Response to comment OR90-1
Comment noted.

Response to comment OR90-2
Please refer to Master Response 3.

Response to comment OR90-3
The Revised Draft PEIR analyzes the environmental impacts of the Final Draft Delta Plan, which the Council will consider for approval.
Response to comment OR90-4

Please refer to Master Response 3.

Response to comment OR90-5

Regarding the development and selection of the range of alternatives considered in the EIR, please refer to master Response 3. The sentence quoted in the comment refers to Alternative 1B’s “reduced conservation and water efficiency measures” as compared to the Proposed Project, not to existing conditions. Regarding the EIR’s approach to the analysis of environmental impacts, please refer to Master Response 2.
Response to comment OR90-6
Please refer to Master Response 3.

Response to comment OR90-7
Please refer to Master Response 3.
project for the Council and other local, state, and federal agencies with statutory and regulatory responsibilities in the Delta to more accurately assess the environmental and economic tradeoffs associated with various proposed actions and thereby more efficiently and effectively leverage limited resources.

Contrary to the conclusions laid out in the DPEIR, the Coalition’s Alternate Plan does not rely only on voluntary actions by state and local agencies. As pointed out above, we have supported regulatory action when research and scientific evaluation has demonstrated that such actions are warranted. What our Alternate Plan does promote, in lieu of another regulatory layer, is for the Council to improve coordination and integration of actions amongst the 200+ agencies with responsibilities in the Delta. This lack of coordination is one of the critical weaknesses in the current management of the Delta ecosystem, and we believe it is one of the primary reasons the Legislature created Delta Stewardship Council.

A more accurate portrayal of the Coalition’s Alternate Plan would be one that offers a programmatic comprehensive approach to achieve the coequal goals that is based on integrated, scientific analyses.

3. The DPEIR does not provide any in-depth, quantifiable environmental analysis of the proposed project.

By its own admission, the DPEIR lacks any quantitative analysis. The justification for the lack of any quantitative analysis is that the proposed project is programmatic and contains no specific actions to evaluate. Consequently, there is nothing to quantify. To the contrary, we believe the DPEIR could realistically provide a more objective, quantitative analysis of the proposed project and compare it to the alternatives. Other agencies, most notably the U.S. Bureau of Reclamation in preparing the Programmatic Environmental Impact Statement for implementation of the Central Valley project Improvement Act and CALFED Bay-Delta Program, have prepared similar programmatic documents with ample quantitative analysis.

For example, the DPEIR must give sufficient consideration to potential environmental impacts outside the Delta associated with the activities contained in the proposed project and the alternatives. The proposed project proposes a policy that the State Water Resources Control Board (SWRCB) should accelerate the adoption of new flow objectives and criteria that would implement a “more natural flow regime”. The DPEIR emphasizes the point, citing the proposed project’s acceleration of a “more natural flow regime” as a key difference between the proposed project and the project alternatives. Yet the DPEIR lacks any significant discussion and analysis as to what is meant by a “more natural flow regime” or what the potential indirect and cumulative environmental impacts associated with implementing such a recommendation may have on natural resources outside the Delta. Millions of dollars have been invested outside the Delta to improve aquatic habitat during various life cycle stages for listed species. The DPEIR contains no discussion as to the potential adverse impacts of a “more natural flow regime” on critical aquatic habitat characteristics outside the Delta that may result from

Response to comment OR90-8

Please refer to Master Response 2.

Response to comment OR90-9

Please refer to Master Response 5.
a significant increase in flows for the Delta and an asserted need to concurrently reduce the availability of export supplies. Furthermore, there is no recognition, much less discussion, in the DPEIR as to potential indirect impacts on other resources not directly associated with the Delta or aquatic ecosystems. For example, the DPEIR is silent with regards to potential reductions in hydropower production that may result from a significant increase in flows for the Delta. And what that might mean in terms of increased greenhouse gas emissions associated with an increased reliance on other energy sources that have higher levels of carbon emissions and what that might mean with regards to air quality.

The DPEIR’s failure to analyze the impacts of the proposed acceleration of a “more natural flow regime” cannot be due to a lack of available data. The administrative record for the SWRCB’s 2010 Delta flow criteria report contains a great deal of hydrologic modeling demonstrating the potential impacts of at least some variations of “more natural flow regimes”. All of that information has long been available on the SWRCB’s website. The DPEIR fails to recognize and consider this best available information concerning the impacts of what the DPEIR acknowledges is one of the proposed project’s key elements.

Absent a more in-depth, quantifiable environmental analysis of the potential direct, indirect and cumulative effects associated with the proposed project, we do not believe that the Council can make a fully informed decision as to the environmental impacts associated with the proposed project.

4. There is no rational basis for concluding that the proposed project is environmentally superior to the Coalition’s alternate plan.

Given that the DPEIR does not evaluate the relative likelihood that the proposed project or the project alternatives will achieve the coequal goals, and given that the DPEIR fails to fully consider and analyze any of the potential environmental impacts of the proposed project to environmental resources outside the Delta, the conclusion in the DPEIR that the proposed project is environmentally superior to the Coalition’s Alternate Plan is, at best, premature. The manner in which the DPEIR assesses the project alternatives, namely, by comparing their effects to an assumed future in which the proposed project achieves the coequal goals, does not provide a clear explanation of how the project’s various proposed policies and recommendations might actually cause that result is arbitrary and capricious, and not supported by substantial evidence. The proposed project, in fact, may have limited success towards achieving the coequal goals. Consequently, the potential environmental impacts assumed for the proposed project, as set forth in the DPEIR, may be significantly understated or irrelevant when it comes to actually implementing the final Delta Plan. Given the lack of any in-depth quantitative analysis in DPEIR despite the availability of pertinent information — such as the hydrologic modeling in the SWRCB’s Delta flow criteria record — we believe the conclusion that the proposed project is environmentally superior to the Coalition’s Alternate Plan is an arbitrary conclusion. The Coalition strongly believes that if the proposed project and the

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Response to comment OR90-12

Comment noted.

Coalition’s Alternate Plan were to be analyzed in the context of concurrently achieving the coequal goals, the DPEIR could reasonably conclude that the Coalition’s Alternate Plan provides a more realistic approach to achieving the coequal goals, and in a manner that has less direct, indirect and cumulative impacts on the environment, both within the Delta and beyond.

We appreciate the opportunity to provide our comments and concerns. We hope that as the Council members review our comments they will do so with the understanding that the Ag-Urban Coalition is fully committed to the concurrent achievement of the coequal goals of improving statewide water supply reliability and restoring a sustainable Delta ecosystem. We believe that a Delta Plan which focuses on a comprehensive, integrated strategy that is implemented by the Delta Stewardship Council in coordination and cooperation with the more than two hundred local, state and federal agencies that have responsibilities in the Delta, has the greatest likelihood of achieving the coequal goals. We look forward to working with the Council and your staff in the months ahead to revise the draft Delta Plan to reflect such a model.

If you have any questions or feedback regarding these comments, please do not hesitate to contact me at (916) 441-4545.

Sincerely,

Timothy Quinn
Executive Director
Association of California Water Agencies
On the behalf of the Ag-Urban Coalition

Cc: Joe Grindstaff, Executive Officer, Delta Stewardship Council
Ag Urban II Coalition
Participants

Water Organizations
- Association of California Water Agencies (ACWA)
- California Latino Water Coalition
- Coalition for a Sustainable Delta
- Mountain Counties Water Resources Association
- Northern California Water Agencies (NCWA)
- State and Federal Contractors Water Agency (SFCWA)
- San Joaquin River Group Authority (SIRGA)
- Southern California Water Committee (SCWC)
- State Water Contractors (SWC)
- Water Resources Association of Yolo County

Business / Ag Organizations
- California Building Industry Association (CBIA)
- California Business Property Association
- California Chamber of Commerce
- California Farm Bureau Federation (CFBF)
- California Grocers Association
- Regional Council of Rural Counties (RCRC)
- Western Growers
- Valley Industry and Commerce Association

Water Agencies
- Anderson-Cottonwood Irrigation District
- Alameda County Water District
- Banta-Carbone Irrigation District
- Bella Vista Water District
- Browns Valley Irrigation District
- Calaveras County Water District
- Calaveras Municipal Water District
- Camichael Water District
- Central California Irrigation District
- Citrus Heights Water District
- City of Corona, DWP
- City of Folsom
- City of Roseville
- City of Sacramento
- Coachella Valley Water District
- Contra Costa Water District
- Cucamonga Valley Water District
- Del Paso Manor Water District
- Del Pueblo Water District
- Desert Water Agency
- Eastern Municipal Water Agency

No comments
- n/a -
Water Agencies (continued)

- El Dorado County Water Agency
- El Dorado Irrigation District
- Fair Oaks Water District
- Firebaugh Canal Water District
- Firing Water Authority
- Glenn-Colusa Irrigation District
- James Irrigation District
- Kern County Water Agency
- Lake Hemet Municipal Water District
- La Verne Municipal Water District
- Metropolitan Water District of Southern California
- Mojave Water Agency
- Nevada Irrigation District
- Placer County Water Agency
- Oakdale Irrigation District
- Orange Valley Water Company
- Rancho California Water District
- Rancho Murietta Community Services District
- Reclamation District No. 800
- Reclamation District 800
- Regional Water Authority
- Sacramento Suburban Water District
- Sacramento Regional County Sanitation District
- San Diego County Water Authority
- San Bernardino Valley Municipal Water District
- San Juan Water District
- San Luis & Delta-Mendota Water Authority
- San Luis Water District
- Santa Clara Valley Water District
- South San Joaquin Irrigation District
- Tehama-Colusa Canal Authority
- Three Valleys Municipal Water District
- Tuolumne Utilities District
- Turlock Irrigation District
- Uteca Power Authority
- Yolo County Water District
- Yolo County Flood Control & Water Conservation District
- Yuba County Water Agency
- Zone 7 Water Agency