

I111 San Diego transcript

No comments

- n/a -

1/11/2012
Delta Stewardship Meeting

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STEWARDSHIP COUNCIL MEETING
SAN DIEGO, CALIFORNIA
JANUARY 11, 2012

REPORTED BY SHELLEY LYNN SCHNIEPP, CSR NO. 5487

1 San Diego, California; January 11, 2012; 6:00 p.m.

2

3 MR. ISENBURG: Why don't we take comments if
4 there are no other questions of Mr. Stevens on
5 procedures. I'll take it in the order I was handed the
6 blue sheets. Mr. Dennis Cushman from the San Diego
7 County Water Authority. Mr. Cushman, if you would be
8 good enough to use that microphone and see if it's
9 actually working so the court reporter and everybody can
10 hear you.

11 MR. CUSHMAN: Good evening, Chairman Isenberg
12 and councilmen, assistant chairman. I am with the San
13 Diego County Water Authority. The draft EIR for the
14 February 2nd deadline (inaudible) and we appreciate the
15 opportunity to make some initial public hearing. The San
16 Diego County Water Authority imports water from the
17 Metropolitan Water District of Southern California and
18 through its water transfer of the Imperial Irrigation
19 District and investments in the All-American. The water
20 authority and its 24 retail cities have made billions of
21 dollars in investments in the past 20 years to diversify
22 San Diego County's water supply and reduce the dependence
23 on water imported from the Metropolitan Water District.

24 In 1991 San Diego County was dependent on MWD
25 for 95 percent of all water use in San Diego County.

I111-1

Response to comment I111-1

Please refer to the responses to Draft Program EIR Comment Number LO216.

1 Today, the MWD accounts for less than 50 percent of water
2 used in the county, and by 2020, we will account for
3 about 30 percent of the county water supply.

I111-1

4 I have a copy of my remarks and attached to it
5 is a graphic that depicts that water supply
6 diversification system and where we are heading.

7 MR. ISENBURG: I will make note the record will
8 accept a two page written summary, plus a one page chart
9 illustrating the points. That will be part of our
10 record.

11 MR. CUSHMAN: Thank you. By 2020, the water
12 authority will have invested three and a half billion
13 dollars in capital improvements to support regional self
14 sufficiency through the water authority investment in
15 water supply infrastructure. However, for the
16 foreseeable future, the water authority and Southern
17 California will need other reliable water supply to meet
18 our demands. The water authority supports a reasonable
19 size and cost effective fix for which firm financial
20 commitments have been made from the water agencies and
21 expect to pay their share of such facilities. The water
22 authority strongly supports the efforts of the Delta plan
23 and the work for the Delta Reform Act of 2009.

I111-2

24 The Water Authority is concerned that the
25 proposed project examined in the draft EIR relies on

I111-3

Response to comment I111-2

Comment noted.

Response to comment I111-3

This is a comment on the project, not on the EIR.

1 regulating local and regional efforts towards self
2 sufficiency to achieve the co-equal goals of water
3 reliability.

4 Over the past two decades without the burden of
5 such proposed region, the water authority has shown it's
6 fully capable of improving regional self sufficiency
7 through its own 24 retail agencies. The water authority
8 sees as achievement improving water supply without
9 (inaudible) the restoration of water supplies have been
10 restricted through removal of threats and species and
11 recovery of those species.

12 We do not see anything in the proposed project
13 that achieves this goal. Rather, the proposed project
14 seems to emphasize adjusting to the descriptions on water
15 supply.

16 The Water Authority is also concerned with the
17 emphasis on water flow through the Delta as the primary
18 means of achieving the co-equal ecosystem restoration.
19 While change may be necessary to restore the fish
20 population, there are many other stressors on fish not
21 adequately addressed in the draft plan EIR.

22 With respect to the draft IER, the document
23 does not define the co-equal goals. Without such
24 definition, it is impossible to fully comply with the
25 proposed project and alternatives. The draft EIR serves

I111-3

I111-4

I111-5

Response to comment I111-4

This is a comment on the project, not on the EIR.

Response to comment I111-5

The coequal are defined in Water Code section 85054. The project objectives, which were corrected to conform the wording to the Delta Reform Act, are stated in subsection 2.1.9, page 2-25, of the RDEIR. Please refer to Master Response 3.

1 the proposed project will achieve co-equal goals and the
2 alternatives will not, but the draft EIR does not say how
3 it will achieve the co-equal goals, nor does it define
4 what achievement the co-equal goals consist of.

I111-5

5 At a minimum, the draft EIR must define and
6 quantify achievement of co-equal goals and evaluate the
7 project and project alternatives against that definition.

8 While the draft EIR evaluates project
9 alternatives against the proposed project, it does not
10 set those alternatives out in full as they were submitted
11 to the council. The alternatives are merely paraphrased
12 and it does not adequately state the proposals and
13 prejudices the reader against the alternatives. The
14 alternatives should be laid out in full in the draft EIR
15 and evaluated fairly against the proposed project and the
16 definitions of achievement of the co-equal goals.

I111-6

17 Other than the recommendation that the BDCP be
18 completed on time, the draft EIR proposed project does
19 not include a process for moving forward with a project
20 to build the land facility. There is no contingency plan
21 with the BDCP, fails to meet the standards of the BDCP
22 other than to reduce local plans for supplies.

23 On whole, this is only different from the
24 project alternatives in that it adds a layer of
25 regulation for local and regional achievements to self

I111-7

Response to comment I111-6

Section 2A of the DEIR provides a summary of the proposed project and the alternatives. The summary highlights differences between the proposed project and each alternative and minimizes redundancy on common elements. Each resources section of the EIR provides a detailed analysis of each alternative compared to the project. An additional alternative, the Revised Project, was analyzed in the RDEIR. Please refer to Master Response 3.

Response to comment I111-7

Please refer to Master Response 1.

I111-7

1 sufficiency. Recommendation letters are needed and
2 wanted. Thank you for your time and comments.

3 MR. ISENBURG: Thank you. The next speaker is
4 Cathleen Pieroni for San Diego Public Utilities.

5 MS. PIERONI: Good evening. My name is
6 Cathleen Pieroni, and I am a principal water resources
7 specialist with the City of San Diego's Public Utilities
8 Department, servicing California's second largest city.
9 The San Diego Public Utilities Department is a retail
10 water agency that provides drinking water to the City's
11 1.3 million residents, wastewater treatment services to a
12 greater metropolitan area of 2.2 million residents, and
13 has the capacity to treat 45 million gallons per day of
14 recycled water from our two reclamation facilities.

I111-8

15 We thank the Delta Stewardship Council for this
16 opportunity to comment on its fifth draft of the Delta
17 Plan and the Delta Plan EIR. We especially thank the
18 Council for traveling to San Diego to receive comments.
19 While San Diego is hundreds of miles away from the Bay
20 Delta, our community would be impacted by the Delta plan
21 and EIR.

22 As you are most likely already aware, the City
23 of San Diego imports up to 90 percent of its water
24 supplies from Northern California and the Colorado River.
25 With an average rainfall of only ten inches of rain

I111-9

Response to comment I111-8

Comment noted.

Response to comment I111-9

This is a comment on the project, not on the EIR.

1 annually, San Diego simply does not have sufficient local
2 precipitation to sustain its current population, let
3 alone its future population and that is why imported
4 water has factored so prominently in our water supply
5 portfolio to date. Our city and our region have
6 aggressively pursued alternative water supplies including
7 water conservation, recycled water, potable reuse,
8 seawater desalination, and the historic long-term water
9 transfers from the Imperial Valley. Our community is
10 actually using less water today than it did in 1989 which
11 is especially remarkable given that we have added 300,000
12 residents since then, which is about the size of the City
13 of Stockton. Additionally, we are currently testing the
14 viability of potable reuse of wastewater as a drinking
15 water supply with a one million gallons per day
16 demonstration project. A full-scale project could be
17 built and operating as soon as 2020 if so directed by our
18 city council.

19 Given our agency's effort to diversify our
20 community's water supply portfolio, and knowing of
21 similar efforts in other communities throughout Southern
22 California, we find that the draft Delta plan does not
23 accurately describe our region's pioneering efforts to
24 achieve self sufficiency. If the plan misrepresents the
25 baseline situation, we ask how can it adequately divine

I111-9

No comments

- n/a -

1 the best path forward. Indeed, we believe that the draft
2 plan seeks to essentially regulate regional self
3 sufficiency rather than promoting it as was the direction
4 in the Delta Reform Act of 2009. One example of this
5 finding is the recommendation to mandate an expanded
6 state review of future urban water management plans of
7 agencies such as ours that import water from the Bay
8 Delta. Another example is the recommendation to grant
9 the Delta Stewardship Council the authority to evaluate
10 the merits of local water management plans of communities
11 importing water from the Bay Delta.

I111-9

12 Our imported water rates have doubled in the
13 past ten years and we fully expect them to double again
14 in the next ten years. Our community has suffered
15 through rate uncertainty on top of the uncertainty
16 associated with recent water supply restrictions, leaving
17 our rate payers fatigued and frustrated on both accounts.
18 If the Delta Stewardship Council is interested in
19 accelerating the advancement of the local supply projects
20 in our area, we recommend focusing on helping Southern
21 California with financial incentives and regulatory
22 relief rather than punitive regulatory approaches. We
23 are eager to continue to diversify our water supply
24 portfolio, but not at a pace beyond that which our rate
25 payers can sustain. Supporting the water bond is a good

I111-10

Response to comment I111-10

This is a comment on the project, not on the EIR.

I111-10

1 start in this direction.

2 Even with San Diego's aggressive efforts to
3 diversify its water supply portfolio, we do not yet
4 envision a day when we will be entirely self sufficient.

5 Population growth assures that the investments we make in
6 new supplies today will mostly meet future demands, not
7 current ones. We are deeply concerned the draft Delta
8 plan EIR do not support the core goal of the Bay Delta
9 conservation plan to recover those water supplies lost as
10 a result of the endangered species act restrictions.

I111-11

11 Our community needs assurances that the state
12 is doing all it can do to fix the Bay Delta. We agree
13 that the fix requires investments to improve the fragile
14 Bay Delta ecosystem. However, we strongly disagree that
15 the ecosystem restoration in any way prescribes a
16 reduction in pre-established export levels. We must
17 continue to strive to accomplish both ecosystem
18 restoration and water supply reliability for exporters
19 too.

I111-12

20 We are sensitive to the cost of fixing the Bay
21 Delta. Clearly the state needs to prioritize its
22 expenditures to accomplish the co-equal goals within a
23 realistic budget. We recommend that the state employ a
24 cost benefit assessment system for prioritizing needed
25 levee repairs as we specified in the Delta Reform Act.

I111-13

Response to comment I111-11

Please refer to Master Response 1.

Response to comment I111-12

This is a comment on the project, not on the EIR.

Response to comment I111-13

This is a comment on the project, not on the EIR.

1 With regard to the draft Delta plan EIR, we
2 seek clarification as to how future edits to the Delta
3 plan will impact the draft EIR. We believe it would be
4 inappropriate to change the EIR, once certified, to
5 accommodate future changes in the Delta plan. With this
6 in mind, we are concerned that the EIR is premature and
7 needs to be presented only after the Delta plan is
8 finalized. Further, we are concerned that the draft EIR
9 explicitly states that there is no review of how any of
10 the alternatives would achieve the co-equal goals, the
11 stated guiding principles of the entire effort. Without
12 this analysis, we believe the draft EIR lacks the
13 appropriate compass to guide the development of
14 reasonable conclusions. We call on the Delta Stewardship
15 Council to immediately take the following steps.

I111-14

16 One, suspend the current draft EIR.

17 Two, finalize the Delta plan, inclusive of the
18 Bay Delta conservation plan BDCP outlining infrastructure
19 recommendations.

20 Three, re-establish the co-equal goals as a
21 primary basis for reviewing the project alternatives in
22 the EIR office. ACWA's AG - urban alternative plan is a
23 good example.

24 And No. 4, reissue the updated draft EIR for
25 review and comment.

Response to comment I111-14

The Final Draft Delta Plan (the Revised Project) was issued in November 2012 and was analyzed in the Recirculated Draft Program EIR (Volume 3 of the Draft Program EIR), which was circulated for public review and comment from November 30, 2012 through January 14, 2013. Please refer to response to comment I111-5.

Response to comment I111-15

Comment noted.

1 In 2008, as our community was gearing up to
2 handle a call for mandatory imported water restrictions
3 of 13 percent, San Diego's Mayor Jerry Sanders lead a
4 coalition of big ten cities in calling on the state for
5 real, comprehensive solutions to the Bay Delta problems.
6 The current draft Delta plan and draft EIR fall short in
7 answering that call simply because they do not adequately
8 address water supply reliability. Let's wait until the
9 BDCP is completed and incorporated into the Delta plan
10 before proceeding. San Diegans must insist on a truly
11 balanced approach.

12 We wish to thank the Delta Stewardship Council
13 for all its hard work to date. We truly appreciate what
14 it has taken to get this far and we are optimistic we can
15 support a future draft plan and EIR. We also thank you
16 for traveling here to San Diego to receive our comments.
17 Next time you are in town, we invite you to tour some of
18 our major water infrastructure projects San Diegans are
19 making happen, projects like the Water Purification
20 Demonstration Project and the San Vicente Dam Raise.

I111-15

21 We hope you will carry back to Sacramento an
22 appreciation of what we are doing in San Diego to develop
23 local water supplies. We also hope you appreciate San
24 Diego's real need for ongoing imported water supplies.
25 Despite all our local efforts, imported water will

1 continue to factor prominently in our future water supply
2 portfolio and, as such, we should be considered to be an
3 ongoing partner with the Delta Stewardship Council. We
4 are glad to have the able staff of the San Diego County
5 Water Authority and the Metropolitan Water District
6 representing the City of San Diego's interest in this
7 matter and participate in ongoing efforts to develop the
8 comprehensive water supply reliability solutions Mayor
9 Sanders and the mayors of other major California cities
10 called for in 2008. Thank you for your time and
11 attention.

I111-15

12 MR. ISENBURG: Mr. Arakawa from the
13 Metropolitan Water District.

14 MR. ARAKAWA: Thank you, Chair Isenberg. My
15 name is Stephen Arakawa representing the Metropolitan
16 Water District of Southern California. I manage Bay
17 Delta activities for Metropolitan. On behalf of
18 Metropolitan, I would like to thank you for the
19 opportunity to comment on the Draft Environmental Impact
20 Report for the Delta plan. A successful finalized Delta
21 plan represents a cornerstone of future efforts to
22 achieve the co-equal goals of water supply, reliability
23 for California and ecosystem restoration for the
24 Sacramento-San Joaquin Delta.

I111-16

25 Metropolitan Water District is a water

Response to comment I111-16

Comment noted.

1 wholesale agency of imported supplies, serving 26 member
2 agencies. Our service area covers portions of a six
3 county area including Ventura, Los Angeles, San
4 Bernardino, Riverside, Orange and San Diego. Our service
5 area contains 19 million of the State's population.

1111-16

6 Metropolitan staff reviewed the draft plan and
7 provided detailed written comments in coordination with
8 other water agencies in September. This evening's
9 comments represent a summary of five key issues that we
10 encourage the Delta Stewardship Council to focus on in
11 the weeks ahead.

12 First is the proposed reliability element. The
13 council seeks to impose requirements on water agencies
14 in regions that receive export supplies through the
15 Delta. If the water agency were to participate in a
16 covered action within the Delta, this reliability element
17 would be evaluated by the Delta Stewardship Council.

1111-17

18 Under this policy the council would review whether, in
19 its determination, the water agency is complying with the
20 state law, is working diligently toward its 20/20
21 conservation goals in using appropriate water rate
22 structures to incentivize conservation and is investing
23 properly in local water conservation, efficiency and
24 development. Were the council to determine that the
25 water agency failed to adequately advance regional self

Response to comment I111-17

This is a comment on the project, not on the EIR. Please refer to Master Response 1 regarding the covered action review process.

1 sufficiency, the council under the draft Delta plan could
2 determine that the proposed covered action is
3 inconsistent with the plan itself. In essence, progress
4 in the Delta could be thwarted by the council,
5 secondguessing local management water decisions. This
6 proposal to regulate improved regional self sufficiency,
7 rather than promote local actions, threatens to alter the
8 focus of the Delta Stewardship Council from the Delta to
9 communities far away in an attempt to secondguess their
10 local water management efforts. Neither the fifth draft
11 of the Delta plan, nor the draft EIR, provides any
12 details on how the Stewardship Council would evaluate
13 far away local management efforts or determine whether
14 they pass or fail the Council's test. Metropolitan is
15 confident that if this issue were to get a fuller vetting
16 by the council, this proposal to regulate local water
17 management plans would quickly collapse under its own
18 weight. We encourage you to explore more effective ways
19 to promote improved regional self sufficiency as the
20 enabling statute of 2009 envisioned.

21 No. 2, second is the Bay Delta conservation
22 plan. This is the ongoing state-federal effort to
23 identify a suite of water system and ecosystem
24 improvements in compliance with state and federal
25 endangered species acts to provide a more long term,

I111-17

I111-18

Response to comment I111-18

Please refer to Master Response 1.

1 effective and comprehensive approach to managing the
2 state water project and central valley project. The
3 Delta Reform Act of 2009 explicitly states that BDCP will
4 become part of the Delta plan if it meets certain
5 requirements and also details an ongoing communication
6 process between state agencies and the council so that
7 the council is aware of future BDCP actions. The draft
8 Delta plan seeks to add new burdens on to BDCP in the
9 years ahead by requiring BDCP to seek council
10 certification of all BDCP implementation actions. Once
11 BDCP becomes adopted as part of the Delta plan, then all
12 of its implemented actions are, by definition, consistent
13 with the Delta plan and, therefore, deemed approved.
14 Adding a requirement for review and approval of
15 individual BDCP implementation actions is not only
16 contrary to the statute, it threatens the ability to
17 achieve the co-equal goals by allowing multiple
18 opportunities to oppose BDCP and adding delays.
19 Metropolitan reiterates its request that the Stewardship
20 Council refrain from adding new burdens on to this
21 already complex planning process.

I111-18

22 The third issue is Delta levees. The Delta
23 lacks a strategic approach to utilizing limited public
24 funds to underwrite levee improvements in the estuary.
25 It is absolutely essential that levee funding be

I111-19

Response to comment I111-19

Please refer to Master Response 2 and Final Draft Delta Plan, Chapter 7, Reduce Risk to People, Property, and State Interests in the Delta. Economic impacts are not effects on the environment under CEQA, and are not analyzed in the EIR. CEQA Guidelines §§ 15064(e) and 15131.

1 consistent with meeting the co-equal goals and for the
2 Delta plan to provide that strategic approach. To date,
3 the draft plan and the draft EIR do not contain the
4 elements of this strategic approach. Metropolitan has
5 been urging a cost benefit approach to specific proposed
6 levee improvements, taking into account the benefits of
7 water supply reliability as a factor in addition to other
8 benefits in setting priorities for levee funding in the
9 Delta.

I111-19

10 The fourth key issue is export reliability.
11 The draft plan seems to imply that in the future, less
12 water will need to be exported from the Delta area. The
13 draft EIR confirms this idea when it states that the no
14 project alternative, the status quo without a Delta plan
15 will result in greater exports than the Delta plan. The
16 public water agencies that use water exported through the
17 Delta are considering investing billions of dollars
18 through the BDCP to restore lost water reliability while
19 working towards Delta recovery efforts. The draft plan
20 and the draft EIR seem to be assuming that those
21 investments will actually decrease export supplies and
22 reliability as opposed to improving water supply
23 reliability.

I111-20

24 Lastly is the framework of the draft EIR. The
25 Delta plan is a key document to achieve the co-equal

I111-21

Response to comment I111-20

This is a comment on the project, not on the EIR.

Response to comment I111-21

Please refer to Master Response 3.

1 goals, yet the EIR explicitly avoids any analysis as to
2 how the alternatives in this document would or would not
3 achieve the co-equal goals. This is a glaring omission
4 in this document, leaving stake holders struggling to
5 provide meaningful comment on the differences among the
6 alternatives.

I111-21

7 Metropolitan appreciates the tremendous effort
8 to get the Delta plan drafting process to this critical
9 stage. As an original sponsor of the legislation that
10 created the Delta Stewardship Council and called for
11 creation of the Delta plan, Metropolitan hopes to be an
12 enthusiastic supporter of the final product. While
13 progress has been made through the drafting process, more
14 is needed. Metropolitan will continue to encourage
15 further refinements to the draft Delta plan and EIR so
16 that the final plan advances the co-equal goals and does
17 not create unintended consequences that could threaten
18 Delta solutions. Thank you for the opportunity.

I111-22

19 MR. ISENBERG: Mr. Paul Jones, the general
20 manager of the Eastern Municipal Water District.

21 MR. JONES: Thank you, chair members of the
22 Council. I appreciate the opportunity to speak and share
23 some of the thoughts on the draft Delta plan and EIR.
24 I'm Paul Jones, general manager of the Eastern Municipal
25 Water District.

I111-23

Response to comment I111-22

Comment noted.

Response to comment I111-23

Comment noted.

No comments

- n/a -

1 Just for background, the Eastern Municipal Water
2 District provides water, wastewater and recycled water to
3 700,000 residents in about a 550 square mile service area
4 in western Riverside county. We're a member agency of
5 the Metropolitan Water District of Southern California
6 and receive about 50 percent of the our water supplies
7 overall from Metropolitan.

8 I'd like to start out by saying MWB actively
9 supported the historic Delta Reform Act of 2009 as it was
10 moving through the legislature because it was carefully
11 crafted and compromised, we believe, four things.

12 First, it created a stewardship council to help 1111-23
13 coordinate the agency actions in the Delta which we felt
14 was important.

15 Second, it offered a comprehensive package to
16 meet co-equal goals, water restoration and water supply.

17 Third, it created a clear path for a successful
18 Bay Delta plan.

19 And, fourth, it also promoted regional self
20 sufficiency and reduced reliance on the Delta.

21 The comments I share with you focus on three
22 primary areas. First, the water reliability element of
23 the draft Delta plan. Second, our continued support of
24 the Bay Delta conservation plan and, third, comments on
25 the draft Delta plan EIR.

1 First I want to comment on the reliability
2 element section. We have a few concerns with this
3 section of the draft Delta plan. Probably the chief
4 concern is that the draft plan really in our mind doesn't
5 consider the efforts other than municipal water district
6 and like water agencies have done to advance self
7 sufficiency today and contain or reduce reliance on
8 Delta.

9 Like many other agencies in Southern
10 California, Eastern's efforts to move toward self
11 sufficiency began decades prior to the enactment of the
12 Delta Reform Act of 2009, and with the level of
13 commitment and resources we have put into these plans,
14 certainly are willing to continue into the future.

15 We're concerned the draft Delta plan currently
16 written does not take an approach to promote self
17 sufficient currently structured to regulate regional self
18 sufficiency which we believe isn't necessary to
19 particularly include other agencies (inaudible).

20 The section of plan we're referring to speaks
21 of mandating expanded urban management plans for water
22 agencies that receive exported water. This section is,
23 we believe, unnecessary as our current urban water
24 management plan already address our goals and efforts to
25 man our service area and increase our self sufficiency.

I111-24

Response to comment I111-24

This is a comment on the project, not on the EIR. Policy WR P1 has been amended in the Final Draft Delta Plan to state that water shall not be exported from, transferred through, or used in the Delta under conditions that include failure of water suppliers to contribute to reduced reliance on the Delta and to improve regional self reliance. RDEIR, Appendix C, Table C-11, page C-3; Final Draft Delta Plan, page 108.

Recommendations WR R1 through WR R5 regarding local water management plans have been amended in the Final Draft Delta Plan to require compliance with water management planning laws and regulations and calling for preparation of State guidance for expanded local water reliability elements for water suppliers that use Delta Water. Final Draft Delta Plan, p. 109; RDEIR, Appendix C, Table C-12, pp. C-12 to C-13.

1 Like the vast majority of agencies in Southern
2 California, MWD fully supports and has also implemented a
3 number of concepts that the stewardship council is trying
4 to advance. Vastly improve water insufficiency, expanded
5 water recycling, desalination and creation of
6 alternative plans of service interruption of Delta
7 supplies.

8 We've undertaken a number of efforts in our
9 service area and really moved to a substantially reduced
10 percentage of imported water in our service area. We
11 actually began providing water to our clients in the '60s
12 and, if you look at our wastewater, we recycle 90 percent
13 of the wastewater that enters our water treatment plants.
14 We have current plans in place to move towards recycling
15 100 percent and have those in our long-term capital
16 plans.

17 We also have developed and offered two dewater
18 salters as well as higher quality. We're taking steps
19 necessary to develop those resources and we have a third.
20 We have also implemented very aggressive budget based
21 allocation structures. These have been shown to several
22 agencies including looking forward to drastically reduce
23 water consumption and reduce per capita use.

24 We've implemented active conservation measures
25 since the early 1980's to implement (inaudible).

I111-24

No comments

- n/a -

1 Our concern is that the draft plan puts the
2 council in a position of reviewing these strategies
3 throughout California and deeming that they're acceptable
4 or not. We simply don't believe that's necessary. I
5 think the council should redirect its efforts and focus
6 on the Delta stressors, not Delta water and users.

I111-24

7 Secondly, I'd like to talk about some general
8 concerns with the Bay Delta conservation plan. We
9 support the plan as a key component of achieving co-equal
10 goals.

11 Before I get into that, I would like to mention
12 MWD as well as other agencies have consistently
13 reiterated support for the plan and support for
14 Metropolitan's approach to the BWDC's improvements. In
15 June of this year, Eastern's water district along with 18
16 other member agencies sent a letter to Metropolitan to
17 reinforce and convey that support for the BDCP and their
18 approach as some of regulatory things Mr. Arakawa
19 mentioned. I would like to enter that letter into the
20 record.

I111-25

21 In getting into the plan itself, we're
22 fundamentally concerned the plan and EIR do not support
23 the (inaudible) to restore water supplies that's been
24 lost since the BDCP since the restrictions resulting from
25 the Endangered Species Act. We're concerned about any

Response to comment I111-25

Please refer to Master Response 1.

1 approach to the species to maintain or reduce or further
2 reduce water supplies from the Delta to Southern
3 California.

4 Under the draft EIR, the Delta plan proposed
5 lets water available from the Delta under existing
6 conditions. As previously noted, the local efforts that
7 we have are really complimented by imported water. We
8 talk about supply a lot. For us to conjunctively use our
9 ground water basis and for us to use our recycled water,
10 we have to have water supplies that are low TDS. Of our
11 two water supplies, water comes through the state water
12 project, have substantially lower TDS and allow us to
13 develop our local supplies, allows us to use that
14 recycled water and conjunctively use ground water that
15 has current salt limitations. There's simply no other
16 way for us to have a full water supply without some
17 degree of imported water from the Delta.

18 For MWD, a key component was also how it gave
19 the BDCP a clear path and limitation. We're also
20 concerned the draft plan concerns new obstacles for the
21 BDCP, not consistent in both the spirit and act.

22 One example, once the BDCP is adopted into a
23 plan, its actions from our perspective should by
24 definition be consistent with the Delta plan. Yet the
25 draft Delta plan calls for each action under the BDCP to

I111-25

I111-26

I111-27

Response to comment I111-26

It is understood that the Delta water which has lower salinity than local supplies (e.g., recycled water) or other existing supplies (e.g., Colorado River water) and that Delta water currently is used to reduce the salinity of the other local and regional supplies prior to use for groundwater recharge. The PEIR alternatives assume that more extensive treatment, such as desalination of recycled water or other water supplies, would be implemented to increase the use of local and regional water supplies with less Delta water if reliance on Delta water is reduced.

Response to comment I111-27

Please refer to Master Response 1.

1 be subject under a challenge and it provides for that. I111-27

2 We believe this would create hundreds of small
3 appeals and delays unnecessary and basically allow the
4 BDCP to be secondguessed.

5 We have serious concerns the draft plan focuses
6 too heavy on flow criteria. While the flow criteria is
7 certainly an appropriate component of the plan, from our
8 perspective, the plan does not give equal weight and I111-28
9 address other stressors in the Delta. Again, we're
10 concerned that this approach is not consistent with the
11 Delta plan format.

12 Finally, our agency would like to comment on
13 co-equal and the role of achieving those plans and the
14 role of the draft EIR in drafting this. Our agency and
15 other agencies reviewed the draft EIR. We did not find
16 evidence in that document that intends to determine
17 whether a proposed project or any of its alternatives met I111-29
18 the co-equal goals.

19 In fact, without this plan, we don't see how
20 the council would be able to use the draft EIR in the
21 review process to approve a final plan that does meet the
22 co-equal goals.

23 I would like to conclude by thanking the council
24 and the Eastern Municipal Water District is grateful for
25 all the hard work the council and council staff have I111-30

Response to comment I111-28

Please refer to Master Response 5.

Response to comment I111-29

Please refer to Master Response 3.

Response to comment I111-30

Comment noted.

1 done. This is a tremendous undertaking. We really
2 appreciate the opportunity for this local hearing in
3 Southern California and the opportunity to provide these
4 comments and we hope that these comments and our
5 continued participation help advance a plan that meets
6 the plan for co-equal goals for water supply and
7 ecosystem restoration.

8 MR. ISENBERG: Mr. Record.

9 MR. RECORD: I'm also on the Eastern Municipal
10 Water Board so I won't repeat what our staff members have
11 already mentioned. I'll do it, though, typically like a
12 board member and state that there are seven items I would
13 like to have you consider.

14 No. 1 is a comprehensive approach, and I think
15 that the biggest issue here is to consider all the
16 stressors.

17 No. 2 is government doesn't want to see the
18 stewardship council be another regulatory body.

19 Three is science. Refocus scientific efforts
20 to identify solutions.

21 Four is an integrated analysis, co-equals
22 considered together.

23 Five, concur in limitation which is equal
24 recognition of co-equal goals.

25 Six, accountability. Measure and track

I111-30

I111-31

Response to comment I111-31

This is a comment on the Project, not on the EIR.

1 accomplishments as well as failures.
2 And No. 7, match and identify those that
3 advance co-equal goals.
4 Basically, that's all I wanted to say and I
5 appreciate your time.
6 MR. ISENBURG: Thank you very much. Those are
7 the blue forms I had. Is there anyone else here? Is
8 there anyone else that would like to speak to us on
9 comments on the Environmental Impact Report?
10 The time is 7:16. We appreciate very much your
11 coming out. We see no other parties or individuals.
12 Mr. Stevens, that can officially conclude our hearing.

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1111-31

No comments

- n/a -

No comments

- n/a -

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CERTIFICATION
OF
CERTIFIED SHORTHAND REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witness in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date

subscribed my name _____.

Dated: _____

Certificate Number _____