

2/11/14

Comment #	Comment	Response
1	Operational flows under Alternative 4 are not specified because of uncertainties regarding the requirements for spring and fall outflows, and hence what is proposed is a decision tree with 4 possible outcomes. The uncertainties are proposed to be resolved with a series of targeted studies done during the construction period. Where in the Plan or EIR/S is the research plan for these studies described? What measures will be used to determine what outflows are necessary? What is the contingency plan in case the uncertainties are not resolved by the time construction has been completed?	Discussions are underway for a study plan for the decision tree. The decision tree process has been described in Chapter 3, Section 3.4.1.4.4 of the BDCP, and in Chapter 7, Section 7.1.7 of the BDCP, which outlines a procedure for the resolution of disputes related to implementation decisions.
2	Delta ISB is concerned about the time lag between the construction phase and habitat restoration phase. This means that the benefits of habitat restoration may not occur for a long time and benefits may be too late for some species. Were alternative scenarios considered for beginning habitat restoration sooner or phasing it in in order to maximize the benefits?	Habitat restoration will take place throughout the permit period. A breakdown of the progress for restoration (by 5 year increments) is provided in Table 6-2 in Chapter 6 of the BDCP. Approximately 11,000 acres of restoration is required in the first 5 years of implementation, and another 11,000 acres in the second 5 years. Therefore, a total of 22,000 acres of restoration will occur before the construction for CM1 is complete. The feasibility of near-term habitat restoration and protection efforts to offset near-term construction impacts on terrestrial biological resources was considered in Appendix 12D of the EIR/EIS. For some alternatives, additional mitigation measures have been proposed to provide conservation acreage sufficient to offset near-term impacts.
3	In that same vein, there is a lot of uncertainty surrounding the effectiveness of many of the CMs. Positive benefits are assumed, but what are the contingency plans if the measures are	The EIR/EIS evaluates the effects of the Plan as it has been proposed, with the assumption that, if the Plan is being implemented, it is meeting the biological goals and

	<p>ineffective? Adaptive management would seem to be the answer, but AM seems to be generally neglected in the EIR/S. We have a lot of concern about AM and governance, and will probably be asking questions about those subjects.</p>	<p>objectives. The BDCP proposes a suite of conservation measures that are each directed at improving conditions by tackling a different and sometimes overlapping sets of stressors. It would be speculative to attempt to guess what actions might prove necessary and desirable in the course of the adaptive management process without first ascertaining the effectiveness of the measures proposed. However, the EIR/EIS team agrees that more information could be added where contingency plans have been identified, perhaps using current restoration activities as an illustrative example of how adaptive management could change the course of the Plan. For example, the Plan provides that, as more is learned about the effectiveness of the conservation measures, resources may be diverted from less effective measures to more effective measures in an effort to maximize effectiveness.</p>
<p>4</p>	<p>How are the interactions between species considered, in time and space? We know we can't really manage species by species, and what's good for one may be adverse for another, where is that captured or addressed?</p>	<p>Effects on species are described individually within the EIR/EIS. The effects are captured through the effects of the conservation measures. For example, tidal habitat restoration designed to benefit certain fish species may convert terrestrial species' habitat. Such changes are addressed as effects, which are offset through other actions in the Plan (e.g. protection or enhancement of similar habitat within the Plan Area).</p>
<p>5</p>	<p>Climate change will impact the effectiveness of CMs, and mitigation overall, but the EIR/S primarily deals with the effects of the alternatives on CC. This is a serious concern.</p>	<p>Effects related to climate change are built into modeling assumptions with respect to future precipitation patterns and sea level rise, and restoration takes into account these changes with respect to appropriate elevations. Climate change and sea level rise are part of the No Action Alternative in the EIR/EIS, so comparisons between action alternatives and the No Action Alternative take into account the anticipated effects of climate change.</p>

		<p>Specifically, Chapter 29 of the DEIR/EIS discusses the range of climate change analysis, including possible sea level rise up to 55 inches. Chapter 29, Section 29.2, explains that the DEIR/EIS analyzed three fundamental questions related to climate change:</p> <p>1) What is the impact of the BDCP alternatives on climate change?</p> <p>This is addressed in Chapter 22, “Air Quality and Greenhouse Gases.”</p> <p>2) Are future changes in climate likely to exacerbate project impacts?</p> <p>This issue is addressed throughout the resource chapters. In these analyses, the BDCP alternatives are evaluated using a projection of future climate that includes changes in temperature, precipitation, humidity, hydrology and sea level rise. Appendix 5A, the “Modeling Technical Appendix,” provides detailed information about the development of the climate change projections. Chapter 29 explains that this question “fulfills the requirements for climate change analysis outlined in the Delta Reform Act of 2009.”</p> <p>3) How will the BDCP alternatives affect the resiliency and adaptability of the Plan Area to the effects of climate change?</p> <p>This is addressed in Chapter 29. Section 29.6 explains how the action alternatives seek to make physical improvements to the SWP/CVP system that will serve to</p>
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		provide resiliency and adaptability to rising sea levels and other reasonable foreseeable consequences of climate change. This section discusses the resiliency and adaptability to sea level rise and hydrology changes for water supply reliability, aquatic species in the Delta, terrestrial habitat and terrestrial species, and Delta levee stability.
6	Many of the assessments made, for example in Chapter 11, are qualitative. If one qualitative assessment is viewed as positive, while another one is viewed as negative, how is a conclusion reached?	While the impact analysis is substantially broken into separate sections (for example, it is divided by species, by various aspects of the Plan, by life stage, by habitat vs. migration vs. entrainment), for the sake of logistical feasibility, certain elements are combined, including, in some cases, effects in different geographies. When qualitative assessments suggesting a substantial range of effects are presented, an overall conclusion is reached based on the evidence presented in the component sections of the impact discussion.
7	Can agencies really do what BDCP is assuming they will be able to do--are they resourced for it, or will they be. A simple example--mosquito abatement districts and expectations of their effectiveness in Chapter 25--Public health.	<p>Section 4.2.5.3 of Chapter 4 of the EIR/EIS describes mitigation approaches used in the document and describes CEQA's requirement that the lead agency adopt feasible mitigation measures when significant impacts are identified.</p> <p>Sections 8.A.6 and 8.A.7 of Appendix 8.A of the BDCP describes mitigation measures and the associated costs that may be needed to implement these measures. This formalizes some of the financial responsibilities that the BDCP proponents are taking with respect to implementation of these measures.</p> <p>With respect to the specific example, please see pages 25-121 and 25-122 of the EIR/EIS. To quote, "The preparation and implementation of the [mosquito] management plans would be performed in consultation</p>

		<p>with the appropriate MVCDs. This consultation would occur when specific restoration and enhancement projects and locations are identified within the ROAs and prior to implementation of CM2. It is standard practice to use IPM to control mosquitoes, and, as part of the consultation with the MVCDs, BDCP proponents would prepare and implement MMPs (Appendix 3B, <i>Environmental Commitments</i>).</p> <p>This text puts the onus on the BDCP proponents to carry out mitigation, though “consultation” could require time for staff to review the MMPs and meet with BDCP proponents.</p>
8	<p>In the EIR/S, most but not all of the impacts of the alternatives are geographically confined to the Delta. That seems constrained to us--for example the NRC specifically recommended that water quality impacts should be considered in SF Bay as well as the Delta. Is there a compelling reason that wasn't done?</p>	<p>We did examine effects in SF Bay but found them to be minimal due to the small fraction of flow changes that BDCP represents. This is discussed briefly in the EIR/S in Section 4.2.1.2 Definition of Study Area “Areas downstream of the Delta (e.g., San Pablo Bay, San Francisco Bay south to Golden Gate and Bay Bridge) were considered and were not included as a part of the BDCP’s analysis”.</p>
9	<p>We wondered why levees weren't given their own chapter--not really a question, but a concern we may express.</p>	<p>The EIR/EIS generally follows the resource areas outlined in the CEQA guidelines. Effects related to flood potential are described in Chapter 6, Surface Water, and engineering standards and codes related to the construction of new water conveyance facilities are outlined in Chapter 9 and Appendix 3B. The potential for flooding effects was evaluated using CALSIM II related to changes in flood storage and river stage. Potential changes related to levee stability during operation of CM1 and for restoration actions is addressed in Chapter 9, Geology and Seismicity. Please see impacts Geo-9 and Geo-15.</p>

10	<p>And finally, some questions about improving the 'readability', not that we expect much to be done right now, but for future consideration:</p> <ul style="list-style-type: none"><li>--some sections are obviously pretty dated, it would help to 'time stamp' them as to when they were essentially completed;</li><li>--better indexing of the documents, to more easily search for topics, especially between BDCP and the EIR/S. Can this be improved in a next version?</li><li>--the desire for chapter summaries, that we've asked for in previous comments, remains. If there's time we might discuss what we think those would look like;</li><li>--bulleted lists of key assumptions that were made for the different analyses would be very helpful.</li></ul>	<p>Chapter summaries focused on a comparison between alternatives will be prepared for the Final EIR/EIS. Other potential readability issues will also be discussed with lead agency staff.</p>
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