/2008/1210/.] Land retirement is the best and cheapest option for slowing the rate at which selenium loads and concentrations reach the Delta, and for sequestering selenium in its source rock and soils longer into the future. The natural reservoir of selenium has been documented to hold up to at least another 300 years' worth of tainted drainage at current rates. [Footnote 80: T.S. Presser and S.N. Luoma, 2006. Forecasting Selenium Discharges to the San Freancisco Bay-Delta Estuary: Ecological Effects of a Proposed San Luis Drain Extension, United States Geological Survey Professional Paper 1646, cited in: T. Stroshane, Testimony on Recent Salinity and Selenium Science and Modeling for the Bay-Delta Estuary, plus appendices, prepared for the California Water Impact Network, August 17, 2012, for Workshop #1, Ecosystem Changes and the Low Salinity Zone, before the State Water Resources Control Board.] The National Research Council's 2012 report on Bay-Delta sustainable water management cited this selenium reservoir as well, stating in part:	Please refer to Master Response 14 regarding selenium.

RECIRC Ltr#	Cmt#	Comment	Response
		Irrigation drainage, contaminated by selenium from those soils, is also accumulating in western San Joaquin Valley groundwaters. The problem is exacerbated by the recycling of the San Joaquin River when water is exported from the delta. While control of selenium releases has improved, how long those controls will be effective is not clear because of the selenium reservoir in groundwater. ...Other aspects of water management also could affect selenium contamination. For example, infrastructure changes in the delta such as construction of an isolated facility could result in the export of more Sacramento River water to the south, which would allow more selenium-rich San Joaquin River water to enter the bay. The solutions to selenium contamination must be found within the Central Valley and the risks from selenium to the bay are an important consideration in any infrastructure changes that affect how San Joaquin River water gets to the bay. [Footnote 81: National Research Council, Committee on Sustainable Water and Environmental management in the California Bay-Delta, Sustainable Water and Environmental Management in the California Bay-Delta, Washington, DC: The National Academies Press, 2012, p. 94. Accessible online 8 May 2014, at http://www.nap.edu/catalog.php?record_id=13394.] Of course, ending application of Delta waters to irrigate western San Joaquin Valley drainage impaired lands could reduce the need for deliveries to the San Luis Unit of the Central Valley Project by up to a million acre-feet per year. This reduction could provide by itself dramatically improved reliability for all other CVP contractors' allocations, without the investment of billions for the tunnels project and "California WaterFix."	
651	1	I am a young adult sending my first political letter in order to express my strong opposition to the Delta tunnels plan. Facing a lifetime of ever-increasing climate catastrophes is a terrifying prospect. Your generation is still in power, and yet doesn't seem to care about the world you are leaving us.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts; as such the proposed project is intended to be environmentally beneficial. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Refer to Master Response 3 (Purpose and Need). See Chapter 29 of the EIR/EIS for information on climate change.
652	1	The fisheries diminished especially the salmon after 2004. The striped bass fishery has dramatically reduced, the Dept. of Fish & Wildlife set the healthy population at 3,000,000 and a year or so ago they estimated there were only 600,000 striped bass in the system. That is only 20 % of what was considered a healthy population.	This comment is an observation on fish abundance. Because no specific comments on the EIR/EIS are provided no response is required.
652	2	Farmers in the West Delta have had to change crops as the salinity of the irrigation water prevented some crops from surviving. This was caused by annual increases in the amounts of water being sent down the aqueducts to the south. The Westlands Irrigation Dist. [W.I.D.] farmers are raising crops that back at the construction of the aqueducts were not to be planted. Specifically they were to plant only annual crops so that in short water years the land could be held fallow. Further they were to only receive water that was excess to those who held senior water rights. So what have they planted; trees that require water whether there is excess or not! Well, we now know that the W.I.D. farmers ask and get what they want in-spite of farmers in the Delta whose families have been farming their land for over 100 years and have Senior Water Rights [S.W.R.]! This project impacts S.W.R. Farmers so severely that is unfathomable that anyone could or would support it.	The California WaterFix project is being proposed to address the conflict between the ecological needs of a range of at-risk Delta species and natural communities, while providing for more reliable water supplies for people, communities, agriculture, and industry. Please refer to Master Response 34 regarding the potential uses of water delivered via California WaterFix proposed conveyance facilities and Master Response 26 for additional discussion regarding exports and water rights.

RECIRC Ltr#	Cmt#	Comment	Response
652	3	There is insufficient water available to meet the desires of cities, and farmers south of the Delta. Other plans are needed to "save water" in our state i.e. conservation measures: more efficient irrigation, Desalination plants, use of reclaimed water, underground storage etc. etc.	DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project, Master Response 4 regarding the selection of alternatives analyzed, Master Response 7 regarding desalination, Master Response 6 regarding demand management, and Master Response 37 regarding water storage.
652	4	Why would anyone, especially taxpayers support a project that is not going to generate one additional drop of water for Californians? The only people supporting this plan are those people who believe they will receive additional water once it is complete! The tunnels will only increase the amount of water siphoned off the Delta and leave it a salt water wasteland. My wife, myself and my step-son oppose this project. We find it objectionable that the Dept. of Fish and Wildlife has not and still does not step forward and oppose it as the Delta Fisheries are being depleted and ocean salmon numbers are reduced. We find this project objectionable as it will only benefit junior water rights holders and punish Senior Water Rights holders.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights that were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The project water delivery system would be operated in a manner to protect water users and environmental habitat located upstream of and in the Delta in accordance with permits issued by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife. The project only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. More information on the ranges of project water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Section 3.6.4.2, North Delta and South Delta Water Conveyance Operational Criteria, EIR/EIS. Current limitations and operational criteria for existing facilities can be found in DWR's State Water Resources Control Board Permit D1641 (see http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/decision_1641/index.shtml) and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits (see http://www.usbr.gov/mp/cvo/ocap_page.html).
653	1	Indisputably, California faces severe water challenges. However, the Delta tunnels are not the solution. These tunnels endanger the health of the Delta and of San Francisco Bay, which is near my home, but is the home of many other species so important to our environment, and thus our health. This is not a good investment. A much less expensive fix of the levees can be done. The Army Corps of Engineers has undertaken many projects in the past with poor, unexpected outcomes.	The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.
653	2	Major fish species, long an important food source for California, will be imperiled; their stocks can be expected to severely decline, even if they are not eliminated in these waters. The health of an ecosystem is very complex, and such a major interference with its workings is unwarranted and unwise.	The commenter does not offer any evidence on how the project would result in aquatic impacts related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
654	1	I am writing to send my opposition to the tunnel project. What a fiasco! You couldn't do it before because the people do not want it, nor will it be good for the state, as your report spells out quite nicely. If you want to kill most native aquatic species in this part of the state, your tunnels will do it.	No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating

RECIRC Ltr#	Cmt#	Comment	Response
		We had the National Academy of Sciences give a report that states that a certain amount of water at critical times of the year is necessary for anadromous fish, but did your report say it would follow the National Academies advice? No, in fact I could not even find a reference to that report in your ill-prepared document. I call it a document as it does not follow the Council of Environmental Quality's recommendations for an adequate NEPA document. Since you can't even detail how much water will flow, or even detail the proposed impacts, how can you even promote something that is so inadequate? Californians do not want this fish-killing project. Californians want a living Delta, and this project will kill the state. Take it back. You people do not want the consequences of this fiasco to come to fruition.	criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.
655	1	I wanted to drop a quick note to voice my opposition to Governor Brown's latest attempt to ship water to the Los Angeles/San Diego area [and] destroy the Sacramento Delta region. We went through this same scenario when Brown was governor last time and the people voted against the poor idea. Now, he's at it again with his twin tunnel plan! I can't imagine how anyone thinks that pumping millions of gallons of fresh water south will not harm the already ecologically challenged Delta region. With our present drought, we're seeing firsthand the salt incursion that is happening due to lack of fresh water flowing into the Delta. I'm sure that this will be a continuous problem if the tunnels are built. The Delta region is a wonderful area for wildlife, recreation and exploration. Not to mention the myriad small Delta towns with rich history that will be hugely impacted (if not destroyed) by this project.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/EIS.
655	2	Let's encourage Governor Brown to seek a "legacy" project that is beneficial to the entire state!	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
656	1	I am opposed to this project. The damage to northern California will be hideous to deal with. It probably will not be correctable. The supports for the tunnels will sink solid materials down into the ground, to a depth that will cut off the flow of underground water from east to west. So, it will create vast amounts of water pooling east of the tunnels, and dry up the ground to the west. So, areas just west of the tunnels will completely dry up. Communities on the west of the tunnels, now relying on ground water as a source of drinking water will be out of luck. Obviously there will be no farming, since there will be no well water to draw upon. This area would encompass most of northern California. What are these people thinking? The loss of groundwater alone will turn everything west of the tunnels into desert. Millions of people live there, as well as animals. This will destroy the ecosystems east of the tunnels. For hundreds of miles north to south and hundreds of miles east to west.	The soil borings available for the area in the vicinity of the tunnel alignment (see the Conceptual Engineering Report) indicate that the soils between the ground surface and the bottom of the tunnel (up to 150 feet below the ground surface) consist of interspersed and disconnected lenses of gravels, sands, sandy silts, and lean clays. These disconnected lenses of permeable soils allows groundwater to flow around relatively infrequent impermeable lenses of consolidated clays and around the tunnel which will only occur between 120 and 150 feet below the ground surface. Water from the sloughs and rivers around all sides of the islands are interconnected with groundwater under the islands. The tunnel alignment would not preclude any of the island areas from being isolated from the effects of the rivers and sloughs, nor would the pipeline alignment stop the flow of water from the groundwater under the islands from flowing into the rivers and sloughs or cause groundwater to accumulate to higher groundwater elevations under the islands.
656	2	This tunnel project may seem like a quick fix, but it will create as many problems as it solves. If these tunnels are built, and affect me and my home, I promise to sue the state and federal governments for compensation. Compensation for property damage and my other personal losses. I also promise to spend the rest of my life encouraging everyone else injured by this to sue the state and federal governments, as well. This is a reckless plan and the state and federal governments will be paying a lot of money for having ruined the environment and the lives of people living in the affected areas.	When required, DWR would provide compensation to property owners for economic losses due to implementation of the proposed project. Construction of water conveyance facilities would be sequenced over approximately 10 years. Construction of individual components (e.g. intakes, tunnels) would range from one to six years. Temporary construction-related impacts include noise, visual, and transportation, among others. The construction-related impacts are disclosed in individual resource area chapters in the 2013 Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). All impacts would be minimized and mitigated to the degree feasible and are described under each alternative in the RDEIR/SDEIS individual resource chapters and in Appendix 3B, Environmental Commitments, EIR/EIS. An analysis of economic impacts of the proposed project, including impacts related to agriculture, recreation, water rates, and taxes

RECIRC Ltr#	Cmt#	Comment	Response
			are also evaluated and described in the Statewide Economic Impact Report (http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Draft_BDCP_Statewide_Economic_Impact_Report_8-5-13.sflb.ashx).
656	3	I have previously written to you about this issue. The problem is that southern California has never had an adequate natural water supply to support the population. I understand that the Los Angeles basin has a natural water supply for 500 people. They have upwards of 20 million people living there now. This is a local problem, and they need to step up and deal with it locally. Look at Santa Barbara: They limited new building to deal with similar issues. They have always been clear with residents that the water shortage is their problem first, not others. This is an exception, since most southern Californians actually believed that the water problem was limited to northern California. Well, it is their problem, and they need to first work with their own resources. Drain the swimming pools, place a moratorium on the building of new pools. Meter and limit water consumption by residents. Severely fine those who use too much water. Make southern Californians take out lawns. Build plants to make salt water drinkable on a large scale. There is no genuine, sincere effort being made in southern California to deal with their problem. So, instead, they have been harassing northern Californians to limit their water use for many years. Stalin deprived people in the Ukraine of food because there was a food shortage in the country in the 1930's. So, he chose one region of the USSR and refused to send food to them, thereby solving the national food shortage problem. Has the State of California chosen to deprive the people of northern California of water, to solve the southern California water problem? Something to think about, right?	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please refer to Master Response 6 for additional details on demand management. Also, please see Master Response 34 for additional details on the determination of beneficial use, Master Response 35 regarding Southern California's Water Supply and Master Response 3 for additional details on the project purpose and need.
657	1	I am a Stockton dentist and part of friends for the Calaveras River--this twin tunnels will destroy the delta water way and the entire communities around the water ways--no more water will go south, that is already going south with our current waterway system--spend the money to update that and allow the natural water flush to happen here--NO-NO-NO on twin tunnels.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts; as such the proposed project is intended to be environmentally beneficial. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Refer to Master Response 3 (Purpose and Need).
658	1	I wish to take this opportunity to voice my opposition to the Brown twin tunnels! A lesson in futility which robs the Delta and Northern California of a valuable resource. The money to fund this pipe dream of the governor would be better used by providing more water storage facilities and water treatment plants.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please refer to Master Response 6 for additional details on demand management and Master Response 37 regarding storage. Also, please refer to Master Response 4 for additional details on the selection of alternatives and Master Response 3 for information on the project purpose and need.
659	1	I stand with the County Board of Supervisors and Rep. Jerry McNerney in opposition to the twin tunnels. Southern California has long been greedy at the expense of the northern part of our state. The money spent of this project could well be used in Delta Levee restoration and improvements. Our agricultural lands need to be protected at all costs. I thought this quote from the California Water Resources Development Bond Act of 1960 says it all: "No area will be deprived of water to meet the needs of another."	The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The proposed project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta.
660	1	This is a very short-sided solution you have in the works. Please do not continue on with this plan.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds

RECIRC Ltr#	Cmt#	Comment	Response
			to the specific substantive portions of the comment letter that were submitted by the commenter. Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project.
661	1	This is not a water fix; it is costly to the taxpayers and ruins necessary habitat. All life forms are connected, and we are part of the planetary problems every time to pell-mell interfere with nature and its balance!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project. Socioeconomic effects of the various alternatives are described and assessed in Chapter 16, Socioeconomics, of the 2013 Public Draft BDCP EIR/EIS. A Draft BDCP Statewide Economic Impact Report has also been published, which indicates that the BDCP would result in a substantial economic net benefit to the State of California. Please see Master Response 5 for more information on costs and funding.
662	1	I don't live in California but I know a scam when I see one [and] so I am speaking up! The country is aware of what's going on here so I would say you need to end this plan.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S.
667	1	We will monitor your actions and we vote.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds

RECIRC Ltr#	Cmt#	Comment	Response
			to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
668	1	I have lived in California my entire life. I love our wild lands and the Delta has a special place among those -- great birding.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S.
669	1	Do not injure California even more than it's already hurt because of the drought.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
670	1	Stop the gluttony!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
671	1	Basically this is called "robbing Peter to pay Paul."	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
672	1	Californians must face the reality of where they live.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/EIS were raised.
673	1	The folly needs to cease, Governor Brown.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter.

RECIRC Ltr#	Cmt#	Comment	Response
			The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
674	1	These tunnels will suck away needed water for salmon and other native fish and most of the diverted water will be used to grow thirsty crops for export.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. Chapter 11, Fish and Aquatic Species, of the FEIR/FEIS describes the projected effects of the new preferred alternative, Alternative 4A to fish species. The analysis finds that there would be no adverse effects to salmonids.
675	1	It will unacceptably jeopardize all aquatic and bird life in the Sacramento River and Bay-Delta estuary.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The lead agencies disagree that the project will jeopardize the Delta's aquatic and bird life. Chapters 11 and 12 Final EIR/EIS describe the project's expected effects, based on the best available data. In addition, both chapters present measures that would avoid, minimize, and compensate for significant impacts.
676	1	I'm temporarily living in California, and everyone I know is against the Delta tunnels project.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
677	1	Healthy planet before profit.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
678	1	Oppose the Delta Tunnels (California WaterFix, Alternative 4A) - animals deserve water, too!	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. See Master Response 3 (Purpose and Need).

RECIRC Ltr#	Cmt#	Comment	Response
679	1	What a boondoggle. Even if I thought the tunnels were good idea -- and I don't -- we don't have the money to build it. Don't even try to tell us you know what the ultimate cost of this will be.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. Refer to Master Response 5 (Cost).
680	1	I have spent my entire life growing up in the Lodi area and embracing the incredible outdoor resources our area has to offer. This includes the San Joaquin Delta and most of the rivers that feed into this large estuary. I also know many farming families who have farmed and been stewards of the Delta for several generations. In addition, as a fishing guide, I understand the importance of this estuary as it is the path to both migrating anadromous species and other species to their spawning grounds in the many rivers that feed the Delta.	The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. The Lead Agencies discuss community character in Chapter 16 of the EIR/EIS and RDEIR/SDEIS Appendix A (Socioeconomics) identifies the unique features of the Delta and describes the potential effects on Delta communities. Please see chapter 15 for a discussion on impacts to recreation. Impacts to agriculture are identified and discussed in Chapter 14; project proponents have proposed measures that would support and protect agricultural production in the Delta by securing agricultural easements and/or by seeking opportunities to protect and enhance agriculture with a focus on maintaining economic activity on agricultural lands. Please see Master Response 18 for more information on agricultural mitigation.
680	2	This is a bad idea to divert water that currently does not even exist to support the hedge fund almond orchards and other water users in Central and Southern California. As a society, we typically don't miss our water until the well is dry, as demonstrated by the four-year drought in California. Please don't push this terrible idea through.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under a fully-implemented Alternative 4A are projected to be about the same as the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline. See Master Response 34 (Beneficial Use of Water).
681	1	I support any and all opposition to the building of the twin tunnels as this boondoggle will devastate the economy and environment of my home.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S.
682	1	The twin tunnels seem like the worst possible alternative to "fix" our state's water problems. Storm water and gray water capture and cleaning systems for cities and individual residences, more subsurface storage efforts, and desalination are all better ideas than just another water grab that fuels the south state's addiction. The entire project is a huge waste of taxpayer's money. Governor Brown needs to get over his daddy issues.	As a plan prepared to meet the rigorous standards of the federal and state Endangered Species Acts, the proposed project is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under a fully-implemented Alternative 4A are projected to be about the same as the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline. For more information regarding desalination please see Master Response 7.
683	1	I am 61 years young and have been living around the Delta most my life. I feel very strongly	Please see Master Response 3 regarding the purpose and need for the project. Please see Master Response

RECIRC Ltr#	Cmt#	Comment	Response
		against the twin tunnels. Isn't there another option for the south to obtain water? How about more reservoirs down south? Or desalination plants to pump from the Pacific Ocean? Please don't kill our Delta. I am against the twin tunnels, period.	4 regarding the selection of alternatives analyzed. The proposed project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. Although conservation components and demand management measures have merit from a statewide water policy standpoint, and are being implemented or considered independently through the state, they are beyond the scope of the proposed project. The California WaterFix is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies, and the recovery and conservation of threatened and endangered species that depend on the Delta. Appendix 1C, Demand Management Measures, in the EIR/EIS, describes conservation, water use efficiency, and other sources of water supply including storm water drainage. While these elements are not proposed as part of the BDCP or the California WaterFix, the Lead Agencies recognize that they are important tools in managing California's water resources. Please also see Master Response 7 regarding desalination.
684	1	Trashing Northern California and ruining the Delta should not be options. There is no such thing as more water from the Delta. Diverting more of Northern California's water to satisfy special interests and greed is hardly justifiable or responsible. I hereby object to the twin tunnels solution and to continued or additional support of special interests at the expense of our own survival. Our responsibility to future generations is to restore the Delta, to maintain and/or restore as much as is humanly possible the ecosystems which have been gradually disappearing to the detriment of several species.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts, as such it is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. See Master Response 3 (Purpose and Need) and Master Response 34 (Beneficial Use of Water).
684	2	Profit should not be the consideration in this case. New developments should not be considered. New orchards or even sustaining cattle enterprises should not be considered. Maintaining our environment and the ecology which has (or had been) sustaining life in California is a survival issue. Impoverishing one area to promote another is not sound governance.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please refer to Master Response 34 for additional details on the determination of beneficial use. Also, please see Master Response 3 for additional details on the project purpose and need.
684	3	If we allow every special interest to profit at the expense of nature, soon our own survival will be in question. The time to stop catering to special interests at the expense of our own survival, or that of our children and grandchildren, is now. Actually, it should have occurred long ago. We need to preserve water systems, not deplete or further damage them. Tomorrow may be too late. Future generations will decry the wasted opportunities if this trend continues unabated. Please, stop the development of the twin tunnels. I submit that future development in California needs to bring and/or provide its own water solutions without further damaging or endangering Northern California. Robbing Peter to pay Paul is not a solution. It is only postponement at great expense. Restore the Delta. Restore respect for Nature. Man, after all, has already caused enough damage. It is time for solutions, but this is not a solution, merely an extremely unwise, ruinous and costly temporary stopgap.	Since 2006, the proposed project has been developed based on sound science, data gathered from various agencies and experts over many years, input from agencies, stakeholders and independent scientists, and more than 600 public meetings, working group meetings and stakeholder briefings. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project.
685	1	I am writing to state my opposition to the building of the twin tunnels. I believe this proposal is a "water grab" for the purpose of sending northern California water to southern California! Just because there are more politicians representing a greater population in southern California does not make it right to transport northern California water to the	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S.

RECIRC Ltr#	Cmt#	Comment	Response
		southern part of the state.	
685	2	You will not build these tunnels and devastate the economy and quality of life in the part of the state in which I live! That such a proposal would be put forth at this time of historic drought is not only short-sighted, but also unconscionable and even immoral.	Please refer to Master Response 3 regarding the purpose and need for the project. For more information regarding impacts to socioeconomics and its associated mitigation measures please see Chapter 16 of the FEIR/EIS.
686	1	As a citizen who utilizes California's natural environment, I strongly oppose the Delta water tunnel construction. Even before the drought, the Delta aquatic environment had been degraded. With this new water plan it will be destroyed. I've admired Gov. Brown's management of this state but this is a completely misguided attempt to deliver water to the ever growing development in the arid part of our state. Please stop.	As a plan prepared to meet the rigorous standards of the federal and state Endangered Species Acts, the proposed project is intended to be environmentally beneficial, not detrimental. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under a fully-implemented Alternative 4A are projected to be about the same as the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline.
687	1	Downstream from the Delta, the tunnels would directly harm San Francisco Bay by changing the Bay's salt levels. Removing so much fresh water would also remove water-borne sediment that would have flowed downstream to nourish the Bay's wetlands. The wetlands filter out pollution, provide vital wildlife habitat and help protect the shoreline from sea level rise caused by global climate change. The tunnel project could make efforts to restore wetlands around the Bay more difficult. And without adequate sediment to help marshes grow and migrate as sea levels rise, existing Bay wetlands could disappear.	The water quality assessment in Chapter 8, Water Quality, and modeling results find that the project (Alternative 4A) would result in less-than-significant impacts to San Francisco Bay water quality. The remainder of the comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
688	1	Stop this huge waste of public money!!..We need more dams before we build tunnels. We have to save more water before we share it. As usual this is a political b.s. fight. Stop the tunnels!	While water storage is a critically important tool for managing California's water resources, it is not a topic that must be addressed in the EIR/EIS for the proposed project. This is because the proposed project does not, and need not, propose storage as a project component. Although the physical facilities contemplated by the proposed project, once up and running, would be part of an overall statewide water system of which new storage could someday also be a part, the proposed project is a stand-alone project for purposes of CEQA and NEPA, just as future storage projects would be. Appendix 1B, Water Storage, of the 2013 Public Draft BDCP EIR/EIS, describes the potential for additional water storage. Please see Master Response 4 regarding the development of alternatives. Please see Master Response 6 for information on Demand Management.
689	1	The proposed "Twin Tunnel Project" is just another water-grab by corporate farming for hedge-fund farming in California and most of the crop produced is exported. It's just typical corporate greed and paying homage to the pitiful "peripheral canal" that depletes water in the name of agriculture. I'm in favor of protecting water that "we the people", the fish, the wildlife and the Delta have left. This proposed project is complex and the corporate greedy backers are thinking and hoping "we", the average people won't read the thousands of pages in environmental reports. Wrong!	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights that were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The project water delivery system would be operated in a manner to protect water users and environmental habitat located upstream of and in the Delta in accordance with permits issued by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife. The project only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. More information on the ranges of project water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Section 3.6.4.2, North Delta and South Delta Water Conveyance Operational Criteria, EIR/EIS. Current limitations and operational criteria for existing facilities can be found in

RECIRC Ltr#	Cmt#	Comment	Response
			DWR's State Water Resources Control Board Permit D1641 (see http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/decision_1641/index.shtml) and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits (see http://www.usbr.gov/mp/cvo/ocap_page.html).
689	2	I'm 67 years old, fished the Delta since I was 5 and hunted the Delta since I was 8 so I know what the "Tunnels" will destroy even before reading the environmental reports. So here is my request please: no tunnels, thank you!!!!!!!!	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S.
690	1	The twin tunnels will only benefit water users in the south half of the state at the expense of the environmental quality in the Delta. It will provide a cleaner source of water than they are receiving now, but to do so it will rob the Delta of adequate flows to guide anadromous fish to their spawning grounds. It will also allow added salt incursion that will negatively affect the Delta farmers. Nothing about the project makes any sense. The twin tunnels will not provide any environmental upside.	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights that were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The project water delivery system would be operated in a manner to protect water users and environmental habitat located upstream of and in the Delta in accordance with permits issued by the State Water Resources Control Board, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and State Department of Fish and Wildlife. The project only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards. More information on the ranges of project water diversions, based on water year types and specific flow criteria, can be found in Chapter 3, Section 3.6.4.2, North Delta and South Delta Water Conveyance Operational Criteria, EIR/EIS. Current limitations and operational criteria for existing facilities can be found in DWR's State Water Resources Control Board Permit D1641 (see http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/decision_1641/index.shtml) and additional limitations described in the Federal Endangered Species Section 7 Biological Opinions and take permits (see http://www.usbr.gov/mp/cvo/ocap_page.html). As described in Chapter 8, Water Quality, the EIR/S modeling results for the No Action Alternative indicate that, with or without the project, rising sea levels will bring saline tidal water further into the Delta than occurs at present. Changes in surface water quality, including salinity, under each action alternative and the proposed project as compared to the No Action Alternative and Existing Conditions are discussed in Chapter 8, Water Quality, in the EIR/S.
691	1	Friends of the River (FOR), Restore the Delta, the Center for Biological Diversity, the California Water Impact Network, the California Sportfishing Protection Alliance, and the Environmental Water Caucus (EWC) (a coalition of over 30 nonprofit environmental and community organizations and California Indian Tribes) object to the segmenting (also referred to as piecemealing) of the environmental review of the proposed new Bay Delta Conservation Plan (BDCP)/WaterFix Delta Water Tunnels from the environmental review of the Coordinated Long-Term Operation of the Central Valley Project (CVP) and State Water Project (SWP). It is difficult if not impossible to imagine a closer relationship for National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) purposes than that between the proposed Delta Water Tunnels and the long-term operations of the CVP and SWP. Planned long-term operations of the CVP and SWP system determine whether the Delta Water Tunnels might arguably make any sense for water supply purposes. In turn, whether or not the new conveyance proposed by the BDCP/WaterFix is approved will make a major difference in the actual long-term operations of the CVP and SWP system.	Master Response 8, Analysis of Project as a Whole partially addresses the claim of segmentation or piecemealing. The ongoing operations of the CVP and SWP are considered in the Existing Conditions and No Action Alternative and as part of the cumulative analysis. The proposed action is considered the whole of the action as defined under CEQA, in part because it has independent utility. Its implementation is not dependent on other projects Reclamation or other agencies may be undertaking. As demonstrated in the analysis, the California WaterFix (Alternative 4A) operates without affecting the entire system, similar to other distinct projects in the CVP and/or SWP that have been analyzed separately, such as the Freeport Regional Water Project; Suisun Marsh Management, Preservation, and Restoration Program; the Temporary Barriers Program; and the CVP-SWP Intertie. Each of these conducted project-specific CEQA and/or NEPA review separately from the review of the operations of the entire CVP and SWP.

RECIRC Ltr#	Cmt#	Comment	Response
		Despite this extremely close relationship, separate environmental review processes for the WaterFix Delta Water Tunnels on the one hand, and the long-term CVP and SWP operations on the other hand, are underway. A Draft EIS was issued in July on the Coordinated Long-Term Operation of the CVP and SWP, and the comment period closed September 29, 2015. [Footnote 1: Our organizations commented on the Long-Term Operations Draft EIS on September 29, 2015. FOR submitted supplemental comments that same day raising the NEPA segmentation violation issue raised by this letter. Both of those comment letters were submitted to Mr. Ben Nelson of the Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, California, as directed by the instructions for commenting on that Draft EIS.] A separate Draft EIR/EIS and Recirculated Draft EIR/Supplemental Draft EIS (RDEIR/SDEIS) have been prepared for the Water Fix Tunnels with the comment period closing October 30, 2015. The Bureau of Reclamation is the federal lead agency for both of these NEPA processes. The California Department of Water Resources (DWR) is the State lead agency for the Water Fix NEPA/CEQA process. This deliberate separation of the Water Tunnels NEPA and CEQA process from the NEPA compliance process for the Coordinated Long-term Operation of the CVP and SWP is segmentation -- also referred to as piecemealing -- of environmental review. That segmentation violates NEPA and CEQA.	
691	2	There would be no proposal to develop the massive and expensive Delta Water Tunnels if there were not to be long-term CVP and SWP operations. Likewise, long-term CVP and SWP long-term operations will be vastly different depending on whether or not the Delta Water Tunnels are developed. The Introduction to the WaterFix RDEIR/SDEIS includes among the Water Tunnels project objectives: Restore and protect the ability of the SWP and CVP to deliver up to full contract amounts, when hydrologic conditions result in the availability of sufficient water, consistent with the requirements of state and federal law and the terms and conditions of water delivery contracts held by SWP contractors and certain members of San Luis Delta Mendota Water Authority, and other existing applicable agreements. (WaterFix RDEIR/SDEIS Introduction, p. 1-9). The RDEIR/SDEIS for the WaterFix states: Generally, Delta hydrodynamics are defined by complex interactions between tributary inflows, in-Delta diversions, and SWP and CVP operations, including conveyance, pumping plants, and operations of channel barriers and gates. The degree to which each variable impacts the overall hydrology of the Delta varies daily, seasonally, and from year to year, depending on the magnitude of inflows, the tidal cycle, and the extent of the pumping occurring at the SWP and CVP pumping plants. (WaterFix RDEIR/SDEIS Introduction, p. 1-11) It is clear that the California WaterFix will cause changes in SWP and CVP operations -- since the very point of the California WaterFix is to feed more water into the SWP and CVP network. The foregoing statement on the WaterFix RDEIR/SDEIS, establishes that these changes in SWP and CVP operations will affect, among other natural habitats, Delta hydrodynamics -- i.e., they will have an environmental impact.	Please see response to comment 691-1 above. The objective of the project is to deliver up to full contract amounts, subject to very specific conditions. The project proposes to stabilize water supplies, and exports could only increase under certain circumstances. Water deliveries from the federal and state water projects under a fully-implemented Alternative 4A are projected to be about the same of the average annual amount diverted in the last 20 years. Although the proposed project would not increase the overall volume of Delta water exported, it would make the deliveries more predictable and reliable, while restoring an ecosystem in steep decline. Please refer to Master Response 26 for additional information on how the proposed project affects water exports. The effects of the operation of the each alternative, including the proposed project, are described in the EIR/EIS and include effects to Delta hydrodynamics and associated fish, wildlife, and water quality effects.
691	3	The Draft EIS for the Long-Term Operation of the CVP and SWP states: The purpose of the Coordinated Operation Agreement (COA) (Public Law 99-546) is to	Please refer to responses to comments 691-1 and 691-2 above. Additionally, as shown in the analysis of the proposed project (Alternative 4A) in the EIR/EIS, the California WaterFix does not necessitate changes in

RECIRC Ltr#	Cmt#	Comment	Response
		ensure that the CVP and SWP each manage respective water rights from the Delta and share the obligations to protect other beneficial uses of water in the Sacramento Valley and the Delta. The State Water Resources Control Board (SWRCB) has placed conditions on the CVP and SWP water right permits and licenses to meet water quality and operational criteria within the Delta. Reclamation and DWR coordinate the operation of the CVP and SWP to meet these and other operating requirements pursuant to COA. (Draft EIS Long-Term Operations, p. ES-2). The WaterFix RDEIR/SDEIS describes the need for Reclamation to ultimately "adjust CVP operations and/or flow requirements, in coordination with SWP operations." (WaterFix RDEIR/SDEIS at 1-13). Similarly, the SWP/CVP DEIS states that: "There are numerous water supply and water quality projects and actions that could be potentially affected by changes in the coordinated long-term operation of the CVP and SWP, or could affect the CVP and SWP operations." SWP/CVP DEIS at 3-45. The WaterFix is one these "numerous" projects. See Id. at 3-46. Consequently, the interconnection between the Delta Tunnels and the State's water system is readily apparent. Again, a primary purpose of the WaterFix is to deliver more, higher quality water to the CVP and SWP while resulting in lower water quality in the Delta. Additionally, the future adjustments that will have to be made in the CVP and SWP as a result of increased inflow "will likely change" the project's environmental effects, since CVP and SWP flow schedules affect wildlife and natural habitat throughout the State.	system-wide operations. Coordinated operations for CVP and SWP Delta diversion points would continue.
691	4	The U.S. Environmental Protection Agency (EPA) commented last year during the BDCP environmental review process that: Upstream/Downstream Impacts The Federal and State water management systems in the Delta are highly interconnected, both functionally and physically. The Draft EIS does not address how changes in the Delta can affect resources in downstream waters, such as San Francisco Bay, and require changes in upstream operations, which may result in indirect environmental impacts that must also be evaluated. We recommend that the Supplemental Draft EIS include an analysis of upstream and downstream impacts. (EPA comments on Draft Environmental Impact Statement for the Bay Delta Conservation Plan, San Francisco Bay Delta, California (CEQ# 20130365), p. 3, August 26, 2014) [Footnote 1: In its detailed comments attached to the letter, EPA further explained that: The Draft EIS does not include a comprehensive description of the CVP and SWP with and without new north Delta intake facilities or through-Delta operations. Such information as needed to assist the reader in understanding how the water delivery system operates under Existing Conditions and how it would change under CM1 [Delta Water Tunnels] alternatives. (Detailed Comments, p. 22).] The subjects of the two separate processes are connected. [Footnote 2: As explained by the Delta Independent Science Board in its comments of September 30, 2015, The operating guidance for the new [Water Fix] alternatives seems isolated from the many other water management and environmental activities in and upstream of the Delta likely to be important for managing environmental and water supply resources related to Delta diversions. (DISB Review of BDCP/WaterFix Partially Recirculated Draft EIR/Supplemental	Please see responses to comments 691-1 and 691-2 above. Additionally, the operations of the SWP and CVP under the No Action Alternative are described in detail Appendix 5A, Section B, and in the documents referred to in the EIR/EIS, including the U. S. Bureau of Reclamation, 2008 Central Valley Project and State Water Project Operations Criteria and Plan Biological Assessment. Model results related to surface water conditions under the No Action Alternative are presented in Appendix 5A, Section C, of the EIR/EIS. The REIR/SEIS included an analysis of several potential effects downstream in Chapters 8 and 11. For responses to comments related to the Delta Independent Science Board's letters, please refer to comment letters BDCP 1448 and/or RECIRC 2546.

RECIRC Ltr#	Cmt#	Comment	Response
		Draft EIS at. P. 14).] They are inextricably intertwined.	
691	5	The NEPA Regulations are codified at Title 40 of the Code of Federal Regulations (C.F.R.). The NEPA Regulations specify that "Agencies shall make sure the proposal which is the subject of an environmental impact statement is properly defined. . . Proposals or parts of proposals which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement." (40 C.F.R. [Section] 1502.4(a). [Footnote 1: In City of Rochester v. U.S. Postal Serv., 541 F.2d 967, 972-73 (2d Cir. 1976), the court explained that: To permit non-comprehensive consideration of a project divisible into smaller parts, each of which taken alone does not have a significant impact but which taken as a whole has cumulative significant impact would provide a clear loophole in NEPA. [Citations omitted]. The guidelines of the Council on Environmental Quality make it clear that the statutory term "major Federal actions" must be assessed "with a view to the overall, cumulative impact of the action proposed, related Federal action and projects in the area, and further actions contemplated." 40 C.F.R. [Section] 1500.6(a) (1975). The transfer decision is plainly a consequential, if not an inseparable, feature of the construction project.] Pursuant to NEPA Regulation 40 C.F.R. [Section] 1508.25(a), multiple federal actions must be evaluated in the same environmental impact statement if they are connected, cumulative, or similar. Here, the long-term operations on the one hand, and proposed Delta Water Tunnels on the other hand, are all three. They are connected, cumulative, and similar. When two proposals or parts of proposals are so closely connected that they effectively constitute a single course of action, an agency must analyze both proposals in a single EIS. Id. A three-part test determines whether two proposals are so connected. "Actions are connected if they: (i) [a]utomatically trigger other actions which may require environmental impact statements, (ii) [c]annot or will not proceed unless other actions are taken previously or simultaneously, and (iii) are interdependent parts of a larger action and depend on the larger action for their justification." 40 C.F.R. [Section] 1508.25(a)(1). The WaterFix and the coordinated operation of the SWP and CVP are clearly connected. Under (i), the WaterFix, which describes as a primary purpose "restor[ing] and protect[ing] the ability of the SWP and CVP to deliver up to full contract amounts," will automatically trigger increased flow diversions to the SWP and CVP. (WaterFix RDEIR/SDEIS at ES-6). Close to a decade's worth of litigation has indicated that alterations to flow levels in the SWP and CVP will likely necessitate environmental impact statements. See BUREAU OF RECLAMATION, Coordinated Long-Term Operation of the CVP and SWP (Aug. 2, 2015, 1:50 PM), http:www.usbr.gov/mp/BayDeltaOffice/Documents/lto.html. Under (ii), the water diversions proposed in the WaterFix cannot occur unless SWP and CVP operations adjust flow levels. Indeed, the WaterFix RDEIR/SDEIS states: "SWP operation of new conveyance facilities and/or flow patterns proposed under the [California WaterFix] would require changes in existing CVP operations." WaterFix RDEIR/SDEIS at 1-11. For (iii), the California WaterFix and the coordinated operation of the SWP and CVP are clearly "interdependent parts of a larger action." Namely, they are both part of the same effort to manage the CVP and SWP.	The LTO EIS evaluated the current operations of the CVP and SWP, without the California WaterFIx. This EIR/EIS evaluates the effects of the California WaterFix. Each has independent utility and are distinct proposals, and are not a single course of action. Please also refer to responses to comments 691-1 and 691-2. Regarding the integration of multiple planning processes, please see Master Response 39.

RECIRC Ltr#	Cmt#	Comment	Response
		The inextricable connection between the projects thus requires that both be analyzed in the same EIS. Reclamation and DWR's ongoing failure to do this constitutes a violation of NEPA. 40 C.F.R. [Section] 1502.4(a); 40 C.F.R. [Section] 1508.25(a)(1). [Footnote 2: The NEPA Regulations also require that agencies "Integrate the requirements of NEPA with other planning and environmental review procedures required by law or by agency practice so that all such procedures run concurrently rather than consecutively." [Section] 1500.2(c). See also [Section] 1501.2 ("Agencies shall integrate the NEPA process with other planning at the earliest possible time to insure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts.").]	
691	6	The rules under CEQA are similar to those under NEPA in prohibiting segmenting environmental review. CEQA requires that "an agency must use its best efforts to find out and disclose all that it reasonably can" about a project being considered and its environmental impacts. Vineyard Area Citizens v. City of Rancho Cordova, 40 Cal.4th 412, 428 (2007). Under CEQA a "project" is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. . ." 14 Code Cal. Regs (CEQA Guidelines) [Section] 15378(a). The courts have explained that: Theoretical independence is not a good reason for segmenting environmental analysis of the two matters. Doing so runs the risk that some environmental impacts produced by the way the two matters combine or interact might not be analyzed in the separate environmental reviews. Tuolumne County Citizens for Responsible Growth v. City of Sonora, 155 Cal.App.4th 1214, 1230 (2007). It should come as no surprise that the diversion of millions of acre-feet of fresh water from the north to the south has the potential to affect a number of the State's sensitive fish species. [Footnote 1: See, e.g. Felicity Barringer, Effort Falters on San Francisco Bay Delta, N.Y. TIMES, Dec. 14, 2010, http://www.nytimes.com/2010/12/15/science/earth/15delta.html?src=me ("environmentalists and fishermen note that the years of abundant water for farms and Southern California cities corresponded to years when fish populations crashed -- in the case of the smelt, almost to the vanishing point.")] For this very reason, [Bureau of] Reclamation and DWR cannot lawfully segment two interrelated actions into separate environmental analyses. The coordinated operation of the CVP/SWP and the WaterFix are both part and parcel of the same project because they both combine to cause "a direct physical change in the environment." Cal. Code Regs. Tit. 14 [Section] 15378. Thus, the current WaterFix RDEIR/SDEIS violates CEQA and will continue to violate CEQA until a new Draft EIR/EIS for the WaterFix analyzes both the environmental impact of the Water Tunnels and the operation of SWP and CVP.	Please refer to the response to comment 691-5.
691	7	To proceed in the manner required by NEPA and CEQA, the Bureau of Reclamation must cease these two separate environmental review processes. Reclamation and DWR must instead prepare and issue for public review one new Draft EIR/EIS comprehensively analyzing in one environmental review process and one Draft EIR/EIS the environmental impacts of both the Coordinated Long-Term Operation of the CVP and SWP and the proposed BDCP/WaterFix Delta Water Tunnels. Because of the segmentation, the Draft EIR/EIS and RDEIR/SDEIS is"so inadequate as to preclude meaningful analysis," in violation of NEPA. 40 C.F.R. [Section] 1502.9(a). Likewise, it is "so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were	Please refer to the response to comment 691-5.

RECIRC Ltr#	Cmt#	Comment	Response
		precluded," in violation of CEQA, 14 Cal. Code Regs. [Section] 15088(a)(4).	
691	8	The Bureau of Reclamation and DWR, in order to comply with NEPA and CEQA, must prepare and issue for public and decision-maker review and comment one Draft EIR/EIS on both the coordinated long-term operation of the CVP and SWP, and the proposed BDCP WaterFix Delta Water Tunnels.	Please refer to the response to comment 691-5.
692	1	As an outdoorsman, I have spent over 30 years boating and fishing the California Delta, spending my recreational dollars and enjoying this unique environment. I have seen sunrises and sunsets, year-round sustainment of unique and rare wildlife, and I fear the environmental damage that any logical person knows will be caused by this project, if it is allowed to happen. Please do not ruin the Delta by removing its most needed substance, fresh water, to maintain the balance of this unique Delta estuary.	This comment letter is in part a form letter that has been submitted by many commenters. To locate the response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project. Please also refer to Master Response 24 (Delta as a Place).
693	1	This is not a plan that controls; it's a plan to supply the water we are going to need for the next 100 years, at least. Even if we get 20 inches it won't help because far more water is taken out of the ground than that.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS.
693	2	The Board of Supervisors extended the Interim Urgency Ordinance [UO] for the full two years. It will expire on August 26, 2015. The UO allows the drilling of replacement wells. It also allows new wells if the permitting process was completed before August 27, 2013, or if water use offset requirements are met. All new wells are required to be metered. This will be the beginning of collecting real data on just how much water is actually being pumped from the Basin instead of relying on estimates. The UO allows new development as long as the water use is offset by a ratio of 1:1. Everyone retains their water rights. Water rights can only be restricted by a court of law. The UO has temporarily regulated land use in an attempt to slow the acceleration of the Basin decline while we get a management structure in place to actually stabilize the Basin. If PRAAGS [Paso Robles Agricultural Alliance for Groundwater Solutions] supports the UO why do they have only negative things to say about it?	The urgency ordinance referred to in this comment is a measure enacted by local agencies to respond to declining groundwater during emergency drought conditions. The California Water Action Plan recognizes that all Californians have a stake in the future of our state's water resources, and that a series of actions are needed to comprehensively address the water issues before us. The five-year agenda spells out a suite of actions in California to improve the reliability and resiliency of water resources and to restore habitat and species — all amid the uncertainty of drought and climate change. For more information regarding future developments of the California Action Water Plan please follow http://resources.ca.gov/docs/Final_Water_Action_Plan_Press_Release_1-27-14.pdf. The California Water Plan evaluates different combinations of regional and statewide resources management strategies to reduce water demand, increase water supply, reduce flood risk, improve water quality, and enhance environmental and resource stewardship. The Proposed Project was developed to improve Delta habitat and SWP/CVP water supply reliability. The Proposed Project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in increased water storage, elimination of invasive species including aquatic weeds in the Delta, agricultural and municipal/industrial water conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures).
693	3	There has been lots of talk lately about California Water Districts [CWDs]. CWDs were formed in the distant past, principally in areas focused on agriculture, for the primary purpose of securing and delivering supplemental water. PRO Water Equity [Paso Robles Groundwater Basin Overliers for Water Equity] has been comparing the powers between	This comment is related to the formation of local water agencies under California laws which would occur in the same manner under Existing Conditions, No Action Alternative, and action alternatives.

RECIRC Ltr#	Cmt#	Comment	Response
		CWDs and other types of water districts. Some would have you believe that a CWD is the best water district available. However, the powers of a CWD are hardly exclusive. Those same powers, plus many others that are needed to stabilize the Basin, are available in a Water Replenishment District and full scale (or "robust") AB3030 program. CWDs do not have water conservation powers which PRO Water Equity believes are necessary. Any independent district can be set up to have flexibility in the make-up of the board of directors. Landowners can voice their thoughts and concerns to the board of directors of any water district. All water districts must be compliant with Proposition 218, so those benefiting the most will pay the most under any district formed. A petition for a CWD does not need signatures from the majority of landowners; it only requires signatures from owners of 51% of the land -- very different. Over the Basin, the 36 largest entities own enough land to validate a CWD petition, making everyone else irrelevant.	
693	4	At present the interim Urgency Ordinance has been taken to court by Steinbeck Winery. Their attorney needed to change the location of the trial because of the public opinion of the residents in the affected area. I personally feel that San Jose [is] a bad choice for them and that's okay. San Jose is Silicon Valley and they have to reclaim water from the sewer plant to feed the landscape needs of the area. There's a lot more information about this that I have. But if the winery and vineyards are allowed to continue at the rate of water that they use, the water for residential use will be gone before 2018 or 2020 water district can be put in place. This will affect Paso Robles, Templeton, Atascadero, and if Nacimento Lake can be filled back up then the water pipe line that run from there to San Luis Obispo will be useless. This pipeline can be tapped into by all the cities in this area.	The SWP and CVP operations under the action alternatives would only deliver water under existing water rights issued by the State Water Resources Control Board to DWR and Reclamation for use by the SWP and CVP with consideration for senior water rights and Area of Origin laws and requirements. The hydrologic analysis in the EIR/S considered changes over long-term conditions which includes high flow events and drought periods, conditions similar to the 1976-1977 and 1987-1992 droughts, as described in Appendix 5A, Modeling Technical Appendix.
693	5	So where [is] the water? Diablo Canyon nuclear plant puts 2.5 billion gallon of water back into the ocean every day. PG&E is going to have to retrofit the Diablo nuclear power plant, at a cost of 4.5 to 8 billion [dollars], and it has been said the project could go to $12 billion. Wonder if we could take that $12 billion and turn it into water for municipal use? What an idea. A desalinization plant could be built and since the water is already warm it will probably make it easier to clean up the water. The construction of the pipeline [will go] to Lopez Reservoir, to supply San Luis Obispo with the reserve water supply. The pipeline should continue up the San Luis Obispo grade for storage tanks can be put in place and a pipeline run to Nacimiento. This will give a steady reserve of water to Paso Robles, Templeton, Atascadero, [and] Santa Margarita. Another pipeline should be run alongside Highway 46 off of this pipeline. Not only the vineyards, but the residents of that area, can use that water. I understand that this a big project. I have already looked into using the pipeline that was installed from the Nacimiento to San Luis; unfortunately it can't be used to go the opposite direction. Monterey County can also use the same process by tapping into Moss Landing power plant; we can also do that with any other power plant that needs cooling water in the state. I would suggest that we take a hard look at this now. This might be a way to solve a big water problem with the Central Valley, Monterey County, King, Kern, and far as we can reach -- even to supply Los Angeles as well. A pipeline could come to them as well. I would appreciate it, if you like this idea, get back to me and let me know that it's been accepted.	The comment does not raise any environmental issue related to the 2015 RDEIR/SDEIS or the 2013 DEIR/EIS. Please see Master Response 7 regarding desalination.
694	1	I'm sorry, but isn't California in the midst of a four-year drought and some [expletive	This comment letter is in part a form letter that has been submitted by many commenters. To locate the

RECIRC Ltr#	Cmt#	Comment	Response
		deleted] wants to suck what's left? Did IQ's drop sharply while I was away?	response to the form letter portion of the comment, please refer to the index of commenters in Chapter 4 of Volume II of the Final EIR/EIS, and cross reference the Form Master letter number shown there with the index of Form Masters also provided in Chapter 4 of Volume II of the Final EIR/EIS. The text below responds to the specific substantive portions of the comment letter that were submitted by the commenter. No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. The SWP and CVP operations under the action alternatives would only deliver water under existing water rights issued by the State Water Resources Control Board to DWR and Reclamation for use by the SWP and CVP with consideration for senior water rights and Area of Origin laws and requirements. The hydrologic analysis in the EIR/S considered changes over long-term conditions which includes high flow events and drought periods, conditions similar to the 1976-1977 and 1987-1992 droughts, as described in Appendix 5A, Modeling Technical Appendix.
695	1	I oppose this project and I recommend that the idea is halted. My primary reason for this position is that even with all of the data and intelligence contributing to the evaluation of the project, the scope and potential downside repercussions are too great. And, as there will be so much money involved, the "sunk costs" will be so significant that turning back will not be an option. I acknowledge that delivering water to the south is an important issue that needs to be solved. However, I implore you to seek a solution that has fewer downsides with such high costs - both actual and potential.	DWR's fundamental purpose of 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. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility. Please see Master Response 3 for additional information regarding the purpose and need behind the proposed project. Please see Master Response 5 for more information on costs and funding.
696	1	The Bay/Delta Conservation Plan/California Water Fix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement is because: The farmers in the Central Valley are irresponsible in their use of water. More and more they are replacing their trees and crops with water-guzzling ones because these are more profitable than what they were growing before. The State's water situation does not merit this. No one needs more pistachios.	State constitutional restrictions require the reasonable and beneficial use of water and state law requires that water supplied from the Delta be put to beneficial uses. The Lead Agencies do not have the authority to designate what water deliveries are used for. Please refer to Master Response 34 regarding the potential uses of water delivered via proposed conveyance facilities.
696	2	The Bay/Delta Conservation Plan/California Water Fix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement is because: In my area of the state we have scrimped and scrimped to reduce the amount of household water we use. We save all of the grey water we can and use it on the plants. Our showers are on lo-flo and are limited to less than five minutes. In comparison, Central Valley farmers are planting water guzzling trees (pistachios and almonds). In Southern California, my friends tell me they wash their sidewalks with the hose. Why should we who work hard and conserve be asked to subsidize such wasteful behavior?	No issues related to the adequacy of the environmental impact analysis in the EIR/S were raised. All of the alternatives evaluated in the EIR/EIS would only divert water under existing water rights that were issued to DWR and Reclamation by the State Water Board with consideration for senior water rights and Area of Origin laws and requirements. The issue of crops and water use is beyond the scope of the Proposed Project. For more information please refer to the updated draft 2013 California Water Plan's strategy for agricultural water use efficiency, which describes the use and application of scientific processes to control agricultural water delivery and use. Also, refer to Master Response 6 and Appendix 1C for further information on demand management measures, including increasing agricultural water use efficiency and conservation. The project is just one element of the state's long-range strategy to meet anticipated future water needs of Californians in the face of expanding population and the expected effects of climate change. The project is not a comprehensive, statewide water plan, but is instead aimed at addressing many complex and long-standing issues related to the operations of the SWP and CVP in the Delta, including reliability of exported supplies. It is important to note that the project is not intended to serve as a state-wide solution to all of California's water problems, and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, storage, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage (as described in Section 1.C.3 of Appendix 1C, Demand Management Measures). The proposed project would not increase

RECIRC Ltr#	Cmt#	Comment	Response
			the amount of water to which SWP and CVP hold water rights for use allowed under their contracts and permits and approvals for refuge water supplies or other environmental purposes.
696	3	The Bay/Delta Conservation Plan/California Water Fix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement is because: The most compelling reason that this project is faulty is because it has been carried out behind closed doors and virtually in secret; it hasn't even involved the legislature! The citizens of the State have not been involved. This is not democracy as I understand it! Governor Brown and the special interest groups seem to be afraid of what would happen if the project were made public; after all, the citizens of the state already voted against the peripheral canal.	The development of the BDCP, Draft EIR/EIS and RDEIR/SDEIS have been developed within the public process required by CEQA and NEPA. Administrative drafts of the EIR/EIS have been made available, public review periods for the environmental documents have been provided and many public meetings to hear comments on the project and environmental review process have been held. Please refer to Master Responses 39 and 40, related to the public review period and public outreach process for this project.
697	1	I am writing to express my strong opposition to the Delta Tunnels Plan. The deceptively named "California Water Fix" does not address the multitude of adverse environmental, public health, and economic impacts the proposed Delta tunnels project would cause. Further, the plan ignores alternatives that would save California tax- and ratepayers billions of dollars, while investing in jobs and local water sources that build sustainability, instead of severely damaging the Delta and Bay ecosystems. I urge you not to permit the Delta Tunnels/California Water Fix (Alternative 4A) project to move forward.	Environmental impacts are addressed throughout the EIR/EIS in relevant resource chapters; public health impacts are addressed in Chapter 25 and economic impacts are addressed in Chapter 16. It is important to note that the proposed project is not intended to serve as a state-wide solution to all of California's water problems and it is not an attempt to address directly the need for continued investment by the State and other public agencies in conservation, recycling, desalination, treatment of contaminated aquifers, or other measures to expand supply and storage. Nor is the proposed project intended to solve all environmental challenges facing the Delta. Please see Master Response 6 (Demand Management) for further information regarding how many of the suggested components have merit from a state-wide water policy standpoint, and some are being implemented or considered independently throughout the state, but are beyond the scope of the proposed project. The California WaterFix (referred to in the FEIR/FEIS as Alternative 4A) is DWR's preferred alternative under the California Environmental Quality Act (CEQA) and Reclamation's preferred alternative under the National Environmental Policy Act (NEPA). Alternative 4A addresses the reverse flow problem by focusing on the construction and operation of new north Delta intakes and on habitat restoration commensurate with the footprint of these new facilities. The construction and operation of new conveyance facilities, would help resolve many of the concerns with the current south Delta conveyance system while otherwise helping to reduce threats to endangered and threatened species in the Delta through habitat restoration, as necessary to mitigate significant environmental effects and satisfy applicable ESA and CESA standards. Implementing a dual conveyance system, in which water could be diverted from either the north or the south or both, depending on the needs of aquatic organisms, would align water operations to better reflect natural seasonal flow patterns by creating new water diversions in the north Delta equipped with state-of-the-art fish screens. The new system would reduce the ongoing physical impacts associated with sole reliance on the southern diversion facilities and allow for greater operational flexibility to better protect fish. Minimizing south Delta pumping would provide more natural east–west flow patterns. The new diversions would also help protect critical water supplies against the threats of sea level rise and earthquakes. Please see Master Response 3 (Purpose and Need) for additional information. The construction of the water delivery facilities is estimated to cost $14.9 billion, an amount that would be paid for by the State and federal water contractors who rely on Delta exports. The range of costs for water vary widely among contractors south of the Delta. Costs depend on the source of water, transport facilities, energy requirements, among other factors. For the agricultural customers of the CVP, prices range from $100 per acre-foot to more than $400 per acre-foot. The Metropolitan Water District of Southern California, which buys water from the SWP, estimates that the cost of the proposed project would translate into about $5.00 extra per household, per month in its service area. The final cost of water from the new conveyance facilities would be determined by numerous factors. A number of these significant factors, such as the

RECIRC Ltr#	Cmt#	Comment	Response
			project yield and allocation of costs, have yet to be determined. Please see Master Response 5 for information regarding funding of the proposed project. Please review Master Response 23, Other Stressors impacting the Delta.
698	1	We write to express concerns that the Department of Water Resources and the Bureau of Reclamation are actively pursuing a specific version of the Delta tunnels prior to the completion of the mandated environmental review under the California Environmental Quality Act and the National Environmental Policy Act. On August 26, the State Water Resources Control Board [SWRCB] reported receiving a petition from your agencies to change the water rights for the State Water Project and the Central Valley Project, allowing for construction and operation of three intakes on the Sacramento River and two tunnels under the Delta. This petition seems premature given that the NEPA and CEQA processes have not concluded, and public comment now underway has yet to be considered. Please explain how your agencies will ensure that the NEPA and CEQA processes will be honored given the pending petition at the State Water Resources Control Board prior to completion of the NEPA and CEQA processes. During a hearing of the Senate Select Committee on the Sacramento-San Joaquin Delta held on August 18, concerns were raised regarding a property acquisition plan for the right of way for the proposed Delta tunnels. These concerns were reinforced by recent news reports. According to these reports, the Department of Water Resources prepared a property acquisition plan for lands necessary to acquire and construct two proposed tunnels under the Delta. Land acquisition implies a commitment to a particular and specific project prejudging the outcome of the pending environmental review process for the Bay Delta Conservation Plan/California Water Fix. Coupled with the petition now pending at the SWRCB, we are concerned that the objectivity of the environmental analysis has been compromised. For example, did DWR or the Bureau of Reclamation prepare a similar plan for other alternatives considered in the environmental review documents for the Bay Delta Conservation Plan? We respectfully request that you provide the following: -Copies of the acquisition plan and the date when the plan was completed; -An explanation of how the plan was developed and funded and which parties were consulted and involved in preparing the plan; -An explanation of how the public, local governments, and affected property owners were involved in and notified of the plan preparation and, if the public and affected local governments and land owners were not included in the plan preparation, how these affected parties will be engaged in the future; -A description of mechanisms available to affected parties for commenting or requesting	Please refer to Master Response 4, Alternatives Development (Identifying a Preferred Alternative is Not a Pre-Commitment to that Alternative), which describes why pursuit of permits and other actions project actions is not pre-decisional. Ongoing planning processes may continue related to the proposed project but no decision has been made. All comments are addressed in this Final EIR/EIS. With regards to the public access to documents and involvement in the development of the EIR/EIS, please refer to Chapter 32 of the Final EIR/EIS.

RECIRC Ltr#	Cmt#	Comment	Response
		changes to the land acquisition plan; and -A timeline for anticipated actions to be taken to begin acquiring lands identified in the acquisition plan including how the public will be 'engage in future land acquisitions and an explanation of whether eminent domain proceedings will be used to acquire these lands. In closing, these two recent actions raise serious concerns regarding the integrity of the pending environmental review process for the BDCP/California WaterFix. We look forward to hearing from your agencies as to how these actions are consistent with due process.	
699	1	I am emailing to indicate my disapproval and dismay over the twin tunnels proposed project. Especially concerning to me is the report from The Delta Independent Science board criticizing the environmental documents that are supposed to explain benefits of the tunnel. Please do not go forward with this project.	The issue raised by the commenter addresses the merits of the project and does not raise any issues with the environmental analysis provided in the EIR/S. The proposed project was developed to meet the rigorous standards of the federal and state Endangered Species Acts; as such the proposed project is intended to be environmentally beneficial. By establishing a point of water diversion in the north Delta and new operating criteria to improve water volume, timing, and salinity, the proposed project is designed to improve native fish migratory patterns and allow for greater operational flexibility.