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Preliminary Scoping Report

Bay Delta Conservation Plan EIR/EIS Project

February 2009

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1.0 INTRODUCTION

1.1 BAY DELTA CONSERVATION PLAN PROCESS

The Bay Delta Conservation Plan (BDCP) is a unique undertaking initiated and funded by public water agencies with the active participation of environmental organizations, the state and federal fishery agencies, and other state and local organizations that are involved in development of a plan for the long-term sustainability of the Delta. The goal of the BDCP participants is to formulate a plan that could ultimately be approved by the fish agencies as a Habitat Conservation Plan (HCP) under the provisions of federal Endangered Species Act section 10(a)(1)(B) and a Natural Community Conservation Plan (NCCP) under Fish and Game Code sections 2800 *et seq.*, and/or the California Endangered Species Act, sections 2050 *et seq.*

The purpose of the BDCP is to provide for the recovery of endangered and sensitive species and their habitats in the Delta and also provide for the protection and restoration of water supplies that the federal and state projects currently convey through the Bay Delta. The BDCP will address the following issues.

- ❑ Identify and implement conservation strategies to improve the overall ecological health of the Delta.
- ❑ Identify and implement ecologically friendly ways to move fresh water through and/or around the Delta.
- ❑ Address toxic pollutants, invasive species, and impairments to water quality.
- ❑ Provide a framework and funding to implement the plan over time.

The BDCP is being developed through a collaboration of State, federal and local water agencies, and Mirant Delta LLC (Mirant Delta), owners of an electric power generating facilities located near Antioch and Pittsburg, California. California Department of Water Resources (DWR) and US Bureau of Reclamation (Reclamation), along with the Metropolitan Water District of Southern California (Metropolitan), the Kern County Water Agency (KCWA), the Santa Clara Valley Water District (SCVWD), Alameda County Flood Control and Water Conservation District, Zone 7 Water Agency (Zone 7), the San Luis and Delta Mendota Water Authority (SLDMWA), the Westlands Water District (WWD), and Mirant Delta are collectively known as the "Potentially Regulated Entities" (PREs) and are preparing the BDCP for existing and proposed covered activities within the Statutory Delta.

The BDCP process is intended to provide the basis for DWR, State and federal water contractors, and Mirant Delta to apply for incidental take permits (ITPs) pursuant to Section 10 of FESA and California Fish and Game Code Section 2835 and/or 2081. The BDCP is also intended to provide Reclamation the ability to obtain Biological Opinions pursuant to Section 7 of FESA. These incidental take authorizations would allow the incidental take of threatened and endangered species resulting from covered activities and conservation measures that will be identified through the planning process, including those associated with water operations of the California State Water Project (SWP), as operated by DWR and the federal Central Valley Project (CVP), as operated by Reclamation, as well as operations of certain Mirant Delta power plants. Ultimately, the BDCP is intended to secure authorizations that would allow the conservation of covered species, the restoration and protection of water supply reliability, protection of certain drinking water quality parameters, and the restoration of ecosystem health to proceed within a stable regulatory framework.

The BDCP is being prepared with the participation of the US Fish and Wildlife Service (Service), National Marine Fisheries Service of the National Oceanic and Atmospheric Administration (NMFS), California Resources Agency, California Department of Fish and Game (DFG), the State Water Resources Control Board (SWRCB), the PREs, and various stakeholders, including The Nature Conservancy, Environmental Defense, Defenders of Wildlife, the California Farm Bureau, the Natural Heritage Institute, American Rivers, Contra Costa Water District, and The Bay Institute. These organizations are members of the Steering Committee that is helping to guide preparation of the BDCP. The regulatory agencies, Service,

NMFS, DFG and SWRCB are participating in the Steering Committee to provide technical input and guidance in support of the Steering Committee's efforts to complete the BDCP.

The participants signed a Planning Agreement in October 2006 that contained the following Planning Goals.

- ❑ Provide for the conservation and management of covered species within the planning area.
- ❑ Preserve, restore, and enhance aquatic, riparian, and associated terrestrial natural communities and ecosystems that support covered species within the planning area through conservation partnerships.
- ❑ Allow for projects that restore and protect water supply, water quality, ecosystem, and ecosystem health to proceed within a stable regulatory framework.
- ❑ Provide a means to implement covered activities in a manner that complies with applicable State and federal fish and wildlife protection laws, including the NCCPA or CESA, FESA, and other environmental laws, including CEQA and NEPA.
- ❑ Provide a basis for permits necessary to lawfully take covered species.
- ❑ Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements for covered activities within the planning area.
- ❑ Provide a less costly, more efficient project review process which results in greater conservation values than project-by-project, species-by-species review.
- ❑ Provide clear expectations and regulatory assurances regarding covered activities occurring within the planning area.

1.2 ENVIRONMENTAL DOCUMENTATION PROCESS

An Environmental Impact Report/Environmental Impact Statement (EIR/EIS) will be prepared by DWR as the lead agency for the State of California, and by the co-lead federal agencies of NMFS, Service, and Reclamation. DFG will serve as a responsible/trustee agency for the State of California.

1.3 SCOPING PROCESS

The purpose of scoping is to provide an open process for determining issues to be addressed, alternatives to be considered, and the need to focus on specific issues during the impacts and benefits analysis. Scoping provides an opportunity to involve stakeholders, other agencies, and the public early in the environmental process to identify concerns and collect information from the public, agencies, and other stakeholders related to the BDCP for the EIR/EIS. The information to be collected is related to resource issues and approach to impact assessments, participation in the study, potentially affected geographical areas, alternatives to be considered, related activities, and general approach to preparation of the EIR/EIS.

Scoping is conducted as part of the compliance with the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA). The NEPA process is more formalized than the CEQA process.

1.3.1 NEPA Requirements

The NEPA regulations (40CFR 1501.7) define scoping as "an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action." The scoping process should include federal, state, local agencies, Indian tribes, project proponents, and other interested persons. The results of the scoping process should be used to determine the potentially significant environmental issues to be analyzed in an EIS, issues that are determined to be not significant or addressed in other documents, related activities with separate environmental documents, and assignments of joint preparation of the EIS among the lead and cooperating agencies, if appropriate.

Scoping is initiated as soon as possible after the lead agency decides to prepare an EIS. A Notice of Intent (NOI) is published in the Federal Register prior to initiating the scoping process. Public scoping meetings are generally held about 30 calendar days following publication of the NOI. Comments continue to be collected for several weeks following the scoping meetings. A scoping report is often published to summarize the issues identified in the formal scoping process and publicize decisions. Scoping frequently continues throughout the preparation of the Draft EIS.

1.3.2 CEQA Requirements

CEQA encourages scoping to identify the range of alternatives, focus the proposed action, identify issues related to the impact assessment, and consider mitigation measures. Results of the scoping process also can be used to identify issues that are not significant and do not need to be analyzed in detail in the EIR. Scoping is an effective way to develop a dialogue between federal, state, local agencies, proponents of the action, and interested persons for the EIR process.

Scoping may be initiated following publication of the Notice of Preparation (NOP) by the lead agency. Scoping meetings may be held following the NOP publication, but are not required under CEQA. Scoping frequently continues throughout the preparation of the Draft EIR.

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2.0 PRELIMINARY SCOPING EFFORTS

2.1 CEQA AND NEPA SCOPING ACTIVITIES

The CEQA and NEPA scoping processes were initiated with the publication of the NOP and NOI.

On January 24, 2008, the Service and NMFS issued a NOI to prepare an EIR/EIS for the BDCP. The NOI was re-issued on April 15, 2008 to include Reclamation as a co-lead federal agency, update the status of the planning process, and provide updated information related to scoping meetings. On March 17, 2008, the DWR issued a NOP for the BDCP EIR/EIS. The April 15, 2008 NOI and March 17, 2008 NOP provided similar information that is summarized below.

The NOP and NOI stated that verbal comments would be recorded at the Preliminary Scoping Meetings, as described below, and written comments would be accepted until May 30, 2008.

Copies of the NOP and NOI are included in Appendices A and B, respectively, of this Preliminary Scoping Report. A copy of the Press Release from DWR is included in Appendix C. A copy of one of the newspaper notifications for the Preliminary Scoping Meetings is included in Appendix D.

At the time of the publication of the NOP and NOI, the BDCP was in development, and information related to the proposed action and alternatives to be considered in the EIR/EIS were not available. This information is being developed by BDCP, and a subsequent scoping process will be initiated in early 2009 to obtain additional comments on the proposed action and the types of alternatives that will be evaluated in the EIR/EIS. Therefore, this report is referred to as a "Preliminary Scoping Report."

2.2 INFORMATION DISCUSSED IN THE NOP AND NOI

The NOP and NOI described the purpose and participants in the BDCP, as discussed above. The NOP and NOI briefly discussed concepts that could be considered in the BDCP, including near-term and long-term approaches, including habitat restoration; methods to reduce stressors on covered species; conveyance facilities to enhance operational flexibility and water supply reliability, such as conveyance strategies identified in December 2007 by the Delta Vision Blue Ribbon Task Force (Delta Vision); water operations and management actions to achieve conservation and water supply goals; and a comprehensive monitoring, assessment and adaptive management program guided by independent scientific input.

The NOP and NOI stated that the BDCP covered activities may include, but are not limited to, existing or new activities related to the following activities.

- Existing Delta conveyance elements and operations of the SWP and CVP.
- New Delta conveyance facilities.
- Operational activities of the SWP and CVP generally described in the BDCP November 2007 Points of Agreement.
- Emergency preparedness of the SWP and CVP in the Delta.
- Operational activities in the Delta related to water transfers involving water contractors or to serve environmental programs.
- Maintenance of the SWP, CVP, and other PREs' facilities in the Delta.
- Facility improvements of the SWP and CVP within the Statutory Delta (California Water Code Section 12220).
- Ongoing operation of and recurrent and future projects related to other Delta water users, as defined by the Planning Agreement.
- Projects designed to improve Delta salinity conditions.

- ❑ Existing power generation operations of the Mirant Delta power plants.
- ❑ Conservation measures included in the BDCP, including, but not limited to, fishery related habitat restoration projects, adaptive management, and monitoring activities in the Delta.
- ❑ New power lines and rights of way.

An initial list of Covered Species and a brief discussion of the Study Area were included in the NOP and NOI. The NOP and NOI also stated that the EIR/EIS will analyze the reasonably foreseeable direct, indirect and cumulative effects (e.g. climate change, including sea level rise) of the BDCP and a reasonable range of alternatives on a wide range of resources, including but not limited to the following resources.

- ❑ BDCP Covered Species, and Other Federal and State Listed Species.
- ❑ Aquatic Biological Resources.
- ❑ Wetlands and Terrestrial Habitat.
- ❑ Surface Hydrology including Water Rights.
- ❑ Groundwater Hydrology.
- ❑ Geology and Soils.
- ❑ Water Quality.
- ❑ Seismic Stability.
- ❑ Aesthetics.
- ❑ Air Quality, including Greenhouse Gas Emissions.
- ❑ Land Use (e.g. Urban, Agricultural and Industrial Uses).
- ❑ Historic and Cultural Resources.
- ❑ Environmental Health and Safety.
- ❑ Public Services and Utilities.
- ❑ Energy and Natural Resources.
- ❑ Recreation.
- ❑ Population/Housing.
- ❑ Transportation/Traffic.

2.3 PRELIMINARY SCOPING MEETINGS

Preliminary Scoping Meetings were held throughout California. Notification of the dates, times, and locations were included in the NOP, NOI, newspaper advertisements, and on the BDCP website (<http://www.resources.ca.gov/bdcp>). Interested parties were encouraged to attend the Preliminary Scoping Meetings to provide verbal comments.

The Preliminary Scoping Meeting format included a 30-minute time period where the attendees could informally view several informational posters and discuss issues pertaining to the project with staff of DWR, DFG, Reclamation, Service, and NMFS. After public review of the posters, the agencies made a 20 minutes formal presentation. Following the presentation, the meeting was opened for comments. All comments were recorded and transcribed during this portion of the meeting. Following, the formal portion of the Preliminary Scoping Meeting, attendees could further discuss issues and ask questions of the DWR, DFG, Reclamation, Service, and NMFS staff.

The locations, dates and times, and number of attendees at each Preliminary Scoping Meeting are presented in Table 2-3.1.

Table 2-3.1. Summary of Preliminary Scoping Meetings

Meeting Location	Date and Time	Attendees that Registered
Sacramento, CA, California Resources Building Auditorium	April 28, 2008	117
Chico, CA Chico Masonic Family Center	April 29, 2008	25
Clarksburg, CA Clarksburg Middle School	April 30, 2008	167
Stockton, CA San Joaquin Farm Bureau	May 5, 2008	57
San Jose, CA Santa Clara Valley Water District	May 6, 2008	32
Los Banos, CA City of Los Banos, Public Services Department, Senior Center	May 7, 2008	7
Los Angeles, CA Junipero Serra State Office Building	May 8, 2008	31
San Diego, CA Marina Village Conference Center	May 12, 2008	13
Fresno, CA Four Points	May 13, 2008	25
Bakersfield, CA Kern County Board of Supervisors Chamber	May 14, 2008	19

2.4 PRELIMINARY SCOPING REPORT

This Preliminary Scoping Report was developed to summarize the process and document the outcomes of the preliminary scoping process. Chapter 1 provides an overview of scoping requirements. Chapter 2 describes the preliminary scoping activities. Chapter 3 describes the methods used to identify and categorize Preliminary Scoping Comments. Appendices A and B include copies of the NOP and NOI. Appendix C includes the DWR Press Release. Appendix D includes an example of the newspaper advertisement for the local newspapers in the communities with Preliminary Scoping Meetings. Appendix E includes the Preliminary Scoping Comments by categories described in Chapter 3. A list of agencies, stakeholders, and individuals that provided written and verbal comments is presented in Appendix F. Appendix G is bound separately and include Comment Letters, Emails, Comment Cards. Appendix H also is bound separately and includes the transcripts of the Preliminary Scoping Meetings.

Due to the preliminary nature of the Preliminary Scoping Report, Chapter 3 of the Preliminary Scoping Report only includes a summary of the types of comments received during preliminary scoping process. In early 2009, the scoping process will be reinitiated and the related scoping comments will be added to the Preliminary Scoping Comments. The Scoping Report to be prepared following the 2009 scoping process, will include all scoping comments from 2008 and 2009 and describe the manner in which scoping comments were used in the development of the EIR/EIS.

3.0 SUMMARY OF PRELIMINARY SCOPING COMMENTS

3.1 OVERVIEW OF COMMENTS RECEIVED

During the preliminary scoping process, 113 letters and emails and 8 comments cards were submitted prior to the end of the Preliminary Scoping Comment period on May 30, 2008. Transcripts were prepared for verbal comments from 95 presenters during the formal scoping portion of the Preliminary Scoping Meetings.

Letters, emails, comment cards, and transcripts were reviewed to identify 1,166 separate comments. The comments were initially grouped into the following broad categories.

- ❑ Concepts to be considered in the development of EIR/EIS alternatives.
- ❑ Preliminary scoping process.
- ❑ Study Area and Study Period.
- ❑ Future Conditions without BDCP implementation.
- ❑ Considerations for the Environmental Impacts/Consequences analyses by resource areas (e.g. agricultural)

Large categories related to concepts to be considered in development of EIR/EIS alternatives and impact assessment of specific resource areas were separated into several categories, as summarized in Table 3-1.1 and Section 3.2.

Specific comments were copied from the letters, emails, comment cards, and transcripts into tables for each category, as presented in Appendix E. Several longer comments were included in multiple categories. Therefore, there are 1,190 comment entries. Comments are listed within each category alphabetically by agency or affiliation. A list of agencies, stakeholders, and individuals that provided written and verbal comments is presented in Appendix F.

The letters, email, and comment cards are presented in Appendix G (bound separately). The transcripts are presented in Appendix H (bound separately).

3.2 SUMMARY OF COMMENTS RECEIVED

The following subsections present the comments received during the preliminary scoping process and a summary of issues discussed in the comments.

3.2.1 Integration with Other Processes

There were 42 comments related to Integration with Other Processes, as presented in Table E-1. The primary comments were related to integration with existing requirements and with ongoing related projects. There were concerns that the BDCP process should be consistent with existing laws and regulations including the Clean Water Act, Endangered Species Act, California Endangered Species Act, Central Valley Project Improvement Act, and Delta Protection Act. Comments were submitted that the BDCP should consider inter-relationships with the Delta Vision and CALFED programs; other Habitat Conservation Plans and Natural Community Conservation Plans; General Plans; infrastructure plans, such as improvements to highways; other habitat restoration plans; and the statewide Bulletin 160 water resources plan.

3.2.2 Issues to be Considered in Development of BDCP Concepts

There were 122 comments related to the development of BDCP concepts, as presented in Table E-2. The primary comments were related to the BDCP commitment of co-equal goals of the recovery of endangered and sensitive species and their habitats in the Delta and also provide for the protection and restoration of water supplies that the federal and state projects currently convey through the Bay Delta.

Table 3-1.1. Summary of Comments Received During Preliminary Scoping Process

Concepts Addressed by Comments	Number of Comments
Integration with Other Processes	42
Issues to be Considered in Development of BDCP Concepts	122
Habitat Restoration Concepts	87
Biological Concepts	128
Delta Conditions and Water Supply Operations Concepts	176
Surface Water Concepts	96
Water Quality Concepts	69
Implementation Concepts	18
Preliminary Scoping Process Concepts	24
Future Participation in the EIR/EIS Process Concepts	41
Study Area and Study Period Concepts	12
Future Conditions without BDCP Concepts	23
Agricultural Concepts	82
Socioeconomic, Population, and Land Use Concepts	60
Utilities and Public Services Concepts	25
Transportation Concepts	12
Recreation Concepts	5
Regional Economic Concepts	43
Flood Management Concepts	33
Groundwater Concepts	18
Sediment Concepts	4
Seismic Concepts	7
Potential Risk from Mosquitoes Concepts	17
Air Quality and Potential for Odors Concepts	7
Climate Change Concepts	28
Energy Use and Greenhouse Gas Emission Concepts	5
Secondary Growth Concepts	6

Other comments discussed the need to fully identify benefits and impacts to other resources, consider interaction of the Delta aquatic environment and other stressors not related to water diversions, use of scientific-based analyses, avoid redirected impacts, and consider long-term implementation issues, including costs for governance and land acquisition. Some comments discussed methods to reduce reliance upon Delta water supplies, including water conservation, recycling, and use of other water supplies. Other comments discussed the need for Delta water supplies to maintain other supplies, such as the need for Delta water in conjunctive use programs to ensure adequate groundwater recharge operations.

3.2.3 Habitat Restoration and Biological Concepts

There were 87 comments related habitat restoration concepts to be considered in the development of BDCP, as presented in Table E-3; and 127 comments related to biological issues to be evaluated in the EIR/EIS, as presented in Table E-4. These comments were similar in nature and encouraged an ecosystem or habitat approach that incorporated monitoring programs and adaptive management methods. Several comments addressed the need to use comprehensive ecological scientific-based approaches to correlate habitat goals with specific plans for specific geographic locations, and to include upland habitats as well as wetland and aquatic habitats. There were concerns that restored habitats may not be similar to historical conditions, and therefore, may not be successful. Other comments discussed the need to coordinate with other restoration programs, such as restoration activities in the Yolo Bypass and other Habitat Conservation Plans/Natural Community Conservation Plans; and to consider relationships between BDCP restoration plans and habitat located upstream of the Delta. The comments included a concern that changes in existing land uses, including agricultural practices or changing freshwater habitats to brackish tidal water marshes, would create adverse impacts as well as benefits to the ecosystem. These and other comments discussed the need to identify and mitigate any redirected impacts. Finally, several comments suggested that incentives could be provided to existing land owners to implement activities that would benefit habitats and maintain ongoing land uses.

3.2.4 Delta Conditions and Water Supply Operations, Surface Water, and Water Quality Concepts

There were 176 comments related to Delta conditions and water supply operations concepts to be considered in the development of BDCP, as presented in Table E-5; 96 comments related to surface water issues, as presented in Table E-6; and 69 comments related to water quality issues to be evaluated in the EIR/EIS, as presented in Table E-7. These comments were similar in nature and encouraged an understanding of changes in flows, water quality, and diversion methods with and without BDCP. Many comments discussed the need to consider concepts identified in other studies, including the use of Delta barriers to maintain freshwater corridors, use of state-of-the art fish screens, habitat restoration and water supply concepts identified during the Delta Vision process, and methods to change demand patterns for Delta water supplies (e.g. development of water conservation, recycling, or groundwater programs).

Additional comments related to surface water discussed concerns of changes in drainage and seepage patterns that could affect land uses, water quality, and mosquito potential.

Comments related to changes in water quality discussed the continued use of Delta water supplies due to changes in water quality or flows. Several comments identified the need to understand the extent, duration, and frequency of water quality changes that could affect habitat and water supplies related to changes in salinity, temperature, bromides, organic compounds, selenium, and other constituents. Agencies with discharge permits for stormwater and treated wastewater effluent were concerned if changes in Delta water quality would affect the permit conditions. Several comments were related to changes in water quality that could occur due to construction activities or long-term operations methods, such as vegetation management on restored lands. Other comments discussed the need for analysis of the bioavailability of mercury, selenium, and other constituents due to changes in salinity, temperature, or inundation patterns.

3.2.5 Implementation Concepts

There were 18 comments related to implementation of BDCP, as presented in Table E-8. Comments discussed concepts for selection of locations and acquisition of sites for restoration and new facilities, governance concepts, development of cost estimates for implementation and long-term monitoring and maintenance, and funding mechanisms to support the plan in the near-term and long-term.

3.2.6 Preliminary Scoping Process and Future Participation in the EIR/EIS Process Concepts

There were 24 comments related to the preliminary scoping process, as presented in Table E-9; and 41 comments related to future participation in the EIR/EIS process, as presented in Table E-10. Comments related to the scoping process discussed the need for additional details describing the proposed action and recommendations for additional scoping meetings after the details are developed. Comments related to participation in the EIR/EIS process discussed the need for outreach in agricultural and other communities in the Delta that could be affected by BDCP implementation. Several agencies requested status as Responsible and Cooperating agencies, including County of Yolo, Metropolitan Water District of Southern California, and Zone 7 of Alameda County Flood Control and Water Conservation District.

3.2.7 Study Area and Study Period Concepts

There were 12 comments related to the study area and study period concepts, as presented in Table E-11. The comments discussed the need to expand the study area to locations outside of the Delta to evaluate impacts and benefits on associated habitat and communities. The potential areas for inclusion include upper portions of the Sacramento River watersheds and Suisun Marsh. A comment was received concerning the difficulty in accurately projecting future conditions for a 50-year study period.

3.2.8 Future Conditions without BDCP Concepts

There were 24 comments related to projecting future conditions without BDCP, as presented in Table E-12. Several comments indicated that continuation of existing policy and operations would continue to cause habitat degradation. Other comments, related to assumptions to be used for projecting future conditions, discussed the need to consider full implementation of existing regulations and legislation.

3.2.9 Agricultural Concepts

There were 82 comments related to evaluating changes to agricultural practices and land use, as presented in Table E-13. Several comments discussed the need for the EIR/EIS to evaluate direct, indirect, and cumulative changes to agricultural communities due to changes in agricultural land use. The comments indicated that the analysis should include adequate detail to describe local and regional changes including economic changes in the communities due to reduction in agricultural production. Other comments discussed the need for analysis of potential conflicts between restoration and water supply actions and existing agricultural practices, such as the need for changes in cultivation or pest management due to the proximity of agricultural fields and BDCP activities. Several comments discussed opportunities to modify existing agricultural operations to improve habitat quality.

3.2.10 Socioeconomic, Population, and Land Use Concepts

There were 60 comments related to evaluating changes to socioeconomic, population, and land use, as presented in Table E-14. Several comments discussed the need for the EIR/EIS to evaluate direct, indirect, and cumulative changes to Delta communities due to changes in agricultural land use, including portions of the community that provide materials and services to agriculture. These factors could include employment related to retail stores, public services and utilities, and agricultural industries. Comments discussed the need to evaluate socioeconomic changes that could occur if taxes collected from agricultural activities are reduced due to loss of agricultural land.

3.2.11 Utilities and Public Services Concepts

There were 25 comments related to evaluating changes to utilities and public services, as presented in Table E-15. Several comments discussed the need for the EIR/EIS to evaluate potential conflicts to utility and traffic corridors due to restoration and facilities construction, including potential increased response time for emergency services if existing roadways were modified. Other comments discussed the need to evaluate changes in funding for utilities and public services if population and employment changes occurred in response to land use changes.

3.2.12 Transportation Concepts

There were 12 comments related to evaluating changes to transportation corridors, as presented in Table E-16. Comments discussed the need for the EIR/EIS to evaluate potential conflicts to navigation and roadway corridors during construction and long-term operations.

3.2.13 Recreation Concepts

There were 5 comments related to evaluating changes to recreation, as presented in Table E-17. Comments discussed the need for the EIR/EIS to evaluate potential conflicts with Delta recreation during construction and long-term operations, relationship between recreational activities and habitat, and potential changes to funding of recreational areas if the tax base in the Delta changes.

3.2.14 Regional Economic Concepts

There were 43 comments related to evaluating changes to regional economics, as presented in Table E-18. Comments discussed the need for the EIR/EIS to evaluate regional economic changes due to changes in employment, taxes, and land use changes. Other comments discussed the need to consider changes in market price of construction materials and labor due to implementation of BDCP and potential impact of and to inflation on the affected study area.

3.2.15 Flood Management Concepts

There were 33 comments related to evaluating changes to flood management, as presented in Table E-19. Comments discussed the need for the EIR/EIS to evaluate potential for changes in flood management, levee erosion, and drainage.

3.2.16 Groundwater Concepts

There were 18 comments related to evaluating changes to groundwater resources, as presented in Table E-20. Comments discussed the need for the EIR/EIS to evaluate potential for changes in groundwater recharge and quality due to changes in seepage and changes in irrigated land use.

3.2.17 Sediment Concepts

There were 4 comments related to evaluating changes to sediment loads, as presented in Table E-21. Comments discussed the need for the EIR/EIS to evaluate potential for changes in sediment sources, transfer rates through the Delta, and sediment patterns due to changes in flow patterns and land use.

3.2.18 Seismic Concepts

There were 7 comments related to evaluating changes to potential for seismic risk, as presented in Table E-22. Comments discussed the need for the EIR/EIS to evaluate potential for changes in land uses and water quality due to potential responses to seismic events to existing and future levees and canals that would be affected by BDCP.

3.2.19 Potential Risk from Mosquitoes Concepts

There were 17 comments related to evaluating changes to potential for risks due to mosquitoes, as presented in Table E-23. Comments discussed the need for the EIR/EIS to evaluate potential for changes mosquito breeding and exposure risk for West Nile virus for humans and animals.

3.2.20 Air Quality and Potential for Odors Concepts

There were 7 comments related to evaluating changes to air quality and potential for odors, as presented in Table E-24. Comments discussed the need for the EIR/EIS to evaluate potential for changes in odors from increased acreage of marshes, and increased emissions if groundwater pumping increased.

3.2.21 Climate Change, Energy Use, and Greenhouse Gas Emission Concepts

There were 28 comments related to evaluating the relationship of the BDCP and climate change, as presented in Table E-25; and 5 comments related to evaluating changes in energy use and greenhouse gas emissions, as presented in Table E-26. Comments discussed the need for the EIR/EIS to evaluate the effects of rising sea levels, changes in surface water availability, and changes in Delta salinity on the BDCP actions. Other comments discussed the need to evaluate energy requirements and greenhouse gas emissions for the BDCP actions.

3.2.22 Secondary Growth Concepts

There were 6 comments related to potential for secondary growth impacts, as presented in Table E-27. Comments discussed the need for the EIR/EIS to evaluate secondary impacts of potential changes in growth rates and use of fossil fuels in the study area due to BDCP actions.

APPENDIX A
NOTICE OF PREPARATION - MARCH 17, 2008

DRAFT

DEPARTMENT OF WATER RESOURCES

DIVISION OF ENVIRONMENTAL SERVICES
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SACRAMENTO, CA 95814-6424

**NOTICE OF PREPARATION****ENVIRONMENTAL IMPACT REPORT AND ENVIRONMENTAL IMPACT STATEMENT
FOR THE BAY DELTA CONSERVATION PLAN**

March 17, 2008

INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA) of 1970, as amended, the California Department of Water Resources (Department) is initiating preparation of a joint Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Sacramento-San Joaquin Bay Delta Conservation Plan (BDCP), that will include analysis of improved water conveyance infrastructure and other habitat conservation measures that will be developed to advance the goals and objectives of the BDCP. The Department will serve as the State lead agency. The California Department of Fish and Game (CDFG) will be a responsible and trustee agency under CEQA. The Department will consult and fully cooperate with other State responsible and trustee agencies, such as the State Water Resources Control Board (SWRCB), as well as State Water Project contractors and certain federal Central Valley Project water contractors, as it prepares this document.

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, the U.S. Bureau of Reclamation (Reclamation), the U. S. Fish and Wildlife Service (FWS), and the National Marine Fisheries Services (NMFS) may serve as co-lead federal agencies. On January 24, 2008, the FWS and NMFS published a Notice of Intent (NOI) in the Federal Register (Vol. 73, No. 16, FR 4178-4180, January 24, 2008) to conduct public scoping and to prepare an EIR/EIS for the BDCP. To date, the Federal agencies have not decided which Federal agency will serve as the administrative lead.

The purpose of the scoping process is to solicit early input from the public and responsible, cooperating and trustee agencies regarding the development of reasonable alternatives and potential environmental impacts to be addressed in the EIR/EIS for the BDCP. The planning effort for the BDCP is in the preliminary stages of development, and further information regarding the various features of the BDCP may be provided to the public in subsequent public notices and/or in scoping meetings. The BDCP Steering Committee will continue work on the overall approach to the BDCP during 2008. These proceedings can be followed on the California Resources Agency website:

<http://resources.ca.gov/bdcp/>.

The BDCP is being developed through a collaboration of State, federal and local water agencies, and Mirant Delta LLC (Mirant Delta), owners of an electric power generating facility located in West Pittsburg, California, under: (1) Section 10(a)(1)(B) of FESA, and (2) the Natural Community Conservation Planning Act (NCCPA), California Fish and Game Code, Section 2800 et. seq. and/or Fish and Game Code Section 2081 of the California Endangered Species Act (CESA). The BDCP process is intended to provide the basis for the Department, State and federal water contractors, and Mirant Delta to apply for incidental take permits (ITPs) pursuant to Section 10 of FESA and California Fish and Game Code Section 2835 and/or 2081, and the BDCP is intended to provide Reclamation the ability to obtain Biological Opinions and incidental take statements (ITS) pursuant to Section 7 of FESA. These incidental take authorizations would allow the incidental take of threatened and endangered species resulting from covered activities and conservation measures that will be identified through the planning process, including those associated with water operations of the California State Water Project (SWP), as operated by the Department and the federal Central Valley Project (CVP), as operated by Reclamation, as well as operations of certain Mirant Delta power plants. Ultimately, the BDCP is intended to secure authorizations that would allow the conservation of covered species, the restoration and protection of water supply reliability, protection of certain drinking water quality parameters, and the restoration of ecosystem health to proceed within a stable regulatory framework.

The EIR/EIS will analyze the impacts of alternative conservation actions including improved water conveyance infrastructure in the Delta (e.g. dual or isolated conveyance systems). New dual or isolated conveyance systems would require a canal from the Sacramento River to the SWP Harvey O. Banks and the CVP C.W. Jones pumping plants near Tracy. The EIR/EIS will also analyze the impacts of alternative water operations and management actions to achieve conservation and water supply reliability goals.

BACKGROUND INFORMATION

In August of 2000, a broad array of State and federal agencies, including the Department, adopted the CALFED Program as a 30-year planning roadmap for restoring the Delta's ecology and improving water management. Since 2000, further studies and information has become available that can change our thinking about the Delta and has caused us to reexamine the conveyance component of the August 2000 CALFED decision. Pelagic organisms, including Delta smelt, have experienced a precipitous decline in recent years. Federal court litigation has resulted in the potential for temporary but substantial cuts in water exports. New research by the Department indicates a higher degree of risk to Delta levees from earthquakes than was previously understood, revealing a heightened risk to the State's water supplies that travel through

Delta channels. There is also growing consensus among scientific experts suggesting that climate change will cause considerable sea level rise that would adversely affect levees, water quality, and conveyance of water supplies through the Delta.

On September 28, 2006, Governor Arnold Schwarzenegger issued Executive Order 2-17-06, initiating the Delta Vision process to develop “a durable vision for sustainable management of the Delta.” In December 2007, the Delta Vision process resulted in a final set of recommendations by a Blue Ribbon Task Force of experts to a committee of State Agency Directors to chart a new course for the Delta. Among the recommendations is that the State should consider a different approach to conveying water to areas south of the Delta than the through-Delta alternative the State approved as part of the CALFED Record of Decision. On February 28, 2008, Governor Schwarzenegger, in a letter to State Senators Perata, Machado and Steinberg, stated his intention to direct the Department to proceed with the CEQA/NEPA process to evaluate at least four alternative Delta conveyance strategies in coordination with the BDCP efforts to better protect at-risk fish species, within the context of broad habitat conservation principles recognizing the importance of water supply reliability and other issues like seismic and flood durability, ecosystem health and resilience, water quality, schedule, cost and options, as suggested by the Delta Vision Task Force.

DESCRIPTION OF THE BDCP

The Department and Reclamation, along with the Metropolitan Water District of Southern California (MWD), the Kern County Water Agency (KCWA), the Santa Clara Valley Water District (SCVWD), Alameda County Flood Control and Water Conservation District, Zone 7 Water Agency (Zone 7), the San Luis and Delta Mendota Water Authority (SLDMWA), the Westlands Water District (WWD), and Mirant Delta (known collectively as the “Potentially Regulated Entities” or PREs) are currently preparing the BDCP for existing and proposed covered activities within the Statutory Delta.

The BDCP process is intended to meet the following regulatory authorizations:

1. The requirements of Section 10(a)(1)(B) of FESA for the non-federal PREs and result in the issuance of ITPs from FWS and NMFS;
2. The requirements of an ITP under the California fish and wildlife protection laws, either pursuant to Section 2835 or Section 2081, resulting in take authority under the Fish and Game Code; and
3. The requirements of the Section 7 consultation process under the FESA, resulting in the issuance of Biological Opinions, and ITSSs, from the NMFS and FWS on specific activities of certain members of the PREs.

Although the BDCP planning efforts are in the preliminary stages, the collective goals of the PREs will provide the basis for the project objectives under CEQA and the purpose and need statement under NEPA. Formal preparation of a draft EIR/EIS will commence when the BDCP has been further developed. The BDCP process is also intended to complement and support the actions identified in the Governor's Delta Vision Blue Ribbon Task Force process.

The BDCP is being prepared with the participation of the FWS, NMFS, California Resources Agency, CDFG, the State Water Resources Control Board (SWRCB), the PREs, and various stakeholders, including The Nature Conservancy, Environmental Defense, Defenders of Wildlife, the California Farm Bureau, the Natural Heritage Institute, American Rivers, Contra Costa Water District, and The Bay Institute. These organizations are members of the Steering Committee that is helping to guide preparation of the BDCP. The regulatory agencies, FWS, NMFS, CDFG and SWRCB are participating in the Steering Committee to provide technical input and guidance in support of the Steering Committee's efforts to complete the BDCP.

The participants are undertaking these planning efforts pursuant to: (1) the Planning Agreement that was signed in October 2006 and amended in April 2007 to guide the development of the BDCP process; and (2) the Points of Agreement for Continuing into the Planning Process, dated November 2007 (see California Resources Agency website, <http://resources.ca.gov/bdcp/> for these agreements). The Points of Agreement document provides a summary of the BDCP planning process to date, along with future direction and procedures. The website provides access to documentation of the planning process, and a schedule of past and future planning activities.

The BDCP is being developed to set out near-term and long-term approaches to meet the objectives of providing for the conservation of covered species and their habitats, addressing the requirements of the federal and State endangered species laws, and improving water supply reliability. Specifically, the BDCP will serve as a habitat conservation plan that satisfies the requirements of Section 10 of the FESA, and provide the basis for consultations between Reclamation, FWS and NMFS under Section 7. The BDCP will also provide the basis for compliance with State law under the NCCPA and/or CESA. Successful completion of the BDCP approval process will result in long-term take authorizations for covered activities, including certain water operations of the SWP and CVP, and operations of certain Mirant Delta power plants. The BDCP is also intended to support durable assurances regarding the long-term obligations of most of the PREs.

The BDCP will achieve these objectives through a number of anticipated actions: habitat restoration and enhancement to increase the quality and quantity of habitat in the Delta; other conservation actions to help address a number of stressors on covered

species; conveyance facilities to enhance operational flexibility and water supply reliability while providing greater opportunities for habitat improvements and fishery conservation; water operations and management actions to achieve conservation and water supply goals; and a comprehensive monitoring, assessment and adaptive management program guided by independent scientific input. Additional core purposes of the BDCP are to provide for the conservation of covered species within the planning area; to protect and restore certain aquatic, riparian and associated terrestrial natural communities that support these covered species; and to provide for water supplies and ecosystem health within a stable regulatory framework. Other applicants, co-applicants, or beneficiaries of an ITP, referred to as PREs, may be identified during the planning process. The EIR/EIS will evaluate the effects of implementing the BDCP, conveyance alternatives, power line alignments, other nonstructural alternatives, develop appropriate mitigation measures and describe the permits necessary for BDCP implementation.

The BDCP will likely consist of several major elements, including new capital improvements to the water supply conveyance system, a restoration program for important habitats within and adjacent to the Delta in order to improve the ecological productivity and sustainability of the Delta, and monitoring and adaptive management for the restoration program. The plan will also likely include operational improvements for the water supply system in the near-term and for the long-term once any capital improvements have been completed and are operational.

Covered Activities

The BDCP covered activities may include, but are not limited to, existing or new activities related to:

- Existing Delta conveyance elements and operations of the SWP and CVP;
- New Delta conveyance facilities;
- Operational activities of the SWP and CVP generally described in the BDCP November 2007 Points of Agreement;
- Emergency preparedness of the SWP and CVP in the Delta;
- Operational activities in the Delta related to water transfers involving water contractors or to serve environmental programs;
- Maintenance of the SWP, CVP, and other PREs' facilities in the Delta;
- Facility improvements of the SWP and CVP within the Statutory Delta (California Water Code Section 12220);
- Ongoing operation of and recurrent and future projects related to other Delta water users, as defined by the Planning Agreement;
- Projects designed to improve Delta salinity conditions;

- Existing power generation operations of the Mirant Delta power plants
- Conservation measures included in the BDCP, including, but not limited to, fishery related habitat restoration projects, adaptive management, and monitoring activities in the Delta; and
- New power lines and rights of way.

Covered Species

The covered species that are the initial focus of the BDCP include certain aquatic species such as:

- Central Valley steelhead *Oncorhynchus mykiss*;
- Central Valley Chinook salmon *Oncorhynchus tshawytscha* (spring-run and fall/late fall-runs);
- Sacramento River Chinook salmon *Oncorhynchus tshawytscha* (winter-run);
- Delta smelt *Hypomesus transpacificus*;
- Green sturgeon *Acipenser medirostris*;
- White sturgeon *Acipenser transmontanus*;
- Splittail *Pogonichthys macrolepidotus*; and
- Longfin smelt *Spirinchus thaleichthys*.

Other species that will be considered for inclusion in the BDCP include, but may not be limited to:

- Swainson's hawk *Buteo swainsoni*;
- Bank swallow *Riparia riparia*;
- Giant garter snake *Thamnophis gigas*; and
- Valley elderberry longhorn beetle *Desmocerus californicus dimorphus*.

This list identifies the species that will be evaluated for inclusion in the BDCP as proposed covered species; however, the list may change as the planning process progresses. The participants anticipate that species may be added or removed from the list once more is learned about the nature of the covered activities and the impact of covered activities on native species within the planning area.

BDCP Planning Goals

The BDCP includes goals and objectives related to the management of covered activities and the protection of covered species and their habitats. As described in the Planning Agreement, the planning goals include:

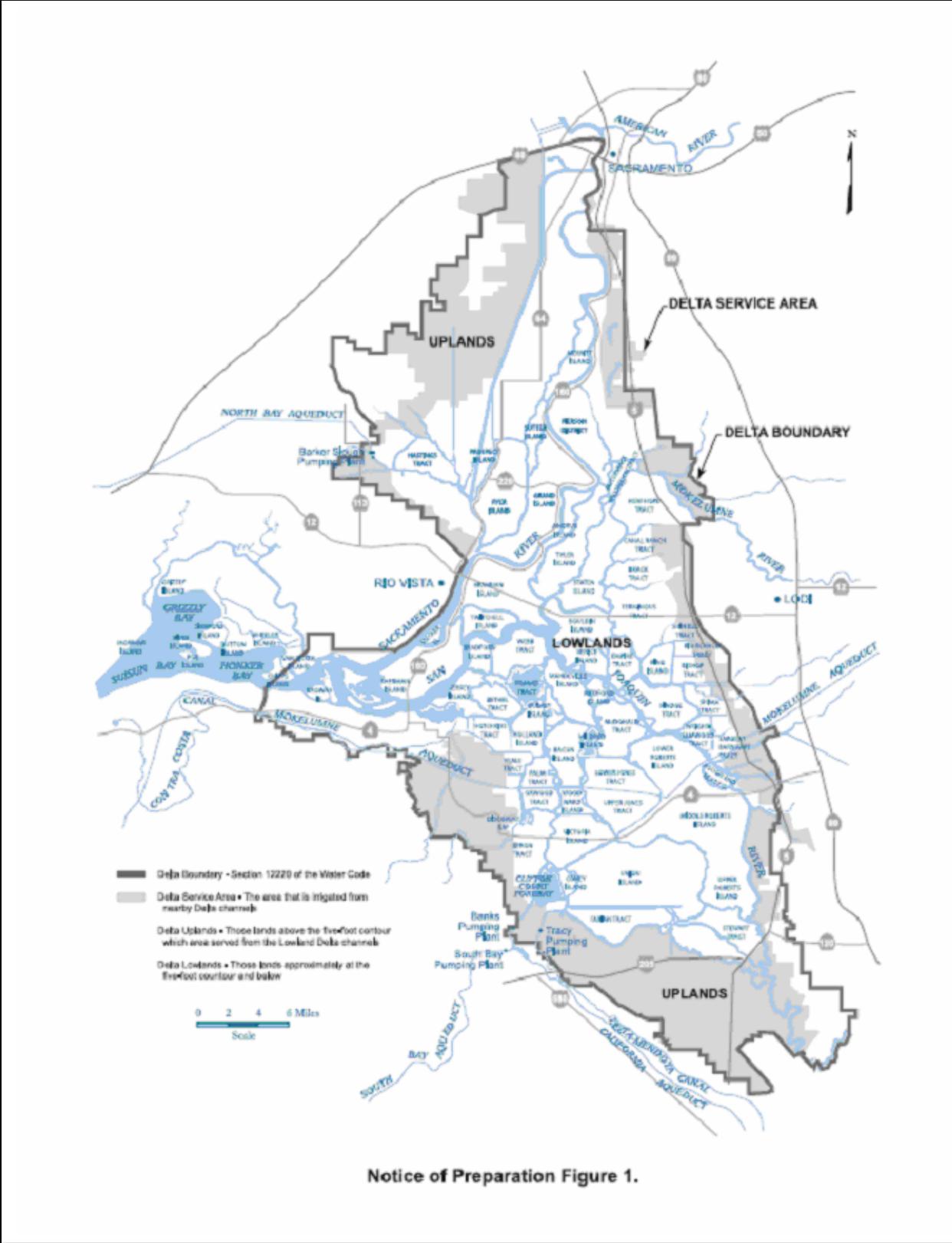
1. Provide for the conservation and management of covered species within the planning area;
2. Preserve, restore, and enhance aquatic, riparian, and associated terrestrial natural communities and ecosystems that support covered species within the planning area through conservation partnerships;
3. Allow for projects that restore and protect water supply, water quality, ecosystem, and ecosystem health to proceed within a stable regulatory framework;
4. Provide a means to implement covered activities in a manner that complies with applicable State and federal fish and wildlife protection laws, including the NCCPA or CESA, FESA, and other environmental laws, including CEQA and NEPA;
5. Provide a basis for permits necessary to lawfully take covered species;
6. Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements for covered activities within the planning area;
7. Provide a less costly, more efficient project review process which results in greater conservation values than project-by-project, species-by-species review, and;
8. Provide clear expectations and regulatory assurances regarding covered activities occurring within the planning area.

PROJECT AREA

The planning area for the BDCP will consist of the aquatic ecosystems and natural communities, and potentially adjacent riparian and floodplain natural communities, within the Statutory Delta (Figure 1). The Statutory Delta includes parts of Yolo, Solano, Contra Costa, San Joaquin, and Sacramento counties. However, it may be necessary for the BDCP to include conservation actions outside of the Statutory Delta that advance the goals and objectives of the BDCP within the Delta, including as appropriate, conservation actions in the Suisun Marsh, Suisun Bay, and areas upstream of the Delta. Where appropriate, conservation actions outside the Statutory Delta would be implemented pursuant to cooperative agreements or similar mechanisms with local agencies, interested non-governmental organizations, landowners, and others as appropriate.

POTENTIAL ENVIRONMENTAL EFFECTS

The EIR/EIS for the BDCP will likely evaluate a range of measures to achieve the conservation goals, including new capital improvements to the water supply conveyance system both through and around the Delta; a significant restoration and enhancement program for important habitats within and adjacent to the Delta designed



to improve the long-term ecological productivity and sustainability of the Delta; and a monitoring and adaptive management program. The EIR/EIS will also likely evaluate a range of operational improvements for the water supply system in the near-term and for the long-term once the capital improvements have been completed and are operational. The lead agencies will assist with the design and implementation of new studies and analyses to support an evaluation of potential impacts of proposed actions and conservation measures to be undertaken as part of the BDCP and the development and evaluation of appropriate alternatives. The EIR/EIS will include an analysis of the effects of the proposed plan and other alternatives, including potential impacts to terrestrial resources that may or may not be addressed as covered species by the BDCP.

The EIR/EIS will analyze the reasonably foreseeable direct, indirect and cumulative effects (e.g. climate change, including sea level rise) of the BDCP (including habitat conservation measures and water conveyance facilities) and a reasonable range of alternatives on a wide range of resources, including but not limited to:

- BDCP covered species
- Other Federal and State Listed Species
- Aquatic Biological Resources
- Wetlands and Terrestrial Habitat
- Surface Hydrology including Water Rights
- Groundwater Hydrology
- Geology and Soils
- Water Quality
- Seismic Stability
- Aesthetics
- Air Quality, including Greenhouse Gas Emissions
- Land Use (e.g. Urban, Agricultural and Industrial Uses)
- Historic and Cultural Resources
- Environmental Health and Safety
- Public Services and Utilities
- Energy and Natural Resources
- Recreation
- Population/Housing
- Transportation/Traffic

Comments on the NOP, comments from the scoping meetings, and ensuing analyses may identify additional environmental resources to be evaluated. At present, sufficient information is not available to enable the Department to determine the detailed scope and significance of the effects related to the BDCP. An Initial Study is not included in this NOP.

SCOPING MEETINGS

The schedule for this EIR/EIS depends upon the development of the draft BDCP, which is expected to occur by early 2009. The federal Notice of Intent (NOI) for the BDCP was published in the federal Register on January 24, 2008. Additional notices will be published as more information regarding the Federal Lead Agencies and Cooperating Agencies are decided and additional details become available. Public Scoping meetings for this NOP are scheduled to take place at the following times and locations:

- April 28, 2008 at 10:00 am California Resources Building Auditorium
1416 Ninth Street
Sacramento, CA 95816
- April 29, 2008 at 5:00 pm Chico Masonic Family Center
1110 West East Avenue
Chico, CA 95926
- April 30, 2008 at 6:00 pm Clarksburg Middle School
52870 Netherlands
Clarksburg, CA 95612
- May 5, 2008 at 6:00 pm San Joaquin Farm Bureau
3290 N. Ad Art Road
Stockton, CA 95215
- May 6, 2008 at 6:00 pm Santa Clara Valley Water District
5700 Almaden Expressway
San Jose, CA 95118
- May 7, 2008 at 6:00 pm City of Los Banos
Public Services Department Main Office
Senior Center-Miller & Lux Building
830 6th Street
Los Banos, CA 93635
- May 8, 2008 at 1:00 pm Junipero Serra State Building
320 West Fourth, Carmel Room 225
Los Angeles, CA 90013

Please note that the format of the meetings will include a 30-minute time period where the public can informally view several informational posters and discuss certain issues pertaining to the project with staff. The formal presentation and public comment will begin after these discussions. Anyone interested in more information concerning the EIR/EIS process, or anyone who has information concerning the study or suggestions as to significant issues, should contact Delores Brown as provided below.

WRITTEN COMMENTS

This notice is being furnished to obtain suggestions and information from agencies and the public on the scope of issues and alternatives to be addressed in the EIR/EIS, and to identify important issues raised by the public related to the development and implementation of the BDCP.

Written comments from interested parties are invited to ensure that the full range of issues related to the development of the BDCP and issuance of the ITPs are identified. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public. Written comments on this part of the Scoping process will be accepted until **May 30, 2008**.

In accordance with Title 14, section 15082, subdivision (b)(1)(B) of the California Code of Regulations,, responsible and trustee agencies should indicate their respective level of responsibility for the project to the Lead Agency (Cal. Code Regs., title 14, div.6, ch. 3 (CEQA Guidelines), section 15082, subdivision (b)(1) (B)). Additionally, section 15082, subdivision (c)(1) and section 15206, subdivision (b)(4)(E), state that projects of statewide significance should provide notice to cities/counties within which the project would be located. The Guidelines, further provide that within 30 days after receiving the Notice of Preparation, each responsible and trustee agency shall provide the Lead Agency with specific detail about the scope, significant environmental issues, reasonable alternatives, and mitigation measures related to the Responsible Agency's area of statutory responsibility that will need to be explored in the EIR portion of the EIR/EIS (CEQA Guidelines, section 15082, subdivision (b)(1)(A)).

The Department's practice is to make comments, including names, home addresses, home phone numbers, and email addresses of respondents, available for public review. Individual respondents may request that we withhold their name and/or home addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosures would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable

circumstances, this information will be released. The Department will always make submissions from organizations or businesses, and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety.

Written comments on the scope of the EIR/EIS should be sent to Ms. Delores Brown, Chief, Office of Environmental Compliance, Department of Water Resources, P. O. Box 942836, Sacramento, CA 94236 or by email at delores@water.ca.gov.



Barbara McDonnell
Chief, Division of Environmental Services
Department of Water Resources

Date March 17, 2008

**APPENDIX B1
NOTICE OF INTENT - JANUARY 24, 2008**

DRAFT

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

RIN 0648-XE30

Notice of Intent to Conduct Public Scoping and Prepare an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) Regarding the Bay Delta Conservation Plan (BDCP) for the Sacramento-San Joaquin Delta, California

AGENCIES: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; Fish and Wildlife Service (FWS), Interior.

ACTION: Notice of intent.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), and the California Environmental Policy Act (CEQA) we, NMFS and FWS (Services), advise the public of our intent to collaborate with the State of California in gathering information necessary to prepare a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) on the anticipated Bay Delta Conservation Plan (BDCP). The BDCP is being prepared through a unique collaboration of state, Federal and local agencies, of the Federal Endangered Species Act of 1973, as amended (Act). The California Department of Water Resources (DWR) intends to apply for Incidental Take Permits (ITP) from the Services based upon the BDCP in 2009 according to the planning schedule. At the same time, the Services would provide Biological Opinions and Incidental Take Statements (ITS) to the Bureau of Reclamation (Reclamation) for their participation and implementation of the BDCP. A goal of the BDCP is to meet the requirements of the California Natural Community Conservation Planning Act (NCCPA), California Fish and Game (CDFG), and provide the basis for DWR to apply for an ITP pursuant to CDFG Code. However, in the event that the BDCP does not meet the requirements of the NCCPA, DWR may alternatively seek an ITP under Section 2081 of the California Endangered Species Act, California Fish and Game Code 2050 *et seq.* These incidental take authorizations would allow the incidental take of threatened and endangered species resulting from certain covered activities that will be identified through the planning process, including those associated with water

operations of the California State Water Project, as operated by DWR, and the Central Valley Project, as operated by Reclamation.

ADDRESSES: Comments and requests for information related to the preparation of the EIR/EIS should be sent to National Marine Fisheries Service, Attn: Rosalie del Rosario, 650 Capitol Mall, Suite 8-300, Sacramento, California 95819; or Fish and Wildlife Service, Attn: Lori Rinek, Chief, Conservation Planning and Recovery Division, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825. Comments may also be submitted electronically to BDCP-NEPA.SWR@noaa.gov. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Rosalie del Rosario of NMFS at 916-930-3600 or Lori Rinek of FWS at 916-414-6600.

SUPPLEMENTARY INFORMATION:**Proposed Action**

The California Department of Water Resources (DWR) intends to apply for Incidental Take Permits (ITP) from the Services based upon the BDCP in 2009 according to the planning schedule. Other applicants, co-applicants, or beneficiaries of an ITP, referred to as Potentially Regulated Entities, will be identified during this planning process. At the same time, the Services would issue Biological Opinions and Incidental Take Statements (ITS) to Reclamation for its participation and implementation of the BDCP. These Incidental Take Statements would allow for the incidental take of threatened and endangered species resulting from certain covered activities that will be identified through the planning process and are associated with water operations of the California State Water Project, as operated by DWR, and the Central Valley Project, as operated by Reclamation.

The Services provide this notice to (1) briefly describe the anticipated proposed action and the BDCP planning activities now underway to help develop that proposed action; (2) advise other Federal and State agencies, affected Tribes, and the public of our intention to continue to gather information to support the preparation of an EIR/EIS; (3) announce the initiation of early public scoping; and (4) obtain suggestions and information on the scope of issues to be included in the EIR/EIS. Written comments should be received on or before March 24, 2008.

The applicants have identified four potential water conveyance options that are being considered for the habitat conservation planning process: (1) the existing conveyance and system without physical change to conveyance facilities, (2) changes to conveyance in San Joaquin Old and Middle River channels plus separation of San Joaquin corridor from through-delta conveyance, (3) a dual conveyance in which existing conveyance would still be operational plus an isolated facility (not yet constructed) from the Sacramento River to the south Delta, and (4) an isolated conveyance facility (not yet constructed) from the Sacramento River to the south Delta. These four options are undergoing evaluations through the BDCP Steering Committee to assess the relative ability of each to contribute to the goals and objectives of the planning effort. Although the applicant has not yet decided which option(s) will be submitted for consideration under section 10 of the Endangered Species Act, the intent is to narrow the project focus to one or two of the four options or a mixture thereof by fall 2007.

Additional to the conveyance elements of the State Water Project (SWP) and Central Valley Project (CVP) options given above, covered activities may include, but are not necessarily limited to, existing or new activities related to:

1. Operational activities, including emergency preparedness, of the SWP and CVP
2. Operational activities related to water transfers involving Water Contractors or to serve environmental programs
3. Maintenance of the SWP, CVP and other Potentially Regulated Entities' facilities
4. Facility improvements of the SWP and CVP
5. Ongoing operation of and recurrent and future projects related to other Delta Water Users
6. Projects designed to improve salinity conditions
7. Conservation measures included in the BDCP, including, but not limited to adaptive habitat management, restoration, enhancement and monitoring activities.

Please refer to the Planning Agreement, para. 7.5, available at <http://resources.ca.gov/bdcp/>. The BDCP Planning Agreement was reached in October 2006 and was amended April 2007, to guide the BDCP process.

Planning Process
DWR and Reclamation, along with the Metropolitan Water District of Southern California, Kern County Water Agency, Santa Clara Valley Water District, Zone

7 Water Agency, San Luis & Delta-Mendota Water Authority, Westlands Water District, Contra Costa Water District, and Mirant Delta (known collectively as the "Potentially Regulated Entities" or PREs) are preparing the BDCP for their covered activities within the Geographic Scope described below. It is the goal of the PREs that the BDCP will (1) satisfy the requirements of Section 10(a)(1)(B) of the Act for non-Federal PREs and result in the issuance of ITPs from the Services to certain of the PREs, (2) be used in a concurrent consultation with other Federal agencies pursuant to Section 7 of the Act, resulting in the issuance of Biological Opinions, including ITSs, from the Services to certain of the PREs, (3) satisfy the requirements for an ITP under the California fish and wildlife protection laws, either pursuant to the Natural Community Conservation Plan Act (NCCPA), Section 2835 of the Fish and Game Code or Section 2081 of the Fish and Game Code.

The planning efforts for the BDCP are in its preliminary stages. Formal preparation of a draft EIR/EIS will commence when the planning efforts described below progress further in the coming months. The BDCP is being prepared with the cooperation of the Services, the California Resources Agency, CDFG, the California Bay Delta Authority, the PRE's as listed above, and key Non-Government Organizations including The Nature Conservancy, Environmental Defense, Defenders of Wildlife, Natural Heritage Institute, The Bay Institute, American Rivers, and the California Farm Bureau Federation. All of these agencies and organizations are members of a Steering Committee that will guide the preparation of the BDCP. The Services are participating in the Steering Committee's efforts on an ex officio basis, providing technical input and guidance in support of the Steering Committee's efforts. The participants are undertaking these planning efforts pursuant to the Planning Agreement.

A document from the BDCP Steering Committee titled "The Bay Delta Conservation Plan: Points of Agreement for Continuing into the Planning Process," dated November 16, 2007, provides a summary of the planning process to date along with future direction and procedures. Through this document, the Steering Committee points to agreement on an approach to be evaluated for achieving the conservation and water supply goals. The primary new structural features of the water conveyance system to be evaluated are a new diversion point (or points) for water from the Sacramento River in the north Delta and an isolated

water conveyance facility around the Delta. Modifications to existing south Delta facilities to reduce entrainment and otherwise improve the State Water Project's (SWP) and Central Valley Project's (CVP) ability to convey water through the Delta while contributing to near- and long-term conservation and water supply goals will also be evaluated.

Members of the public interested in participating in the BDCP process directly or interested in having access to information associated with the effort are encouraged to visit the Bay Delta Conservation Plan component of the California Resources Agency's website: <http://resources.ca.gov/bdcp/>. This website provides open access to comprehensive documentation of the planning process, and a detailed schedule of past and future planning activities. The following describes preliminary information identified by the Steering Committee for consideration in the BDCP development.

Geographic Scope

The planning area for the BDCP will consist of the aquatic ecosystems and natural communities, and potentially adjacent riparian and floodplain natural communities, within the Statutory Delta (California Water Code Section 12220), which includes parts of Yolo, Solano, Contra Costa, San Joaquin, and Sacramento Counties. However, it may be necessary for the BDCP to include conservation actions outside the Statutory Delta that advance the goals and objectives of the BDCP, including as appropriate, conservation actions in the Suisun Marsh, Suisun Bay, and areas upstream of the Delta. Any conservation actions taken outside the Statutory Delta would be implemented pursuant to cooperative agreements or similar mechanisms with local agencies, interested non-governmental organizations, landowners, and others. See Planning Agreement, para. 5.

Covered Species

Species that are intended to be the initial focus of the BDCP include aquatic species such as: Central Valley steelhead (*Oncorhynchus mykiss*), Central Valley Chinook salmon (*Oncorhynchus tshawytscha*) (spring run and fall/late-fall runs), Sacramento River Chinook salmon (winter run), Delta smelt (*Hypomesus transpacificus*), green sturgeon (*Acipenser medirostris*), white sturgeon (*Acipenser transmontanus*), splittail (*Pogonichthys macrolepidotus*), longfin smelt (*Spirinchus thaleichthys*). Other species that will be considered for inclusion in

the BDCP include Swainson's hawk (*Buteo swainsoni*), bank swallow (*Riparia riparia*), giant garter snake (*Thamnophis gigas*), and valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). See Planning Agreement, para. 6.1.1. This list identifies the species that will be evaluated for inclusion in the BDCP as proposed covered species, but the list may vary or change as the planning process progresses. The participants anticipate that species may be added or removed from the list once more is learned about the nature of the covered activities and the impact of covered activities on native species within the planning area.

Planning Goals

The BDCP will include goals and objectives for the management of Covered Activities and conservation of Covered Species. As proposed in the Planning Agreement (para.3), the planning goals include:

1. Provide for the conservation and management of covered species within the planning area;
2. Preserve, restore and enhance aquatic, riparian and associated terrestrial natural communities and ecosystems that support covered species within the planning area through conservation partnerships;
3. Allow for projects that restore and protect water supply, water quality, ecosystem, and ecosystem health to proceed within a stable regulatory framework;
4. Provide a means to implement covered activities in a manner that complies with applicable State and federal fish and wildlife protection laws, including the Natural Communities Conservation Planning Act or the California Endangered Species Act, the Federal Endangered Species Act, and other environmental laws, including CEQA and NEPA;
5. Provide a basis for permits necessary to lawfully take covered species;
6. Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements for covered activities within the planning area;
7. Provide a less costly, more efficient project review process which results in greater conservation values than project-by-project, species-by-species review; and
8. Provide clear expectations and regulatory assurances regarding covered activities occurring within the planning area.

Statutory Authority

Section 9 of the Act (16 U.S.C. 1538) and implementing regulations (50 CFR 17.21, and 17.31(a)) prohibit the “taking or animal species listed as endangered or threatened. The term “take” is defined under the Act to mean harass, harm, pursue, hunt, shoot, wound kill, trap, capture or collect, or attempt to engage in any such conduct (16 U.S.C. 1532 (10)). “Harm” is defined by FWS regulation to include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding and sheltering (50 CFR 17.3). NMFS’ definition of harm includes significant habitat modification of degradation where it actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, spawning, migrating, rearing and sheltering (64 FR 60727, November 8, 1999).

Section 7 of the Act outlines the procedures for federal interagency cooperation to conserve federally listed species and designated critical habitats (U.S.C. 1531 *et seq.*) Section 7(a)(1) of the Act directs the Secretaries of Interior and Commerce (Secretaries) to review other programs administered by them and utilize such programs to further the purposes of the Act. It also directs all other Federal agencies to utilize their authorities in furtherance of the purposes of the Act by carrying out programs for the conservation of species listed pursuant to the Act. Section 7(a)(2) states that each Federal agency shall, in consultation with the Secretaries, insure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. Sections 7(b)(4) and 7(o)(2) of the Act allow for taking of listed species that is incidental and not an intended part of a Federal action if such taking is in compliance with the terms and conditions of an incidental take statement provided by the Services.

Section 10 of the Act and implementing regulations provide for the issuance of incidental take permits (ITPs) to non-federal applicants to authorize incidental take of endangered and threatened species (16 U.S.C. 1539(a); 50 CFR 17.22, and 17.32(b)). Any proposed take must be incidental to an otherwise lawful activity, must not appreciably reduce the likelihood of the survival and recovery of the species in the wild, and must be minimized and mitigated to the maximum extent

practicable. In addition, an applicant must prepare a Habitat Conservation Plan (HCP) describing the impact that will likely result from such taking, a plan for minimizing and mitigating the impacts of such incidental take, the funding available to implement the plan, alternatives to such taking, and the reasons such alternatives are not being implemented.

NEPA (42 U.S.C. 4321 *et seq.*) requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. Under NEPA and its implementing regulations (40 CFR 1500 *et seq.*; NOAA Administrative Order 216–6; 40 CFR parts 1500–1508), a reasonable range of alternatives to the proposed action are developed and considered in the Services’ EIR/EIS. Alternatives considered for analysis in an EIR/EIS may include: variations in the scope or types of covered activities; variations in the location, amount and types of conservation measures, timing of project activities; variations in permit duration; or a combination of these or other elements. In addition, an EIR/EIS will identify potentially significant direct, indirect, and cumulative effects, and possible mitigation for those significant effects, on biological resources, land use, air quality, water quality, water resources, socioeconomics, environmental justice, cultural resources, and other environmental issues that could occur with the implementation of the proposed action and alternatives.

Schedule

The schedule for this EIR/EIS depends upon the development of the draft BDCP, which is expected to occur by early 2009. We will publish additional notices about the proposed action and public participation once the elements of the comprehensive plan are developed.

Request for Comments

Environmental review of the EIR/EIS will be conducted in accordance with the requirements of NEPA (42 U.S.C. 4321 *et seq.*), its implementing regulations (40 CFR parts 1500–1508), other applicable regulations, and the Services’ procedures for compliance with those regulations; and according to the requirements of CEQA (California Public Resources Code Section 21000 *et seq.*) and the State CEQA Guidelines (14 California Code of Regulations 15000 *et seq.*). This notice is being furnished in accordance with 40 CFR 1501.7, and 1508.22 to obtain suggestions and information from other agencies and the

public on the scope of issues and alternatives that will be addressed in the EIR/EIS. The primary purpose of the scoping process is to identify important issues raised by the public related to the issuance of ITPs for the BDCP. Written comments from interested parties are invited to ensure that the full range of issues related to the development of the BDCP and issuance of the ITPs are identified. Comments during this stage of the scoping process will only be accepted in written form. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Our practice is to make comments, including names, home addresses, home phone numbers, and email addresses of respondents, available for public review. Individual respondents may request that we withhold their names and /or homes addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. We will always make submissions from organizations or businesses, and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety.

Reasonable Accommodation

Information regarding this proposed action is available in alternative formats upon request.

Dated: January 15, 2008.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

Dated: January 15, 2008.

Dale Morris,

Acting Deputy Regional Director, U.S. Fish and Wildlife Service, Region 8, Sacramento, CA.

[FR Doc. E8–1219 Filed 1–23–08; 8:45 am]

BILLING CODE 3510-S; 4310-55-S

**APPENDIX B2
NOTICE OF INTENT - APRIL 15, 2008**

DRAFT

Dated: April 9, 2008.

Ken McDermond,

Deputy Regional Director, Region 8, California and Nevada, Sacramento, California.

[FR Doc. E8-8051 Filed 4-14-08; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Fish and Wildlife Service

DEPARTMENT OF COMMERCE

National Marine Fisheries Service; Bay Delta Conservation Plan for the Sacramento-San Joaquin Delta, California

AGENCIES: Bureau of Reclamation, Interior; Fish and Wildlife Service, Interior; National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of Intent (NOI) to prepare an environmental impact statement/ environmental impact report (EIS/EIR) and notice of public scoping meetings.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation), the Fish and Wildlife Service (FWS), and the National Marine Fisheries Service (NMFS) intend to serve as co-lead agencies in the preparation of a joint EIS/EIR for the Bay Delta Conservation Plan (BDCP). The California Department of Water Resources (DWR) will serve as the lead agency under the California Environmental Quality Act (CEQA). Reclamation will serve as the administrative lead for all actions related to this **Federal Register** Notice.

The BDCP is a conservation plan being prepared to meet the requirements of the Federal Endangered Species Act (FESA), the California Endangered Species Act (CESA), and the State of California's Natural Communities Conservation Planning Act (NCCPA). DWR and State and Federal water contractors intend to apply for FESA and CESA incidental take permits (ITP) for water operations and management activities in the Sacramento-San Joaquin Delta. These incidental take authorizations would allow the incidental take of threatened and endangered species resulting from covered activities and conservation measures that will be identified through the planning process including those associated with water operations of the Federal Central Valley Project (CVP), as operated by Reclamation, the California

State Water Project (SWP), as operated by DWR, as well as operations of certain Mirant Delta LLC (Mirant Delta) power plants. Additionally, the BDCP will, if feasible, be used as the basis for FESA compliance by Reclamation, including compliance with Section 7 of FESA in coordination with FWS and NMFS. Ultimately, the BDCP is intended to secure authorizations that would allow projects that restore and protect water supply and reliability, water quality, and ecosystem health to proceed within a stable regulatory framework.

On January 24, 2008, FWS and NMFS issued a NOI to conduct public scoping and prepare an EIR/EIS regarding the BDCP for the Sacramento-San Joaquin Delta, California (73 FR 4178). As the BDCP effort has progressed, Reclamation has determined it has a substantive interest in the development and ultimate implementation of the BDCP. Specifically, Reclamation seeks to improve water supply reliability for its Federal water contractors, while meeting its FESA obligations. Environmental constraints, including measures to protect endangered species in the Sacramento-San Joaquin Delta, impair that water supply reliability. The BDCP will recommend actions and conservation measures for implementation to improve both environmental conditions in the Delta and water supply reliability. Reclamation expects the recommended actions and conservation measures to include activities that are within Reclamation's responsibilities. The NOI is, therefore, being reissued to include Reclamation as a co-lead agency, update the status of the BDCP planning process, correct an error in the January 24, 2008, NOI, and to provide notice of scoping meetings. As the Federal lead agencies continue to refine the purpose and need for the project, additional public notices regarding scoping will be issued and additional scoping meetings will be held.

DATES: Ten public scoping meetings will be held at various times and locations throughout California. See **SUPPLEMENTARY INFORMATION** section for public scoping meeting dates.

Written comments on the scope of the BDCP or issues to be addressed in the EIS/EIR must be received no later than May 30, 2008.

The scoping period on the initial Notice of Intent published jointly by FWS and NMFS on January 24, 2008 (73 FR 4178), is scheduled to close on March 24, 2008. Comments submitted under that NOI need not be resubmitted, as all comments will be consolidated and incorporated under this NOI for

review and response by the co-lead agencies (i.e., Reclamation, FWS, and NMFS).

ADDRESSES: Send written comments to Patti Idlof, Bureau of Reclamation, 2800 Cottage Way, MP-150, Sacramento, CA 95825, e-mail to pidlof@mp.usbr.gov, or fax to (916) 978-5055.

See **SUPPLEMENTARY INFORMATION** section for public scoping meeting addresses.

FOR FURTHER INFORMATION CONTACT: Patti Idlof, Natural Resource Specialist, Reclamation, at the above address or 916-978-5056; Lori Rinek, FWS, 916-414-6600; or Rosalie del Rosario, NMFS, 916-930-3600.

SUPPLEMENTARY INFORMATION:

Public Scoping Meeting Dates

Public scoping meetings will be held on the following dates and times:

- Monday, April 28, 2008, 10 a.m. to 2 p.m., Sacramento, CA.
- Tuesday, April 29, 2008, 5 p.m. to 9 p.m., Chico, CA.
- Wednesday, April 30, 2008, 6 p.m. to 10 p.m., Clarksburg, CA.
- Monday, May 5, 2008, 6 p.m. to 10 p.m., Stockton, CA.
- Tuesday, May 6, 2008, 6 p.m. to 10 p.m., San Jose, CA.
- Wednesday, May 7, 2008, 6 p.m. to 10 p.m., Los Banos, CA
- Thursday, May 8, 2008, 1 p.m. to 4 p.m., Los Angeles, CA
- Monday, May 12, 2008, 6 p.m. to 10 p.m., San Diego, CA
- Tuesday, May 13, 2008, 6 p.m. to 10 p.m., Fresno, CA
- Wednesday, May 14, 2008, 6 p.m. to 10 p.m., Bakersfield, CA

Public Scoping Meeting Addresses

Public scoping meetings will be held at the following locations:

- Sacramento—California Resources Building Auditorium, 1416 Ninth Street, Sacramento, CA 95816.
- Chico—Chico Masonic Family Center, 1110 West East Avenue, Chico, CA 95926.
- Clarksburg—Clarksburg Middle School, 52870 Netherlands, Clarksburg, CA 95612.
- Stockton—San Joaquin Farm Bureau, 3290 North AdArt Road, Stockton, CA 95215.
- San Jose—Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, CA 95118.
- Los Banos—City of Los Banos, Public Services Department Main Office Senior Center—Miller & Lux Building, 830 6th Street, Los Banos, CA 93635.
- Los Angeles—Junipero Serra State Office Building, 320 West Fourth, Carmel Room 225, Los Angeles, CA 90013.

- San Diego—Marina Village Conference Center, 1936 Quivira Way, Starboard Room, San Diego, CA 92109.
- Fresno—Four Points-Fresno, 3737 North Blackstone, Fresno, CA 93726.
- Bakersfield—Board of Supervisors Chambers, 1115 Truxtun Avenue, First Floor, Bakersfield, CA 93301.

Modification to January 24, 2008, NOI published by FWS and NMFS

The NOI dated January 24, 2008 (73FR4178) erroneously identified Contra Costa Water District (CCWD) as a Potentially Regulated Entity (PRE). CCWD is a participant in the process, but has not yet and may not become a PRE.

Background Information

The BDCP is being prepared through a collaboration of State, Federal, and local water agencies, and Mirant Delta, an electric power generating facility located in West Pittsburg, California in Contra Costa County, under: (1) Section 10(a)(1)(B) of the FESA of 1973, as amended, and (2) the NCCPA, California Fish and Game Code, Section 2800 et. seq., or Fish and Game Code Section 2081 of CESA. The BDCP is intended to provide (1) Reclamation the ability to obtain a Biological Opinion and incidental take statements (ITS) pursuant to Section 7 of FESA and (2) the basis for the DWR and State and Federal water contractors to apply for ITPs pursuant to Section 10 of FESA and California Fish and Game Code Section 2835 or 2081 for implementation of the BDCP.

DWR and Reclamation, along with the Metropolitan Water District of Southern California (MWD), the Kern County Water Agency (KCWA), the Santa Clara Valley Water District (SCVWD), Alameda County Flood Control and Water Conservation District, Zone 7 Water Agency (Zone 7), the San Luis and Delta-Mendota Water Authority (SLDMWA), the Westlands Water District (WWD), and Mirant Delta (known collectively as the Potentially Regulated Entities or PREs) are currently preparing the BDCP for existing and proposed covered activities within the Statutory Delta. Some of the elements of the BDCP will complement the actions identified in the State of California's Delta Vision process.

It is the goal of the PREs that the BDCP follow the processes that meet:

1. The requirements of Section 10(a)(1)(B) of the FESA for the non-federal PREs and result in the issuance of ITPs from the FWS and NMFS to those PREs;
2. The requirements of an ITP under the California fish and wildlife

protection laws, either pursuant to Section 2835 or Section 2081, resulting in take authority under the Fish and Game Code; and

3. The requirements of the Section 7 consultation process under the FESA, resulting in the issuance of Biological Opinions, and ITSs, from the NMFS and FWS on specific activities of certain members of the PREs.

The planning efforts for the BDCP are in the preliminary stages. However, the collective goals of the PREs will help form the purpose and need statement for the project as required by NEPA and the project objective as required by CEQA. Formal preparation of a draft EIS/EIR will commence when the planning efforts progress further in the coming months. The BDCP is being prepared with the cooperation of the FWS, NMFS, California Resources Agency, California Department of Fish and Game (CDFG), the PREs, and various stakeholders, including The Nature Conservancy, Environmental Defense, Defenders of Wildlife, the California Farm Bureau, the Natural Heritage Institute, American Rivers, Contra Costa Water District, and The Bay Institute. These organizations are members of the Steering Committee, which is helping to guide preparation of the BDCP. The regulatory agencies, FWS, NMFS, and CDFG are participating in the Steering Committee to provide technical input and guidance in support of the Steering Committee's efforts to complete the BDCP. Other applicants, co-applicants, or beneficiaries of an ITP, referred to as PREs, may be identified during the planning process.

The participants are undertaking these planning efforts pursuant to: (1) The Planning Agreement that was signed October, 2006, and amended April, 2007, to guide development of the BDCP and (2) the "Points of Agreement for Continuing into the Planning Process" dated November 16, 2007 (see Resources Agency Web site, <http://resources.ca.gov/bdcp/> for these agreements). The Points of Agreement document provides a summary of the BDCP planning process to date, along with future direction and procedures. The website provides access to documentation of the planning process, and a schedule of past and future planning activities.

BDCP Description

The BDCP will have several core purposes: Habitat restoration and enhancement to increase the quality and quantity of habitat in the Delta; other conservation actions to help address a number of stressors on covered species; conveyance facilities to enhance

operational flexibility and water supply reliability while providing greater opportunities for habitat improvements and fishery conservation; water operations and management actions to achieve conservation and water supply goals; and a comprehensive monitoring, assessment, and adaptive management program guided by independent scientific input. Additional core purposes of the BDCP are to provide for the conservation of covered species within the planning area; to protect and restore certain aquatic, riparian, and associated terrestrial natural communities that support these covered species; and to provide for and restore water quality, water supplies, and ecosystem health within a stable regulatory framework. The EIS/EIR will evaluate the effects of implementing the BDCP, conveyance alternatives, and power line alignments, other nonstructural alternatives, and describe the permits necessary for BDCP implementation.

The BDCP will likely consist of several major elements, including new capital improvements to the water supply conveyance system, a restoration program for important habitats within and adjacent to the Delta in order to improve the ecological productivity and sustainability of the Delta, and monitoring and adaptive management for the restoration program. The plan will also likely include operational improvements for the water supply system in the near-term and for the long-term once any capital improvements have been completed and are operational.

Covered Activities

The BDCP covered activities may include, but are not limited to, existing or new activities related to:

- Existing Delta conveyance elements and operations of the CVP and SWP;
- New Delta conveyance facilities (including power line alignments) and operations of the CVP and SWP generally described in the BDCP November 2007 Points of Agreement;
- Operational activities, including emergency preparedness of the CVP and SWP in the Delta;
- Operational activities in the Delta related to water transfers involving water contractors or to serve environmental programs;
- Maintenance of the CVP, SWP, and other PREs' facilities in the Delta;
- Facility improvements of the CVP and SWP within the Statutory Delta (California Water Code Section 12220);
- Ongoing operation of and recurrent and future projects related to other Delta

water users, as defined by the Planning Agreement;

- Projects designed to improve Delta salinity conditions; and
- Conservation measures included in the BDCP, including, but not limited to, fishery related habitat restoration projects, adaptive management, and monitoring activities in the Delta.

Covered Species

The covered species that are the initial focus of the BDCP include certain aquatic species such as:

- Central Valley steelhead *Oncorhynchus mykiss*;
- Central Valley Chinook salmon *Oncorhynchus tshawytscha* (spring-run and fall/late fall-runs);
- Sacramento River Chinook salmon *Oncorhynchus tshawytscha* (winter-run);
- Delta smelt *Hypomesus transpacificus*;
- Green sturgeon *Acipenser medirostris*;
- White sturgeon *Acipenser transmontanus*;
- Splittail *Pogonichthys macrolepidotus*; and
- Longfin smelt *Spirinchus taleichthys*.

Other species that will be considered for inclusion in the BDCP include, but may not be limited to:

- Swainson's hawk *Buteo swainsoni*;
- Bank swallow *Riparia riparia*;
- Giant garter snake *Thamnophis gigas*; and
- Valley elderberry longhorn beetle *Desmocerus californicus dimorphus*.

This list identifies the species that will be evaluated for inclusion in the BDCP as proposed covered species; however, the list may change as the planning process progresses. The participants anticipate that species may be added or removed from the list once more is learned about the nature of the covered activities and the impact of covered activities on native species within the planning area.

BDCP Planning Goals

The BDCP will include goals and objectives related to the management of covered activities and the protection of covered species and their habitats. As described in the Planning Agreement, the planning goals include:

1. Provide for the conservation and management of covered species within the planning area;
2. Preserve, restore, and enhance aquatic, riparian, and associated terrestrial natural communities and ecosystems that support covered species within the planning area through conservation partnerships;

3. Allow for projects that restore and protect water supply reliability, water quality, ecosystem, and ecosystem health to proceed within a stable regulatory framework;

4. Provide a means to implement covered activities in a manner that complies with applicable State and federal fish and wildlife protection laws, including the NCCPA or CESA, FESA, and other environmental laws, including CEQA and NEPA;

5. Provide a basis for permits necessary to lawfully take covered species;

6. Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements for covered activities within the planning area;

7. Provide a less costly, more efficient project review process which results in greater conservation values than project-by-project, species-by-species review, and;

8. Provide clear expectations and regulatory assurances regarding covered activities occurring within the planning area.

Project Area

The planning area for the BDCP will consist of the aquatic ecosystems and natural communities and, potentially, the adjacent riparian and floodplain natural communities within the Statutory Delta. The Statutory Delta includes parts of Yolo, Solano, Contra Costa, San Joaquin, and Sacramento counties. However, it may be necessary for the BDCP to include conservation actions outside of the Statutory Delta that advance the goals and objectives of the BDCP within the Delta, including as appropriate, conservation actions in the Suisun Marsh, Suisun Bay, and areas upstream of the Delta. Any conservation actions outside the Statutory Delta would be implemented pursuant to cooperative agreements or similar mechanisms with local agencies, interested non-governmental organizations, landowners, and others. The EIS/EIR project area for which impacts are evaluated may be different than the BDCP geographic scope.

Basis for Preliminary Alternatives

As part of the BDCP process, the Steering Committee evaluated potential options to address water supply reliability, water quality, and ecosystem health in the Delta. Initial options included various combinations of water conveyance facilities and habitat restoration actions. As a result of this evaluation, the Steering Committee developed the Points of Agreement document that provides an overall

framework for moving forward with development of the BDCP. Previous evaluations and potential improvements to the water conveyance system and strategies for in-Delta habitat restoration and enhancement outlined in the Points of Agreement document will be used for the basis of alternative development, but will not preclude or limit the range of alternatives to be analyzed under NEPA.

Statutory Authority

Reclamation, as administrative lead for this **Federal Register** action, provides this notice in accordance with NEPA regulations found in 40 CFR 1501.7.

NEPA (42 U.S.C. 4321 *et seq.*) requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. Under NEPA and its implementing regulations (40 CFR 1500 *et seq.*; NOAA Administrative Order 216-6), a reasonable range of alternatives to the proposed action are to be developed and considered in an EIS/EIR prepared by the FWS and NMFS. Alternatives considered for analysis in an EIS/EIR may include variations in the scope or types of covered activities; variations in the location, amount, and types of conservation measures and the timing of project activities; variations in permit duration; or a combination of these or other elements. In addition, as required by NEPA, the EIS will identify significant direct, indirect, and cumulative effects, and possible mitigation for those significant effects, on biological resources, land use, air quality, water quality, water resources, socioeconomic, environmental justice, cultural resources, and other environmental issues that could occur with the implementation of the proposed action and alternatives.

Request for Comments

The purpose of this notice is to advise other Federal and State agencies, affected Tribes, and the public of our intention to continue to gather information to support the preparation of an EIS/EIR, to obtain suggestions and information from other agencies and the public on the scope of alternatives and issues to be addressed in the EIS/EIR, and to identify important issues raised by the public related to the development and implementation of the BDCP. Written comments from interested parties are invited to ensure that the full range of alternatives and issues related to the development of the BDCP is identified. Comments during this stage of the scoping process will only be

accepted in written form. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public. A similar notice is being published by DWR in accordance with CEQA requirements. Comments and participation in the scoping process are encouraged.

Special Assistance for Public Scoping Meetings

If special assistance is required at the public meetings, please contact Ms. Patti Idlof at 916-978-5056, TDD 916-978-5608, or via e-mail at pidlof@mp.usbr.gov. Please notify Ms. Idlof as far in advance as possible to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified. A telephone device for the hearing impaired (TDD) is available at 916-978-5608.

Public Disclosure

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: April 4, 2008.

Susan M. Fry,

Regional Environmental Officer, Mid-Pacific Region, Bureau of Reclamation.

Dated: April 4, 2008.

Ken McDermond,

Deputy Regional Director, U.S. Fish and Wildlife Service, Region 8, Sacramento, CA.

Dated: April 4, 2008.

Russell M. Strach,

Assistant Regional Administrator, Southwest Region, National Marine Fisheries Service.

[FR Doc. E8-8010 Filed 4-14-08; 8:45 am]

BILLING CODE 4310-MN-P

APPENDIX C
DEPARTMENT OF WATER RESOURCES PRESS RELEASE
MARCH 17, 2008

DRAFT



News for Immediate Release

March 17, 2008

Contacts:

- Ted Thomas, DWR Public Information Officer, 916-653-9712
- Matt Notley, Public Affairs Special Assistant, 916-651-7242

DWR Initiates Environmental Review Process for Delta Conservation Plan, Announces Other Delta Actions

SACRAMENTO – The Department of Water Resources (DWR) announced today immediate actions to implement Gov. Schwarzenegger’s plan for Delta sustainability. DWR will start the public process to study the environmental impacts of a Delta conservation plan including alternative water conveyance, implement new statewide water conservation initiatives, and strengthen emergency response plans for the Delta.

“The Delta is a great natural treasure and a vital link in the state’s water system, but it is teetering on the edge of collapse,” said DWR Director Lester A. Snow. “To avert an ecological disaster and ensure reliable water supplies for Californians now and in the future, we must act now.”

Last month, Gov. Schwarzenegger outlined a comprehensive plan for Delta sustainability that includes more water conservation, better emergency response and flood protection, and actions to ensure a cleaner, safer water supply.

Initiate Delta Conservation Plan EIR/EIS

Building on the Governor’s plan and recommendations of his Delta Vision Blue Ribbon Task Force that define environmental restoration and water supply as coequal goals for the future of the Delta, DWR will prepare a joint Environmental Impact Report/Statement (EIR/EIS) for the Bay Delta Conservation Plan (BDCP) in cooperation with the federal lead agencies.

DWR will hold a public informational workshop on Monday, March 24, 2008 to discuss the scope and timeline of the environmental review process, the collaborative efforts involving other agencies and stakeholders, and opportunities for public participation and involvement. DWR Director Snow and other project team members will be present.

Workshop on Delta Conservation Plan EIR Process

Monday, March 24, 2008 at 1:30 p.m.
Resources Building Auditorium
1416 9th Street
Sacramento, CA 95814

The BDCP is a collaborative effort by state and federal agencies and stakeholder groups to develop a conservation plan for the Delta aimed at addressing the current conflict between the protection of at-risk fish species and water supply.

While the BDCP will focus on the fish/water supply issues in the context of broad ecosystem protection principles, it will also address water conveyance alternatives, habitat restoration and management, other ecological problems including invasive species and toxic pollutants.

From now until the completion of the EIR/EIS process in 2010 there will be many opportunities for public review, comment and participation. One purpose of the scoping meetings is to receive public input on alternatives that should be considered in the EIR/EIS process. Attached is a list of initial public scoping meetings to present information on the project, including a description of initial alternatives and the scope of the BDCP process. A meeting schedule can also be found at http://baydeltaoffice.water.ca.gov/sdb/bdcp/index_bdcp.cfm

Increase Water Conservation

Increasing water conservation is an essential element of fixing the Delta. The Governor has called for a 20 percent per capita reduction in urban water use statewide by 2020. DWR is working with the State Water Resources Control Board, the California Public Utilities Commission, and the California Energy Commission to develop a plan to achieve the Governor's goal.

The California Water Plan Advisory Committee will discuss the Governor's plan for a comprehensive Delta solution, including strategies for increasing urban water conservation, during the second day of its March 20-21 meeting.

California Water Plan Advisory Committee
Friday, March 21, 9 a.m. – 4 p.m.
Doubletree Hotel, 2001 Point West Way
Sacramento, CA 95815

Meeting agenda and materials are posted at www.waterplan.water.ca.gov/materials/index.cfm

Delta Emergency Response Planning

A comprehensive emergency response plan is critical to the sustainability of the Delta. A natural disaster could cripple water deliveries to 25 million Californians, millions of acres of farmland, threaten lives and property, destroy vital infrastructure and result in serious economic consequences. DWR is working with the Delta Protection Commission to develop the Delta Emergency Response plan.

To address the Governor's call for better emergency response and flood protection, DWR, in cooperation with the Delta Protection Commission, is scheduling a public workshop in the Delta to discuss options and receive public input on Delta emergency response actions.

Delta Emergency Response Workshop
Thursday, April 10, 2008, 4 p.m. to 6 p.m.
Courtland Auditorium, 146 Primasing Avenue
Courtland, CA 95615

Initial Scoping Meetings for Delta Conservation Plan

April 28, 2008 – Sacramento

10 am

Resources Building Auditorium
1416 Ninth Street, Sacramento

April 29, 2008 – Chico

6 pm

Chico Masonic Family Center
1110 West East Avenue, Chico

April 30, 2008 – Clarksburg

6 pm

Clarksburg Middle School,
52870 Netherlands, Clarksburg

May 5, 2008 – Stockton

6 pm

San Joaquin Farm Bureau
3290 N. Ad Art Road, Stockton

May 6, 2008 – San Jose

6 pm

Santa Clara Valley Water District
5700 Almaden Expressway, San Jose

May 7, 2008 – Los Banos

6 pm

City of Los Banos Public Services Department
Senior Center-Miller & Lux Building
830 6th Street, Los Banos

May 8, 2008 – Los Angeles

1 pm

Junipero Serra State Building
320 West Fourth, Carmel Room 225, Los Angeles

The Department of Water Resources operates and maintains the State Water Project, provides dam safety and flood control and inspection services, assists local water districts in water management and water conservation planning, and plans for future statewide water needs.

Contact the DWR Public Affairs Office for more information about DWR's water activities.

APPENDIX D
EXAMPLE OF NEWSPAPER NOTICE FOR
PRELIMINARY SCOPING MEETINGS

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You are invited ...

to attend an EIR/EIS scoping and community information meeting about the Bay Delta Conservation Plan

Meeting Purpose:

- To share the BDCP environmental review process and solicit comments about the scope of the Environmental Impact Report and Environmental Impact Statement
- To share information and answer questions about the BDCP and how to be involved

Meeting dates and locations:

- **Sacramento** Monday, April 28, 10:00 a.m.
California Resources Building Auditorium
1416 Ninth Street
- **Chico** Tuesday, April 29, 5:00 p.m.
Chico Masonic Family Center
1110 West East Avenue
- **Clarksburg** Wednesday, April 30, 6:00 p.m.
Clarksburg Middle School
52870 Netherlands
- **Stockton** Monday, May 5, 6:00 p.m.
San Joaquin Farm Bureau
3290 N. Ad Art Road
- **San Jose** Tuesday, May 6, 6:00 p.m.
Santa Clara Valley Water District
5700 Almaden Expressway

For more information visit:

<http://www.resources.ca.gov/bdcp/>
http://baydeltaoffice.water.ca.gov/sdb/bdcp/index_bdc p.cfm

Meeting facilities are accessible to persons with disabilities or who need assistance to participate. To request assistance or translation services, contact Darla Cofer at (916) 653-7129 or dcofer@water.ca.gov.

Written comments are due by **May 30, 2008**, and can be sent to Ms. Delores Brown, Office of Environmental Compliance, Dept. of Water Resources, P.O. Box 942836, Sacramento, CA 94236, or emailed to BDCPcomments@water.ca.gov.



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Meeting dates and locations:

- **Los Banos** Wednesday, May 7, 6:00 p.m.
Public Services Department Main Office
830 6th Street
- **Los Angeles** Thursday, May 8, 1:00 p.m.
Junipero Serra State Building
320 West Fourth
- **San Diego** Monday, May 12, 6:00 p.m.
Marina Village Conference Center
1936 Quivira Way
- **Fresno** Tuesday, May 13, 6:00 p.m.
Sheraton Four Points
3737 North Blackstone
- **Bakersfield** Wednesday, May 14, 6:00 p.m.
Board of Supervisors Chambers
1115 Truxtun Avenue

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APPENDIX E

CATEGORIZATION OF PRELIMINARY SCOPING COMMENTS

Letters, emails, comment cards, and transcripts were reviewed to identify separate comments. The comments were initially grouped into categories, as described in Chapter 3. Specific comments were copied from the letters, emails, comment cards, and transcripts into tables for each category, as presented in the tables presented in this appendix. Comments are listed within each category alphabetically by agency or affiliation. A list of agencies, stakeholders, and individuals that provided written and verbal comments is presented in Appendix F. The letters, email, and comment cards are presented in Appendix G (bound separately). The transcripts are presented in Appendix H (bound separately).

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Table E-1. Preliminary Scoping Comments Related to Integration with Other Processes

Commenter	Comment
California Sportsfishing Protection Alliance	CSPA believes the schedule was not only internally inconsistent, but also fundamentally inconsistent with the governor's Delta Vision and the basic Federal and Clean Water Endangered Species laws.
California Sportsfishing Protection Alliance	Describe in detail how the reductions in Delta exports identified in the Delta Vision document will be accomplished within the California water rights process and the effects on a) senior water rights holders, b) junior holders, c) riparian diverters and d) the public trust.
California Sportsfishing Protection Alliance	The envisioned HCP is fundamentally inconsistent with the governor's Delta Vision statement. For example, Principle No. 7 states that a revitalized Delta ecosystem will require reduced diversions or changes in patterns and timing of diversions and exports.
California State Lands Commission	To the extent the proposed project involves State-owned sovereign lands, a lease may be required. However, Public Resources Code (PRC) section 6327 provides that if a facility is for the "procurement of fresh-water from and construction of drainage facilities into navigable rivers, streams, lakes and bays," and if the applicant obtains a permit from the local reclamation district, State Reclamation Board, the U.S. Army Corps of Engineers, or the Department of Water Resources, then an application shall not be required by the Commission.
California Water Impact Network	Since the Trinity River has both federal and state area of origin protections, annual and decadal limitations on exports of Trinity River water must be established to ensure "preservation and propagation" of the Trinity River's fisheries,
Central Delta Water Agency	The plan must also adhere to other constraints for planning and operations such as the CVPIA (Public Law 102-575) which includes doubling the natural production of "anadromous fish" and the Water Supply, Reliability and Environmental Improvement Act (Public Law 108-36 1).
City of Stockton	The Delta conveyance facility would have the potential to divide the City of Stockton and require changes to the City's General Plan.
City of Stockton	The EIR/EIS needs to evaluate how the BDCP will affect land uses under the City's recently updated General Plan.
County of Yolo	How will implementation of the BDCP affect existing Williamson Act contracts, farmland security zone contracts, and similar farmland preservation tools (such as conservation easements)?
Delta Protection Commission	Continuation of the SB 34 Program with its incentive funding for mitigation should be supported as the best way to accomplish the goals of levee maintenance with no net long term loss of habitat.
Delta Protection Commission	It is also worth noting, relative to the Commission's Management Plan that pursuant to the Commission's adopted 2006-2011 Strategic Plan and in response to the Governor's recommendation in February of 2008, the process for updating the Management plan has been initiated with anticipated completion by the end of the year
Delta Vision Blue Ribbon Task Force	Without diverting focus from achieving the goals and objectives of BDCP, the EIR/S process and subsequent implementation should look for opportunities for positive coordination with other public policy efforts.

Table E-1. Preliminary Scoping Comments Related to Integration with Other Processes

Commenter	Comment
Delta Wetlands Project	The Project will directly further the goals of the Bay Delta Conservation Plan (BDCP) of providing for the conservation and management of covered species within the planning area; and restoring and protecting water supply, water quality, ecosystem, and ecosystem health....the BDCP should consider including the Project as a key element of the conservation plan.
Hoopa Valley Tribal Council	The Fisheries Department is writing today to communicate that the scope of the Bay Delta Conservation Plan (Plan) must be broadened to explicitly address potential impacts to tribal trust assets including Trinity fish populations.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR must analyze consistency with and potential impacts on the Delta Vision "vision" document and strategic plan
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	If the activities authorized by the HCP/NCCP are inconsistent with the existing statutory framework applicable to the CVP and SWP, the regulatory benefits of the BDCP will be illusive because the Projects' operations will violate existing law....We strongly recommend that the EIS/EIR specifically analyze whether and to what extent the alternatives analyzed in the environmental review are consistent with these existing requirements, in particular the statutory policy of doubling anadromous fish populations under the CVPIA and State law, and that the final BDCP include tools and flexibility to be consistent with all of these existing legal requirements, including the goal of doubling anadromous fish populations.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIR/EIS should analyze consistency with and potential impacts on the Delta Vision "vision" and strategic plan.
North Delta CARES	How is the BDCP tied to the Governor's Blue Ribbon Panel and Delta Vision?
Planning and Conservation League	The EIR/EIS should discuss how the BDCP will be integrated with other conservation plans within and near the BDCP planning area.
Planning and Conservation League	The BDCP process is scheduled to have completed the Draft Plan by early 2009, such that significant planning will take place during 2008 – potentially resulting in a plan at odds with the direction of the Delta Vision Task Force.
Reclamation District 999	We request that your EIR process clearly show your compliance with Federal and State Reclamation Law.
Regional Council of Rural Counties	RCRC agrees the statement also contained in the NOP that any conservation actions outside the statutory Delta should be implemented pursuant to cooperative agreements or similar mechanisms with local agencies, interested non-governmental organizations, landowners, and others.
Resident of Clarksburg	The impact analysis should include which laws and regulations will be violated or at least impaired by this flooding, including the Delta Protection Act, also the Clean Air and Clean Water Acts, the Endangered Species Act and their California equivalents.

Table E-1. Preliminary Scoping Comments Related to Integration with Other Processes

Commenter	Comment
Resident of Clarksburg	Is the BDCP consistent with the Delta Protection Act legislation and management plan in all respects?
Resident of Courtland	...BDCP and Delta Vision are not related. They are two entirely separate processes at this point.
Rio Vista City Council	...how will this interface with the Delta Vision Strategic Plan.
Sacramento Regional County Sanitation District	The relationship of the BDCP planning and decision making effort to other ongoing planning efforts (e.g. Delta Vision and the Biological Opinion(s) being performed in response to court orders) should be clearly addressed in the EIR/EIS.
San Francisco Bay Conservation and Development Commission	Commission permits are required for placement of fill, construction, dredging, and substantial changes in use within its jurisdiction.
San Francisco Bay Conservation and Development Commission	We request that the EIR/EIS indicate that under CZMA (16USC 1456(c) and (d)) the Commission is authorized to review any federal actions, permits, licenses and grants affecting any land or water use or natural resources within the Commission's coastal jurisdiction (i.e., San Francisco Bay and Suisun Marsh) for consistency with the Commission's laws and regulations.
San Francisco Bay Conservation and Development Commission	Our staff urges the BDCP agencies to incorporate Marsh Plan and Bay Plan policies as it develops the BDCP
San Francisco Bay Conservation and Development Commission	Therefore, the EIR/ EIS should address other applicable Bay Plan policies
San Francisco Bay Conservation and Development Commission	The EIR/ EIS should analyze how the entire project, not just the portion within the Commission's permit jurisdiction, will affect the hydrology, sediment dynamics, water quality and biological resources of the Bay.
San Francisco Bay Conservation and Development Commission	...conduct early consultation with and obtain all necessary authorization from the Regional Board to aid the Commission in determining whether the project would adversely impact the Bay's water quality.
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	On May 13, 2008, the San Joaquin County Board of Supervisors adopted Resolution R-08-269 a "Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta."
Stakeholder	Does the BDCP address the conservation part of the Governor's Task Force? Are they related in any way? Would they be funded as part of the same whole moneys, or is the BDCP entirely separate, and would be looking for separate funding
State Water Resources Control Board	...the NOP states that the BDCP may include conservation actions in Suisun Marsh and Suisun Bay. Any such actions should be coordinate with the State and Regional Water Boards and the development of the Suisun Marsh Habitat management, Preservation, and Restoration Plan.

Table E-1. Preliminary Scoping Comments Related to Integration with Other Processes

Committer	Comment
Tuolumne County	The DWR must evaluate the BDCP for consistency with local County plans and policies concerning area of origin rights.
Tuolumne County	How will the BDCP Project planning process coordinate with and take into account the County's Blueprint planning process?
Tuolumne County	The BDCP Project planning process must be consistent with the State Water Plan (Bulletin 160).
Wilson Farms and Vineyards	Is the BCDC Plan consistent, or will it be consistent with the Delta Protection Act legislation and management plan in all respects?
Yolo County Board Supervisor	Yolo County has a general plan underway; much of what I am concerned about would run in direct conflict with our plans to revitalize, enhance, and support and nurture this part of the county. And primarily in an agricultural context.
Yolo County Board Supervisor	West Sacramento is in the process of an extensive flood control project, and we're very concerned and curious about what other activities would be.

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Table E-2. Preliminary Scoping Comments Related to Issues to be Considered in Development of BDCP Concepts

Commenter	Comment
California Farm Bureau	Adopting a willing-seller-only policy with respect to acquisition of necessary lands.
California Farm Bureau	Utilizing easements, as opposed to fee title acquisition, to maintain private ownership of agricultural lands and commercially viable agricultural whenever possible.
Delta Protection Commission	A program by non-profit groups or other appropriate entities should be developed to promote acquisition of wildlife and agricultural conservation easements on private lands with the goal of protecting agriculture and wildlife habitat in the Delta.
Delta Vision Blue Ribbon Task Force	Clear description of the complexity and cost all proposed changes in conveyance and storage.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	Second, the HCP/NCCP must provide guaranteed funding for its implementation over the life of the permits.
North Delta Water Agency (Downey Brand LLP)	To reduce these impacts to the greatest extent possible, project proponents should not seek to acquire new areas for habitat creation through eminent domain. Instead, any new habitat should be located on lands that are already in public hands or are subject to existing conservation or flood control easements, or else are purchased as a result of willing transactions by local landowners.
Planning and Conservation League	...the conservation goals of the BDCP must be supported by an effective governance structure and a strong adaptive management program. We recommend that the BDCP condition regulatory assurances on satisfaction of the conservation objectives. The environmental review document must explicitly describe the conditionality of regulatory assurances, including the timing of review and permitting periods.
Planning and Conservation League	What would be the costs for different conveyance configurations, including full mitigation and monitoring costs?
Resident of Clarksburg	What is the financing structure going to be for all phases of the proposed physical and management changes for the BCDC plan?
Resident of Clarksburg	What are the projected labor requirements and projected costs, with and without overhead costs included, for the management of the new habitat that is proposed? What formulas and assumptions will be used in calculating these costs?
Resident of Courtland	Who will pay for reconfiguration of Reclamation Districts and how much will it cost for levee and drainage infrastructure?
Resident of Courtland	How will the BDCP acquire property for conversion to wetlands and how much will it cost to include permanent crops such as grapes, pears, and cherries?
Resident of Courtland	What is the cost difference between conveying export water through the Delta vs. A peripheral aqueduct?

Table E-2. Preliminary Scoping Comments Related to Issues to be Considered in Development of BDCP Concepts

Commenter	Comment
Resident of Courtland	I would encourage you to use boundaries that are known. Boundaries that exist today. And not cut across reclamation districts and create new boundaries. New boundaries bring all kinds of very unusual impacts. We have reclamation districts that operate for flood control and drainage that operate as a unit and they may not operate very well all split up.
Resident of Merrit Island	Under eminent domain: Cost of buying land planted in vineyard and other permanent crops; and Cost of buying long-term contracts with wineries, some for as many as twenty years
Shasta County Water Agency	One important lesson from CalFed is the need for a strong governing body or governance plan. BDCP is a body comprised of many contributing agencies and some of those agencies wield more power than BDCP. If all the agencies cannot be made to work in unison, the BDCP will fail.
Speaker at Clarksburg Preliminary Scoping Meeting	I don't want to see that there's going to be eminent domain.
Wilson Farms and Vineyards	What are the projected labor requirements and projected costs with and without overhead costs included for the management of the new habitat that is proposed? What formulas and assumptions will be used in calculating these costs?

Table E-3. Preliminary Scoping Comments Related to Habitat Restoration Concepts

Commenter	Comment
Barsoom Inc	The scope should be limited to "Tide Lands" and now Swamp & Overflow
Barsoom Inc	Areas should be limited to west of Deep water channel
Building Industry Association of Southern California	...the strategy to restore the delta should study ways to separate the natural tide fluctuations of the eco-system from the movements of the water system.
California Department of Food and Agriculture	Agricultural/conservation easements can be used to secure durable public improvements, such as restoration and flood setbacks, while allowing wildlife and floodplain compatible agricultural uses to continue.
California Department of Food and Agriculture	...we recommend the purchase of agricultural conservation easements to protect Delta agricultural lands whose protection also protects Conservation Plan investments in ecosystem restoration from incompatible uses such as urbanization.
California Farm Bureau	Utilizing available public and existing conservation lands before acquiring or otherwise restricting lands in private ownership.
California Farm Bureau	Providing economic incentives for Delta farmers to undertake actions that benefit covered species and ecosystem health, while allowing economic uses to continue on privately held lands.
California Farm Bureau	...if concerns relating to imprinting and straying prove overwhelming adverse it may be possible to achieve a functional equivalent of recirculation, as discussed above, through potential water exchanges to restore tributary flows on the Mokelumne and Tuolumne Rivers
California Farm Bureau	Phasing restoration floodplain and tidal marsh habitats over time, to avoid significant impacts and allow existing uses of the land to continue in the interim.
California Native Plant Society Santa Clara Valley	...this EIR/EIS needs to establish estuary standards that will return salmon and steelhead runs to all tributaries. (Water Districts that can prove they are restoring local coldwater fisheries by management of seasonal releases needed by anadromous fish and not diverting critical flows or causing drybacks as fish are spawning, should rank higher for water allocations, especially in drought years, than Districts that cannot.)
California Native Plant Society Santa Clara Valley	Please establish uplands habitat goals, as well as wetlands habitat goals usable for Estuary watersheds that can be easily adhered to at every stage and level of this Bay Delta Conservation Plan. HCPs can be streamlined in manner that only one or two species in development acreage are addressed which may not be indicator species for full spectrum of biodiversity found at site.
California Native Plant Society Santa Clara Valley	It would be highly beneficial, in light of the Migratory Bird Act and State compliance with international law, that this EIR/EIS establish baseline for volume of forage that each resident species and migratory waterfowl needs to sustain a healthy life cycle and/or complete its commute from Latin America to Alaska. That would be the amount of forage for necessary weight gain during time of layover in San Francisco Estuary, times the approximate numbers of birds of each species, be it thousands or tens of thousands, and what acreage and calibre of crop or wetlands is necessary to accomplish this. (Would recommend Suisun Marsh RCD data.)

Table E-3. Preliminary Scoping Comments Related to Habitat Restoration Concepts

Commenter	Comment
California Sport Fishing	Analyze and quantify the Delta needs. For over a decade DWR and the Bureau have refused to undertake a quantification of how much water this ecosystem actually needs. Sufficient reductions are essential. It must discuss how much water is required for a healthy Delta and how various scenarios on export levels and patterns and timing of upstream diversions will affect targeted species are reiterated. A reduced export alternative must be included and evaluated.
California Sportsfishing Protection Alliance	Identify and evaluate alternative water supplies and delivery systems and prioritize those evaluations on a) ecosystem water needs, b) urban water needs and c) agricultural water needs.
California Sportsfishing Protection Alliance	The EIR/EIS must discuss how much water is required for a healthy Delta and how various scenarios of export levels and patterns and timing of upstream impacts to biological resources caused by the documented shortfall of water deliveries that were anticipated from North-coast Rivers.
California Sportsfishing Protection Alliance	Propose full mitigation for “take” of species protected pursuant to the California Endangered Species Act. We note that California State Water Board Decision 1485 found that “full mitigation of project impacts on all fishery species now would require the virtual shutting down of the project export pump.”
California Sportsfishing Protection Alliance	Establish and evaluate recovery goals, yardsticks, mileposts and consequences of failure within the HCP/NCCP that will assure policy makers and the general public that progress is occurring and species recovery is on track.
California State Lands Commission	..the EIR/EIS should consider a range of alternatives for prevention programs for aquatic invasive species
California State Lands Commission	...in light of the recent decline of pelagic organisms and in order to protect at-risk fish species, the EIR/EIS should re-examine the objectives of maintaining certain non-native fisheries within the Delta.
California Striped Bass Association	I am therefore, my organization is therefore, solidly against any water conveyance such as the proposed peripheral canals. And we are steadfastly against any other system that will allow more water to be diverted from our Delta.
Central Delta and South Delta Water Agencies	An alternative should be considered that includes substantially increased Delta outflows.
Central Delta Water Agency	The base level of protection must include: 1) full mitigation of project impacts ..2) salinity control to both mitigate for project impacts and enhance Delta water quality; 3) preservation of fish and wildlife at project contractor cost as per Water Code section 11900 et seq. (Stats. 1961 c.867) and 4) compliance with the Coordinated Operations Project Operation Policy (Public Law 99-546).
City of Antioch	The City urges DWR to remain open to consideration of alternatives that would address special status species needs without construction of such a massive and irreversible infrastructure project.
City of Livermore	The EIR/EIS should recognize that the historic Delta estuary cannot be recreated – millions of acres of agriculture, housing, recreational areas, wildlife areas, and water supply facilities are now well established. A full “restoration” is not realistic.
Conaway Preservation Group	The BDCP Should Specifically Consider Opportunities In The Yolo Bypass

Table E-3. Preliminary Scoping Comments Related to Habitat Restoration Concepts

Commenter	Comment
Conaway Preservation Group	The BDCP Should Consider Additional Species
Conaway Preservation Group	Conaway believes that there is an opportunity to implement the above-mentioned habitat and floodplain restoration efforts in the Yolo Bypass in a way that also addresses water quality.
Contra Costa Water District	A number of ecosystem habitat improvements could be incorporated into the near-term actions of the BDCP...Examples of such projects include: Restoration of floodplain habitat and salmon migration through the Yolo Bypass; Brackish tidal marsh habitat development in Meins Landing in Suisun Marsh; and Freshwater tidal marsh habitat development on Decker Island or Liberty Island....Such projects should be included in the EIR/EIS, with full evaluation and disclosure of potential impacts, including impacts to water supplies and water quality...
Contra Costa Water District	Failure to include alternatives that examine the benefits and impacts of increased flows or changed reservoir operations on the system appear to have been arbitrarily excluded in a way that appears to conflict with CEQA, the CEQA Guidelines, and NEPA.
Contra Costa Water District	The adverse effects of reduced inflow to the Delta on Delta water quality (especially for drinking water uses) and fisheries are indisputable, yet the BDCP and the EIR/EIS have excluded alternatives that would meet the BDCP goals with potentially fewer impacts.
Contra Costa Water District	The full range of reasonable alternatives that could feasibly attain all or most of the BDCP's basic objectives (including but not limited to those which could avoid and/or substantially lessen significant effects of the proposed action or actions) should be considered and evaluated.
Delta Vision Blue Ribbon Task Force	The BDCP EIR/S should directly assess alternative choices by how well they serve these two co-equal goals as the primary framework for analysis...We believe that the approach should ensure that restoring these functions is a central component of the plan, and not treated merely as mitigation to offset continued water export functions..
Delta Vision Blue Ribbon Task Force	Clear description of how the design and operation component of each alternative serves ecosystem health and resilience.
Delta Vision Blue Ribbon Task Force	Clear description of effective adaptive management. Include adequate description of a comprehensive monitoring, assessment and adaptive management program, including the processes and factors which will result in decision makers actually managing adaptively.
Delta Vision Blue Ribbon Task Force	The BDCP EIR/S should include clear description of near term actions which will be taken to improve ecosystem function and water system reliability and to protect human life.
Dublin San Ramon Services District	The analysis should include a component that is focused on identifying quick, near-term projects to immediately stabilize Delta water supply reliability and water quality... such a project is a proposal to construct facilities at Frank's Tract that would reduce salinity incursions into the central Delta and simultaneously benefit Delta smelt habitat. Immediate actions that can alleviate the potential damage from levee failure should also be included in this component, in an effort to provide greater protection for public safety and for the security of drinking water supplies..

Table E-3. Preliminary Scoping Comments Related to Habitat Restoration Concepts

Commenter	Comment
Friends of Clarksburg Library	FOCL is very concerned with the proposals that would either convert certain areas of the Clarksburg area into "tidal marsh wetlands" or a "Primary Habitat Restoration Zone". As presented to the community the Bay Delta Conservation Plan proposes the creation of tidal marsh wetlands where none have existed before, and the restoration of aquatic habitat that may have a negative effect on existing habitat.
Kern County Water Agency	And as part of this process you've got to take a fair look at all the stressors that are affecting the health of the Delta, that's invasive species, that's toxics, that's other pumpers besides the federal and state export facilities. And again, we think that that's an important part, that you maintain a scientific objectivity that looks at all of the stressors that have been identified.
Meeting Attendee	...my questions surrounded why the habitat restoration was being planned, who owned the land that was being "restored, how the land was being acquired, and whether the land was being planned as mitigation for the planned conveyance system.
Morada Area Association	Morada stands with our San Joaquin County Board of Supervisors and related water agencies in opposition to any plan that calls for more water being removed from the natural flush of our Delta and the construction of a dual conveyance, remote facility or anything that equates to a "peripheral canal" that will take more water from our watershed and send it to the South state
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund	The EIS/EIR must clarify that the BDCP will not provide any assurances or take permits without a firm commitment to and demonstrable progress in achieving recovery of the Bay-Delta ecosystem. To date, many of the BDCP Steering Committee members have not fully committed that the BDCP will meet the recovery requirements of the California Natural Community Conservation Planning Act ("NCCPA"). However, the federal Endangered Species Act requires that any lawful BDCP must not only prevent the extinction, but must also bring about the recovery of threatened and endangered species.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund	...we urge the agencies to broaden the list of species considered for conservation to include terrestrial wildlife and plants.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The BDCP should utilize an ecosystem approach under the Natural Community Conservation Planning Act
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR must adequately analyze the effectiveness of proposed mitigation and conservation measures over the term of the BDCP..
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The BDCP Points of Agreement and the NOP both emphasize the use of adaptive management to meet the BDCP's goals. We support the use of adaptive management in the BDCP, and we note that both the NCCPA and ESA require the use of adaptive management in an HCP/NCCP.

Table E-3. Preliminary Scoping Comments Related to Habitat Restoration Concepts

Commenter	Comment
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...in order for adaptive management to be effective, the HCP/NCCP must have clear, measurable biological goals and objectives. The BDCP's goals must be consistent with the coequal goals of ecosystem health and water supplies...The BDCP Points of Agreement recognizes that biological goals and objectives for each covered species should be adopted as part of the BDCP, but those goals have not yet been developed.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...given the Delta species and habitat information available to the agencies, we believe that many species and habitat goals can be quantified, providing the best possible method of measurability. The Bay Institute, EDF, NRDC, Defenders of Wildlife, and Sierra Club California recently submitted joint comments to the Delta Vision Blue Ribbon Task Force which include ecosystem goals and targets that should be analyzed as potential goals for the BDCP.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The BDCP should adopt measurable goals and objectives for the species (e.g., population 1 abundance targets, where possible) and habitats covered by the Plan, should include effective monitoring to determine progress towards these goals, and should adapt management of the CVP and SWP over time to meet these goals;
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	As a matter of policy, California should not provide regulatory assurances for reliable water supplies that fail to contribute to the recovery of these species and of the entire ecosystem. Instead, the BDCP must retain sufficient flexibility to respond to changed conditions and continue to conserve and restore listed species and the health of the Delta ecosystem.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...in order to comply with the NCCPA, the approved plan must not only avoid jeopardy to the survival of the species...but it must also promote the recovery of covered species, and prevent the listing of other species.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The BDCP Points of Agreement asserts that other conservation actions outside of the habitat restoration program should be developed to address other stressors on the Delta, such as exposure to contaminants and toxics, entrainment in non-CVP/SWP intake facilities, and invasive species...However, the NOP does not include these activities within the scope of the BDCP.
North Delta CARES	What evidence is there that any part of Yolo County within the Delta was ever a tidal marsh wetland?
North Delta CARES	What are the alternatives to, relocating over to the Yolo Bypass of any and all proposed primary habitat restoration areas from the geographical area bounded by the southern West Sacramento City limit on the north, the Sacramento River on the east, southern West Sacramento City limit on the north, the Sacramento River on the east, the deep water channel on the west, and the Solano County-Yolo County common.
North Delta CARES	What are the alternatives to relocating over to the Yolo Bypass of any and all proposed tidal marsh wetlands from the geographical area bounded by the southern West Sacramento City limit on the north, the Sacramento River on the east, the deep water channel on the west, and the Solano County-Yolo County common boundary on the south?
North Delta CARES	Why is the State considering turning an area which has never been a tidal wetland into a tidal wetland?

Table E-3. Preliminary Scoping Comments Related to Habitat Restoration Concepts

Commenter	Comment
North Delta Water Agency (Downey Brand LLP)	Mitigation measures should include eliminating physical barriers to upstream and downstream fish passage on these river systems, building fish ladders, and ensuring that migration flows are available during all critical life phases, possibly by execution of funding arrangements with districts that maintain local reservoirs. Additional projects could focus on alternative transportation for smolts, and increased funding for smolt trap and hydroacoustic studies to better evaluate stressors on smolt mortality within the Delta.
Planning and Conservation League	A comprehensive presentation of the scientific rationale behind selected conservation measures, including discussion of how the impacts of each measure differ by species, life history stages, or geographic area.
Planning and Conservation League	A comprehensive presentation of other considerations (e.g. economic, social, political, engineering) that influenced the selection of conservation measures.
Planning and Conservation League	All alternatives should include full implementation of species conservation measures necessary to comply with federal and state endangered species laws.
Planning and Conservation League	A comprehensive presentation of evidence in support of any conclusion that the water supply and reliability measures in each project alternative are compatible with the species recovery goals necessary for compliance under endangered species laws.
Planning and Conservation League	A comprehensive presentation of the decision process used to set biological goals and objectives.
Planning and Conservation League	A comprehensive presentation of the decision process used to select conservation measures that are expected to attain the biological goals and objectives.
Planning and Conservation League	How would aquatic and terrestrial species have water of acceptable quality?
Planning and Conservation League	...what you would need to do the same as if you were doing any other HCP, is first determine the environmental requirements of the eco system. Specifically, what flow regimens are needed in terms of water quantity, water quality, temperature, flow direction, annually, inter-annually, intra-annually to restore those species.
Reclamation District 999	We are concerned with the habit restoration that would convert agricultural lands into tidal wet lands. The district early history is an area of Swamp and Overflow lands. This is very different than tidal wet land for the benefit of endanger fish.
Resident of Courtland	There are -- I believe -- opportunities in the Western Delta. You have a large area of public ownership in the bypass. You have an area that has flood easements already. It has water. And I think those are the areas that you should concentrate in the North Delta as your plan is developed.
Resident of Courtland	...I don't know and you don't know -- the scientists don't know if what you're proposing here is going to work. So number one, it has to be reversible. It has to be an experiment or a test spot that's reversible. When you remove pear trees, you remove wineries, and you remove trees, that's not reversible. So, I'm going to say to you what I said to the Isenberg committee. Number one, has to be reversible.

Table E-3. Preliminary Scoping Comments Related to Habitat Restoration Concepts

Commenter	Comment
Resident of Courtland	...you're always going to go to publicly owned property first with an experiment. And that's federal or state owned property. If you can't find federally or state owned property, you go to where property has a cloud on the title. The cloud is already there via some sort of easement or a flood easement is the perfect example. If that map number four, if this project were moved just a few miles to the west, and if it was in the middle of the Yolo Bypass, you'd have a handful of people in this room. So, maybe somebody is not really familiar with the lay of the land. The other issue that I want to point out to you, the State of California bought 12,000 acres a few miles west of us. The Glide Ranch, owned by the Department of Fish and Game. So I would like to direct you to that parcel to do your experimentation and just remember that we're all concerned about flood control. And so you can do your experimentation there, the way the Vic Fazio Refuge -- if you go and look at that refuge, there's water moving through that refuge, but you have to conduct anything in the bypass so that it's flood neutral.
Resident of Delta	BDCP should treat the Delta north of Walnut Grove differently from lands to the south. North Delta lands, for example, are higher, have much less history of flooding, have mineral soils instead of peat, and tend to have a higher population density than lands to the south.
Resident of Walnut Grove	If you want to eliminate all of the negative results listed above, then flood the Yolo Bypass where it is designed to handle the overflow of water during heavy rains and high river/slough waters.
Sacramento County Farm Bureau	In order to execute a successful BDCP, conversion should occur where acquisition is possible and affordable.
Sacramento County Farm Bureau	...because the North Delta will be affected the least by the drivers of change, and because the State of California's Delta Protection Act of 1992 has already reserved the North Delta for agriculture, recreation and habitat, this area should not be considered for conversion to marsh.
Sacramento County Farm Bureau	As alternatives are developed for further study during the EIR/EIS process, we urge you to remove the North Delta east of the Sacramento River Deep Water Ship Channel for consideration as "primary habitat restoration zone" and concentrate your efforts on the Yolo Bypass, Prospect Island, Liberty Island and the Lower Bypass.
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	If the goal is to conserve covered species, then that should be evaluated and considered without regard to improving water supply exports from the Delta. In addition, given the current extremely precarious condition of covered species within the Delta and the inability of current experts to identify the reasons for the demise of certain covered species, it is not reasonable for the resources agencies to be contemplating a multi-year habitat conservation plan...
San Juan Water District	The solutions must be based on best science which is becoming rapidly available and changing consistently. Solutions that do not reflect the most recent science will result in money and time spent with ultimate failure. A one size fits all conservation target for urban agencies will not work.
SH Merwin & Sons, Inc	Are there any opportunities in harvesting as a way of controlling invasive pests such as aquatic primrose or milfoil for biomass or fertilizer or mulch?
SH Merwin & Sons, Inc	Habitat restoration or enhancement projects, specifically tidal wetlands or projects that require at or near sea level land, should be initiated on a very small scale and studied intensively for their effectiveness.

Table E-3. Preliminary Scoping Comments Related to Habitat Restoration Concepts

Commenter	Comment
SH Merwin & Sons, Inc	The economic realities and intensive use of current farm land in that “zone” of the Delta dictate that such projects should occur primarily where flood easements or other such encumbrances already exist. The primary purpose of the Yolo Bypass network needs to be incorporated in any project...
Speaker at Chico Preliminary Scoping Meeting	Finally the alternative analysis should look at whether regulation of water party impacts could be doing and not by disallowing surface diversions but, by managing of the toxic inputs at the source.
Speaker at Stockton Preliminary Scoping Meeting	Wilkerson, landfill, fallow, (in summer-fill). One parcel, (“Island”). Fill with water allowing free flow of fresh water, dam preventing back flow from tide, in late winter, after no chance of flood. To be used as a flood control if needed. Let water stand for one year. Repeat the same with another parcel.
Speaker at Stockton Preliminary Scoping Meeting	To raise up the land in the Delta, that would benefit everything. It’s got to benefit everything. The levees and so forth and so on.
Speaker at Stockton Preliminary Scoping Meeting	You could either mix this biomass in the soil or you could separate a certain amount of the soil, put it in the biomass and then recover it with the existing peat dirt -- peat soil or what have you. And this could be done in stages. And then there could -- that could be flooded so that everything settled down and drained just before the bad winter so we could use as possible a flood control. And have a dam so that at high tide the salt water doesn’t come back in. So it would be natural flushing out of the salt water. And this would take a lot of thought, a lot of product, probably a lot of money, and a lot of people working together.
Yolo Natural Heritage Program	The Yolo JPA recommends consideration of reasonable alternatives beyond the four options identified in the “Options Evaluations Report” that may be discovered through the scoping sessions.
Zone 7 of Alameda County Flood Control and Water Conservation District	The analysis should use best available and accepted/tested science wherever possible. Scientific uncertainties should be documented and disclosed to the public.
Zone 7 of Alameda County Flood Control and Water Conservation District	The BDCP should consider a wide range of possible restoration and conservation activities aimed at improving ecological conditions, including those resulting from the Delta pumps as well as from other non SWP-related and CVP-related activities (e.g., agricultural and municipal discharges that can adversely impact Delta water quality, especially related to drinking water uses).
Zone 7 of Alameda County Flood Control and Water Conservation District	The EIR/EIS should recognize that the historic Delta estuary cannot be recreated - millions of acres of agriculture, housing, recreational areas, wildlife areas, and water supply facilities are now well established. A full "restoration" is not realistic.

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
California Native Plant Society Santa Clara Valley	It is essential that full CEQA review is routine, and that mitigation for impacts to one species does not compound habitat loss at expense of other species. Appropriate public hearings and review can identify data discrepancies that a resource scientist may miss.
California Sport Fishing	Explain how levee improvements, flood plain management, and changes in water circulation and quality will affect each of the targeted species of proposed structural modifications.
California Sport Fishing	Specifically at a minimum the ERA, EIS must incorporate a comprehensive ecological analysis.
California Sport Fishing	Must identify the areas and species that it is attempting to cover. Evaluate the impacts of meeting the existing proposed water demand to each species covered by the HCP.
California Sportsfishing Protection Alliance	Identify the area and species the HCP is attempting to cover and evaluate the impacts of meeting existing and proposed water demand to each species covered by the HCP.
California Sportsfishing Protection Alliance	Explain how levy improvements, flood plain management and changes in water circulation and water quality will affect each of the targeted species and proposed structural modifications.
California Sportsfishing Protection Alliance	Reveal, analyze and discuss how the new facilities and changes in points of diversion for conveyance and storage are likely to affect all of the species and habitat the HCP is supposed to protect..
California Sportsfishing Protection Alliance	Incorporate a comprehensive ecological analysis.
California Striped Bass Association	Taking Sacramento River water with one of four options will further threaten our fisheries which primarily use the river for propagating (spawning) where approximately 60 percent of the remaining Chinook salmon, American shad, striped bass, sturgeon, and steelhead spend time each spring in the Sacramento River between Verona and Colusa.
California Striped Bass Association	I have noticed a drastic decline in all of our endogenous sport fish. One that hasn't been mentioned is the American Chad on the San Joaquin River side of the Delta. Nobody talks about that species.
California Water Impact Network	The impacts on upstream ecosystems and species, such as the Trinity River and its listed coho salmon must be examined in detail.
Central Contra Costa Sanitary District	The ecosystem of Suisun and San Pablo Bays depends primarily on the volume and quality of Delta outflows. Any changes to Delta outflows will affect the ecosystem of these two important water bodies.
City of Antioch	Impacts to all special status species and other natural communities must be fully analyzed.
City of Antioch	While the term "conservation action" is not specifically defined in the Endangered Species Act, it appears that the reference relates to the ability of such a system to reduce or mitigate impacts of the projects on special status species. To the extent such a "mitigation measure" would also create its own environmental impacts...those impacts must also be disclosed and mitigated.

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
City of Livermore	The analysis should use best available and accepted/tested science wherever possible. Scientific uncertainties should be documented and disclosed to the public.
City of Livermore	The EIR/EIS should comprehensively address ecological issues, including pelagic organism decline, salmon decline, invasive species, and toxic pollutants.
City of Stockton	The EIR/EIS need to evaluate the effects of the BDCP on special status species within San Joaquin County..
City of Stockton	...how those effects may impact the [San Joaquin] County's Multi-Species Habitat Conservation and Open-Space Plan..
Coalition for Environmental Protection Restoration and Development	To the extent that you will be considering a variety of options for obtaining your scientific analysis, we would urge you to spend as much time as possible working with your stakeholder groups and with those who you will be coming in contact with through the course of this scoping process to understand as clearly as possible, what the fundamental issues are and most importantly how those issues can best be articulated through a scientific process. I don't know if in the context of your efforts you have the ability or have made contact with, or given thought to the development of an independent 3rd party agreed upon scientific body that could work with you in the formulation of the criteria that you will be developing here. In one of the areas of our involvement over the years, that pertaining to water quality, we found here locally an organization called the Southern California Coastal Research Project.
Contra Costa Water District	Plant growth within earthen canals inhibits flow and contributes to levee instability. However, the use of chemical herbicides is increasingly problematic due to regulatory constraints.
Contra Costa Water District	Canals, in general, create a migration corridor barrier for terrestrial species.
Contra Costa Water District	[winter exports and salvage levels]..impacts should be analyzed against unscreened export levels and San Joaquin River flows.
Contra Costa Water District	... the plan should examine the benefits of installing positive barrier fish screens on reducing salvage and potentially increasing FMWT indices, and their benefits on through-Delta flows, fisheries and water quality levels. The EIR/EIS should examine using positive barrier fish screens on all export facilities.
Contra Costa Water District	The canal will sever property, disrupt island drainage, and create a barrier to migration corridors. Additionally, the existing irrigation and drainage ditches that the canal will sever may be considered as habitat for various special status species.
Contra Costa Water District	New facilities may alter flows in the Delta, and could disrupt aquatic migration corridors for resident and migrating fish. All impacts of changed flows must be thoroughly evaluated and disclosed.
Contra Costa Water District	...the EIR/EIS must evaluate the impacts associated with anticipated operation and maintenance activities, including: aquatic weed management and the potential use of herbicides or physical clearing of vegetation that will be necessary along, and in, any canal; levee maintenance; and facility security. The potential impact of maintenance activities on the habitat within the canal as well as downstream beneficial uses, such as recreational use in reservoirs, agricultural irrigation, and drinking water must be considered.

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
Contra Costa Water District	...the EIR/EIS must fully analyze and disclose project impacts concerning issues that have been identified as factors in the recent pelagic organism decline in the Delta, including unscreened water diversions, invasive species, and toxicity.
County of Yolo	What are the potential effects of the BDCP on existing wildlife - including but not limited to the "covered species" identified in the NOP - that are found in the Delta ecosystem, particularly those that may have adapted to the "new natural condition" resulting from the SWP, CVP, and related influences?
County of Yolo	How could the BDCP impact known populations of the "covered species" in particular locations, whether by modifying existing habitat or otherwise? What sort of monitoring, if any, will be implemented as part of the BDCP to evaluate its effect on these populations?
County of Yolo	What is the potential for implementation of the BDCP to result in any influx, territorial expansion, or rise in population of undesirable or invasive species, whether due to a salinity gradient that differs from expectations or for other reasons?
County of Yolo	To the extent the BDCP may result, directly or indirectly, in the conversion of farmland to habitat or other uses, how will the Swainson's hawk and other species that rely on agriculture be affected? In particular, could the BDCP cause a significant effect on the Swainson's hawk, Giant Garter Snake, or other species that rely (to various degrees) on agriculture by modifying existing farming practices that serve to provide habitat or forage for these species?
County of Yolo	To what extent could the BDCP interfere with the HCP/NCCP presently under preparation by the Yolo County Habitat Joint Powers Authority?
Delta Farmer	In my lifetime, I have seen a tremendous increase in the diversity of wildlife on my farm.
Delta Protection Commission	Lands managed primarily for wildlife habitat shall be managed to provide several inter-related habitats....Appropriate programs, such as "Coordinated Resource Management and Planning" [Public Resources Code Section 9408(c)] and "Natural Community Conservation Planning" (Fish and Game Code Section 2800 et seq.) should ensure full participation by local government and property owner representatives.
Delta Protection Commission	Impacts to wildlife caused by storage of dredged materials should be mitigated.
Delta Protection Commission	Public agencies and non-profit groups have or propose to purchase thousands of acres of agricultural lands to restore to wildlife habitat. The amount, type, and location of land identified to be enhanced for wildlife habitat should be studied by wildlife experts to determine goals for future acquisition and restoration.
Delta Protection Commission	To protect rare and endangered fish species from adverse impacts of poaching, the Department of Fish and Game (DFG) should study the feasibility and value of banning night fishing in the Delta.
Delta Protection Commission	Wildlife habitat on the islands should be of adequate size and configuration to provide significant wildlife habitat for birds, small mammals, and other Delta wildlife
Delta Protection Commission	Undeveloped channel islands provide unique opportunities for permanent wildlife habitat in the Primary Zone. A strategy should be developed to encourage permanent protection and management of the channel islands.

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
Delta Protection Commission	Feasible steps to protect and enhance aquatic habitat should be implemented as may be determined by resource agencies consistent with balancing other beneficial uses of Delta resources.
Delta Protection Commission	Publicly-owned land should incorporate, to the maximum extent feasible, suitable and appropriate wildlife protection, restoration and enhancement...
Delta Protection Commission	Management of suitable agricultural lands to maximize habitat values for migratory birds and other wildlife should be encouraged.
Delta Protection Commission	Lands currently managed for wildlife habitat, such as private duck clubs or publicly-owned wildlife areas, should be preserved and protected, particularly from destruction from inundation.
Delta Vision Blue Ribbon Task Force	..the EIR/S should clearly assess the extent to which these actions will contribute to overall ecosystem health and resilience.
Dublin San Ramon Services District	The analysis should use best available and accepted tested science. Scientific uncertainties should be documented and fully disclosed to the public.
East Bay MUD	Based on the request by the lead agencies for ideas on mitigation during the public scoping process, the District recommends that you consider operational measures and/or structural measures to avoid or minimize effects on Mokelumne River salmonids for all alternatives that affect the species. Operational measures could include changes to operable gates and pumping rates during fish sensitive periods. Structural mitigation measures could include a method to route Mokelumne origin salmonids away from the primary water supply conveyance corridor.
Farmer in Clarksburg	The historical fact is this was never a tidal wetland. This area was seasonal swamp and overflow land that only flooded during the wettest of years. Even on wet years This area dried up at the end of Spring.
Family in Clarksburg	How would this "tidal marsh wetland" be managed to avoid the encroachment of non-native weed species? What would be the cost in terms of personnel and materials, and to the environment, to keep such weeds under control?
Family in Clarksburg	How would the "tidal marsh wetland" function to assure that the species of endangered fish would thrive?
Farmer in the South Delta	And I'm not a fishing expert, but I notice that there are no endangered fish that are in the San Francisco Bay. And if you turn the Delta into equivalent kind of a thing, the same thing would happen to the fish here.
Farmer in Turlock	If the State doesn't take action to restore and protect the Delta, the repercussions on the environment and the economy will be disastrous.
Friends of Clarksburg Library	Our community has a rich agricultural background and many of the land use practices provide valuable habitat for wildlife, the proposal envisioned in the BDCP Scoping Plan endanger both the agricultural and habitat values that currently exist.
Greene and Hemly	We wonder what species in the increased habitat area are to be benefited? Why are these species deemed valuable? What is their value and to whom?
Meeting Attendee	What happens to these birds when the hawk loses its forage and the owl is flooded from its home?

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...the ecosystem goals and objectives being developed by the CalFed Ecosystem Restoration Program and the Delta Vision Ecosystem Working Group may provide useful models in this regard....the BDCP's biological goals and objectives should be consistent with the numeric recovery plan goals for salmon, smelt and other listed species that have been or are being prepared by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR therefore must analyze the impacts of the Project on listed and covered species, as well as the full range of plants, birds, fish, and wildlife that live in the Delta and are affected by the CVP and SWP. This includes upland habitats and species, including grasslands and wetlands in the South Delta, Suisun Bay, and state and federal protected areas, including wildlife refuges such as the San Luis National Wildlife Refuge.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR should also analyze the BDCP's consistency with existing HCPs in the Delta, as well as HCPs that are in development now.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	In particular, the analysis of potential impacts to salmonids and natural resources upstream of the Delta should include, but not be limited to, the following potential impacts: entrainment in any new conveyance facility; entrainment or interrupted downstream migration as a result of, continued Delta pumping; increased predation; degraded water quality; reduced carry-over storage...; reduced cold-water pools, increased in-stream temperatures; and changes in river flows upstream of the Delta.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...the EIS/EIR must analyze impacts to the entire Bay-Delta ecosystem as a whole. For example, a species-by-species approach is likely to fail to address fundamental issues related to ecosystem function.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR must analyze the BDCP's impacts, with particular focus on: ...(3) biological resources, including all species that may be impacted by the CVP and SWP, as well as upland habitats that may be affected...
North Delta CARES	What is the impact on the food chains in the Delta of the discharge of ammonia and other substances by the Sacramento regional sewage treatment plant into the Sacramento River?
North Delta CARES	What is the impact on each of species of fish living in the Delta of the discharge of ammonia and other substances by the Sacramento regional sewage treatment plant into the Sacramento River?
North Delta CARES	In the Delta region, what is the impact of shallow water on the methylation of Mercury (Hg) on all species of fish population in any proposed primary habitat restoration area(s) in the ecosystem in which the shallow water area is a part?
North Delta CARES	In the Delta region, what is the impact of shallow water on the methylation of Mercury (Hg) on plant-life in the ecosystem in which the shallow water area is a part?

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
North Delta CARES	What impact will flooding the North Delta have on land-based endangered species, such as the Swainson's Hawk? While flooding the North Delta would benefit water-borne species, has the committee considered the impact on other species? Is it not possible that by solving one problem, you would be creating many others?
North Delta Water Agency (Downey Brand LLP)	In addition, the EIR/EIS must evaluate the terrestrial effects of constructing the facility itself. A smaller, deeper facility will have a smaller terrestrial environmental footprint than a larger, shallower facility, which should be reflected in the analysis.
North Delta Water Agency (Downey Brand LLP)	...introducing man-made marshes along the banks of the Delta islands will not restore a natural habitat, but will create a new type of habitat as a means of trying to approximate aquatic conditions...the EIR/EIS should identify all potential environmental impacts on hydrology, biological species, and soils resulting from this new form of habitat creation....
Northern California Water Association	...there is a concern that recovery of species has an assignment done on effective science as it relates to flows and diversions.
Northern California Water Association	The delta is critical to the Sacramento Valley from the standpoint that any conservation actions we undertake from with the aquatic species, their success is dependent upon a healthy delta.
Planning and Conservation League	Upstream impacts that should be considered in development of the EIR/EIS on the BDCP include:...resulting change in the availability of cold water pools for fisheries (e.g. Shasta Dam, Oroville Dam)
Planning and Conservation League	How would ecosystem water quality be monitored, managed, and protected?
Planning and Conservation League	How will fish screens impact Delta smelt, salmon, green sturgeon, longfin smelt, splittail and other Delta-dependent species?
Planning and Conservation League	What standards exist or need to be developed for screening delta smelt, green sturgeon and other fish?
Planning and Conservation League	...that as part of the NCCP process scientific input is required. And again, we urge the BDCP process, which is the basis for the EIR-EIS, to fully incorporate scientific input, not just scientific review. So, as we understand it the requirement is that scientific independent experts are asked for their views as options are being formulated, not just to review them after they are presented.
Rancher in Fresno	No one is arguing with the plight of the Delta smelt, which is native to the Delta estuary. But its demise cannot be laid solely at the feet of the pumps, which take water from the Delta and deposit in the California Aqueduct. A myriad of scientific reports reveal that 185 non-native species now occupy the Delta, several prey upon the Delta smelt itself, and also vie for zoo plankton, it's main source of food.
Reclamation District 999	And if you create any kind of wetlands, and you don't have a solution to the invasive weeds that are coming from Asia and all around the world, you won't get what you think you're going to get.
Resident of Clarksburg	By improving habitat for delta smelt, other listed species could begin using the area, and potentially be creating new legal issues for the community, further reducing our ability to exercise our property rights. How will the community be protected from the consequences of this likely impact? Consider this a request for a Clarksburg Safe Harbor Agreement.

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
Resident of Clarksburg	If West Nile Virus increases in this area, it is expected to have significant impacts on native birds. How are these impacts analyzed and mitigated for?
Resident of Clarksburg	Converting freshwater habitat to brackish water habitat will have negative influences on the ecosystems that have adapted to the upper delta
Resident of Clarksburg	...converting fresh water habitat to brackish water habitat will have negative influences on the ecosystems that have adapted to the upper Delta...
Resident of Clarksburg	With regards to the restoration of these tidal marsh wetlands, Clarksburg has never had this type of wetland. We are too far north, so it would be impossible to restore what we have never had.
Resident of Clarksburg	...by improving habitat for Delta smelt, other listed species could begin using the area, and potentially be creating new legal issues for the community further reducing our ability to exercise our property rights. How will the community be protected from the consequences of this likely impact? Consider this a request for a Clarksburg safe harbor agreement.
Resident of Clarksburg	...if West Nile Virus increases in this area, it is expected to have significant impacts on native birds. How were these impacts analyzed and mitigated for?
Resident of Clarksburg	I believe here in the Sacramento Region that -- that the gopher snake and the Swainson's Hawk are both on the highest part of the endangered species list....I'd like to know with you folks if the endangered species list -- if one species trumps another? ...I don't believe that these things could survive in a marsh wetlands.
Resident of Clarksburg	How will invasive species be reliably excluded from new tidal wetlands and shallow water habitat?
Resident of Clarksburg	What mitigation measures will be taken for each of the known invasive species that already inhabit the Delta if they become established in any new tidal wetlands or shallow water habitat? '
Resident of Clarksburg	Considering the increase in the amount of habitat recommended and the desired connectivity of the various habitat types, how will invasive species be reliably excluded from the tributaries to the Delta?
Resident of Clarksburg	What mitigation measures will be taken for each of the known invasive species that already inhabit the Delta if they become established in any of the tributaries of the Delta?
Resident of Courtland	How will removing fresh water from the North Delta impact the ecosystem and water supply in the balance of the Delta?
Resident of Courtland	Is it feasible to create wetlands within the borders of reclamation districts where water is the common enemy?
Resident of Courtland	Will the BDCP mitigate for loss of Swainson's hawk habitat and what will it cost?
Resident of Courtland	What other terrestrial and avian species will be adversely affected, will the BDCP mitigate and what will it cost?

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
Resident of Courtland	When you introduce species or create habitat that moves species around in the Delta you -- all you're doing is moving the impacts around from different people. If you move species away from the water purveyors and you move them up into the Northern or the Western Delta, you create the same impacts for people who are using that water. You need to prepare and provide for mitigation for those impacts that you create for them.
Resident of Merrit Island	Decreased habitat for the Swainson's Hawk, an endangered species
Resident of Walnut Grove	Flooding our Clarksburg land will be devastating to both us and the environment: Downing the cotton tails, jack rabbits which are finally making a come back from extinction, thus playing a domino eliminating the food supply of other rodents for the red tail, white tail and Swainson's hawks, barn owls and horned owls.
Resident of Walnut Grove	Flooding our Clarksburg land will be devastating to both us and the environment:...Killing our very, very old oak trees which have been homes to the owls and hawks for years.
Resident of Walnut Grove	And, once you have flooded it, you will find out as a result from your other flooded conservation areas, the birds, fish, and wildlife will not go/survive there and will end up like another half partially dried swamp.
Sacramento County Farm Bureau	Where will the sandhill cranes go when there are no corn, wheat, safflower and alfalfa fields for foraging? Will the BDCP provide mitigation for Swainson's hawk,
Sacramento Regional County Sanitation District	The EIR/EIS must address how each alternative impacts Delta fisheries and how the project will remedy, rather than prolong or exacerbate, the POD.
Sacramento Regional County Sanitation District	The EIR/EIS should carefully evaluate whether the positive effects of habitat restoration projects inside the Delta will outweigh negative effects of diversion of high-quality Sacramento River water. Technical details should be provided about the number, locations, and types of restoration projects that are necessary to provide the biological benefits ascribed to the Options.
Sacramento Regional County Sanitation District	The feasibility and sustainability of the restoration projects should be covered in the EIR/EIS, and the responsible parties for implementation identified.
South Delta Water Agency	The environmental documents must fully examine the various optional scenarios and the consequent effects on fisheries and other beneficial uses.
South Delta Water Agency	An isolated facility, by changing the water quality in Delta channels could result in changes in the location of various fish species who use water quality as cues for migration, spawning and other life stages. Hence, the intake to an isolated facility might become a place of greater risk for some species. Further, decreasing Delta cross flow might decrease the areas of good habitat for species seeking better water quality, thus increasing the stressors to the species.
Speaker at Chico Preliminary Scoping Meeting	...I read more and more about the exotic species in the delta, things like the mussel, they have no treatment that may help collapse into things that may, in and of themselves make certain (unintelligible) recovery goes, impact going along one, and the, that brings to mind what kind of risks are you going to impose in the source areas that might provide you alternative solutions for your adaptive management projects..
Speaker at Clarksburg Preliminary Scoping Meeting	...the first thing that came to mind was really about this conveyance. And about mitigation ratios associated with that conveyance.

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
Speaker at Clarksburg Preliminary Scoping Meeting	...where are the burrowing owls going to go, and where are the Swainson's Hawk going to go if we flood all the area where we now have relocated the burrowing owl and the Swainson's Hawk?
State Water Resources Control Board	...the EIR/EIS must analyze...beneficial uses (including fish and wildlife resources) associated with BDCP-covered activities
Stone Lakes National Wildlife Refuge Association	Specifically, impacts of alternative conservation actions including improved water conveyance infrastructure in the Delta must be considered. It is the Association's understanding that the dual and isolated conveyance system routes being considered as part of improved conveyance infrastructure would traverse Stone Lakes NOR lands. This could have very significant impacts on the habitat values of the Stone Lakes NWR
Stone Lakes National Wildlife Refuge Association	The Association has also reviewed a Habitat and Operations Technical Team handout that mentions possible inundation of Stone Lakes Bypass for 45 days or more as a possible long term scenario. The environmental impacts of this or other possible uses of Stones Lakes NWR must be carefully evaluated.
Stone Lakes National Wildlife Refuge Association	The environmental setting in the EIR/EIS must include a detailed description of Stone Lakes NWR and other similar resources within the Delta.
Stone Lakes National Wildlife Refuge Association	Impacts analysis in the EIR/EIS should examine how each alternative would affect the resources of Stone Lakes NWR. Also, specialized biological expertise should be engaged to assess impacts on Refuge biota.
Stone Lakes National Wildlife Refuge Association	To the extent significant impacts to the resources of Stone Lakes NWR are identified feasible mitigation measures and alternatives must be identified and adopted to reduce those impacts.
US Fish and Wildlife Service	I am concerned about the potential impacts of this project to important Refuge habitats, and request that the EIR/EIS specifically analyze any foreseeable direct, indirect and cumulative effects to the Refuge. Refuge staff will be reviewing and commenting on the various alternatives as they are developed and we receive additional details.
Wilson Farms	You must have a very extensive EIR on every single species that's out here that might be affected. We need to know of any and all endangered species.
Wilson Farms and Vineyards	How will invasive species be reliably excluded from new tidal wetlands and shallow water habitat?
Wilson Farms and Vineyards	What mitigation measures will be taken for each of the known invasive species that already inhabit the Delta if they become established in any new tidal wetlands or shallow water habitat?
Wilson Farms and Vineyards	Considering the increase in the amount of habitat recommended, and the desired current activity of the various habitat types, how will invasive species be reliably excluded from the tributaries to the Delta?
Wilson Farms and Vineyards	What mitigation measures will be taken for each of the known invasive species that already inhabit the Delta if they become established in any of the tributaries of the Delta?
Yolo County Board Supervisor	Certainly we have concerns about the compatibility or lack thereof of a habitat plan that you all are working on or the one that Yolo County has been working on for a long time. And I think we have different goals in those plans.

Table E-4. Preliminary Scoping Comments Related to Biological Concepts

Commenter	Comment
Yolo County Habitat/Natural Community Conservation Plan	Yolo County is working on its own NCCP (known as the Yolo Natural Heritage Program) that will provide for the needs of many of the upland species the other speaker mentioned (hawks, snakes, turtles, etc.) as well as being a vehicle for preserving Yolo County's agricultural heritage.
Yolo Natural Heritage Program	Impact on local policies or ordinances protecting biological resources
Yolo Natural Heritage Program	Impact on the developing Yolo County Habitat Conservation Plan/Natural Communities Conservation Plan.
Yolo Natural Heritage Program	Adverse effects on candidate, sensitive or special status species and their habitats
Yolo Natural Heritage Program	Effect of BDCP Actions on Yolo Bypass Wildlife Area
Yolo Natural Heritage Program	Actions and outcomes related to BDCP have the potential to increase water transfers in the Delta. These transfers will likely have a significant cumulative environmental effect on several species of concern including Giant Garter Snake and Swainson's hawk .
Yolo Natural Heritage Program	...we're running a parallel process, another HCP and NCCP in Yolo County that the county has been working on for many, many years, and I just wanted to remind some of the folks in the panel and the folks that are working in the BDCP that we are here, that we are interested in the same footprint that you all are working on, and that we look forward to collaborating and cooperating in the future on both of those efforts.
Zone 7 of Alameda County Flood Control and Water Conservation District	The EIR/EIS should comprehensively address ecological issues, including pelagic organism decline, salmon decline, invasive species, and pollutants (both toxics and nutrients).
Zone 7 of Alameda County Flood Control and Water Conservation District	The BDCP approach to environmental management is much more comprehensive than the piecemeal approach that's been used in the past with regard to Delta habitat protection, and it can stabilize both the water supply and the fish species in the Delta.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Association of California Water Agencies	We also have to invest in water use efficiency, water recycling and other strategies, and expand our surface and groundwater storage capacity.
California Department of Food and Agriculture	We recommend that water conveyance and management alternatives analyzed be broad, consistent with the Governor's recent letter on water management.
California Department of Food and Agriculture	The BDCP Planning Agreement defines the planning area as the statutory Delta, but acknowledges that it may be necessary to include conservation measures outside of the Statutory Delta that advance the goals of the BDCP within the Delta. We recommend that as part of the Conservation Plan consideration be given to providing incentives and technical assistance to upstream agricultural landowners in the San Joaquin Valley to manage salt-laden drainage on-farm...Similar incentives, perhaps in cooperation with local resource conservation districts in order to leverage USDA Farm Bill Conservation Title program funding, could be provided to growers throughout the watershed to increase Delta flows through an agricultural water account program
California Farm Bureau	Providing significant, sustained investment in research, including financial incentives for voluntary implementation of landscape-level demonstration projects to develop practices, technologies, and methods to facilitate a potential transition to carbon farming, new crop types, and other alternative forms of agriculture for the purpose of achieving greater long-term sustainability in key areas of the Delta, as appropriate.
California Farm Bureau	Local water agencies in San Joaquin County that rely currently upon variable surface water supplies and limited local groundwater might have an interest in contracting for firm, relatively high quality deliveries from an isolated facility, in lieu of water such districts might otherwise divert from the Mokelumne, Calaveras, Stanislaus, and Lower San Joaquin Rivers....
California Farm Bureau	On-going groundwater recharge, conjunctive management, and stream restoration efforts by these still largely agricultural districts, SCWA , The Nature Conservancy, and others could be expanded with potential deliveries of purchased surface water supplies from Folsom Lake, including water supplies no longer required by SMUD for use at Rancho Seco or possible entitlements associated with historic water rights applications related to Auburn Dam...Other water exchange possibilities in this area include the use of unassigned wet and normal year capacity in EBMUD's FRWP Folsom South Canal Connection facilities to carry out conjunctive use projects in Central and South Sacramento County and North Eastern San Joaquin County....
California Farm Bureau	To meet BDCP export water supply and species conservation objectives and, at the same time, substantially avoid adverse, in-Delta water quality impacts, at least one improved through-Delta alternative should go significantly beyond the through-Delta improvements considered by the Metropolitan Water District of Southern California (MWDSC) and others, as an interim option and for a narrower set of the specific objectives, early on in the BDCP process. In addition, any improved through-Delta alternative involving an isolated Middle River conveyance corridor and siphon under Old River should examine both cost-saving measures (in terms of substantial, initial estimates on levees armoring costs, for example) and feasible measures to maximize the water supply potential of such an alternative (e.g., necessary channel dredging, low-lift pumps, etc.). In particular, the EIR/EIS should utilize useful elements from Russ Brown's "Delta Corridors" concept as modeled, refined and supplemented by the South Delta Water Agency.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
	<p>...it is possible that an isolated facility operated non-preferentially, or an isolated facility sized and designed to facilitate permanent water exchange arrangements on one or more of the Delta's eastside tributaries, could help to reduce some adverse impacts of such conveyance, while simultaneously contributing to the conservation of covered species and reduced regulatory restrictions on exports. A less constrained future conveyance system, therefore, could potentially facilitate and enable opportunities for water exchange arrangements that would not otherwise be possible...More reliable Sacramento River water from an isolated facility could provide an incentive for EBMUD to forego diversions from the Mokelumne River under certain conditions as a way of partially addressing water quality impacts in the Delta and, at the same time, improving conditions for fish...</p>
	<p>A proposed intertie between EBMUD's Mokelumne Aqueduct and the SFPUC's Hetch-Hetchy (the SFPUC-Hayward-EMBUD Intertie) could facilitate transfers among these Bay Area water purveyors or from outside the region....In a future scenario involving dual or isolated conveyance through the Delta, Zone 7, State Water Project and Central Valley Project contractors would benefit from a dual or isolated conveyance facility....In combination with potential restored flows from Friant in the Upper Reaches of the San Joaquin River, supplemental Tuolumne River flows could help restore salmon and other anadromous fish in the San Joaquin River and its tributaries. Lastly, of relevance to South Delta agriculture, particularly in dry years and late summer, these restored tributary flows could help to correct the historic problem of insufficient tributary flows to the Delta that an isolated or dual conveyance facility would significantly worsen.</p>
California Farm Bureau	<p>One or more screened diversions in the vicinity of the CVP's existing Delta-Cross Channel gates and/or Georgiana Slough could work in tandem with dual conveyance, providing freshwater flows from the Sacramento River into the interior Delta. From there, water would flow toward the export pumps, primarily, via the South Fork Mokelumne River and Middle River....Given the significant water quality implications of the dual and isolated conveyance options currently being considered, study of a potential through-Delta facility merits much more rigorous and systematic study. Continued study of a through-Delta facility should occur on an expedited and greatly intensified basis, as a deliberate and integrated part of any studies of dual or isolated conveyance.</p>
California Farm Bureau	<p>...modified DCC operations should remain as part of the range of potential mitigation alternatives warranting deliberate and focused consideration by the BDCP at this time.</p>
California Farm Bureau	<p>While dual or isolated conveyance would likely worsen, compound, and extend existing water quality problems in the South Delta, however, it is at the same time pertinent to note that such conveyance could potentially remove some barriers to implementation of recirculation.</p>
California Farm Bureau	<p>...options involving in-Delta barriers, and particularly movable barriers, would be inexpensive, easily reversible, and conducive to adaptive management..</p>
California Farm Bureau	<p>Near-term or long-term, either singly or in combination with an isolated facility, a through-Delta conveyance option similar to the "Delta Corridors" concept described by Russ Brown could have various benefits..</p>

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
California Farm Bureau	In addition to groundwater banking, conjunctive use, water efficiency, and water recycling, all of which should continue and expand in direct support of any long-term solution for the Bay-Delta, new surface storage will be necessary to prepare for future impacts of climate change and increase flexibility to achieve various environmental objectives. In particular, new South-of-Delta facilities will be needed to optimize future conveyance, improve the timing of water exports, and reduce hydrologic impacts on listed species and the Delta in drier years. Similarly, increased surface water storage capacity in both the Sacramento and San Joaquin River watersheds would enhance the State's ability to achieve multiple objectives,
California Farm Bureau	Within the context of the BDCP, water efficiency in export-dependent areas south of the Delta could be encouraged and incentivized through linkages to the ESA's incidental take provisions.
California Farm Bureau	New water supplies from desalination projects, urban water use efficiency, and water recycling could significantly offset the need for imported supplies
California Farm Bureau	...in addition to the long-term need for west-side drainage improvements in any case, it seems entirely appropriate to consider potential, future west-side drainage and salinity management actions as possible, long-term conservation or mitigation measures for the 50-year BDCP.
California Farm Bureau	...there may be opportunities to realize multiple benefits for the ecosystem, water supply and water quality through reoperation of upstream reservoirs.
California Native Plant Society Santa Clara Valley	In regards agribusiness, for water allocation, can a priority point system be established whereby a crop, such as rice, that will provide food and refugia for migratory waterfowl after the crop has been harvested will rank higher, than say a crop that can not provide secondary or tertiary benefits from considerable amounts of water used?
California Sport Fishing	Identify and evaluate alternative water systems and delivery systems and prioritize those evaluations on ecosystem water needs.
California Sportsfishing Protection Alliance	...an EIR/EIS that fails to evaluate several reduced export alternatives will fail to comply with minimum CEQA/NEPA requirements....
California Striped Bass Association	The best bet is to build building plants to desalt an untapped resource and that the Pacific Ocean to fulfill the needs of the 38 million people that reside in California.
California Striped Bass Association, Stockton Chapter	Conservation. I don't hear any part of this particular plan -- of course it was a short overview -- but without addressing those two issues, all you're doing is this same story just a different way of getting the water down to where it is. So I would encourage you as an agency, you do have our public trust.
California Water Impact Network	Recognizing that all of our water resources are over committed, (the State Water Board now admits that it has issues water rights permits that equal five to seven times the amount available in the state) and there is no more water to draw from, demand management is a must..
California Water Impact Network	The biggest saving in the urban sector can come from changing the plant materials used around our homes and businesses.
California Water Impact Network	The second biggest source of urban water savings can come from all the conservation methodologies that have been outlined by the California Urban Water Conservation Council

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
California Water Impact Network	It makes much more sense to apply desal technology to our wastewater stream rather than to the ocean since it would need only one tenth the amount of energy to apply reverse osmosis to wastewater. Spreading this water to go through the soil until it reaches the aquifer is a good way to remove any remaining contaminants.
California Water Impact Network	..there is growing interest in Southern California to capture rain water where it falls, and get it into the ground to augment our local water supply and reduce our need to import as much from the north.
California Water Impact Network	The agricultural sector ... is by far the biggest source of water quality problems to the delta especially from drainage impaired lands...This land must be taken out of production, and the water rights retired as an immediate source of water to help with the delta's endangered species problems.
California Water Impact Network	This is a serious deficiency in the BDCP analysis and must be remedied by development of an alternative which reduces Delta exports below current levels.
California Water Impact Network	...an alternative should be developed which examines a reduction in Delta exports to drainage-impaired lands in the Western San Joaquin Valley within both CVP and SWP service areas.
California Water Impact Network	You've got to look upstream. You've got to look to the water sheds and to local agencies, local governments using water much more efficiently than they are now.
California Water Impact Network	Of reuse, we've just really begun to do. There's tremendous potential we should be using between 80 and 90% of all of the waste water, should be reused.
California Water Impact Network	And, we are beginning to look now at capturing storm water where it falls and getting it into the ground so that we can augment our drinking water supply. This is relatively new. There's no numbers yet, but we are beginning to retrofit neighborhoods to capture all storm water and get it into the ground.
California Water Impact Network	A major source of water that is not being seriously considered and must be considered during this process is the drainage water that is poisoning the San Francisco Bay Delta now. We can't get serious about enforcing water quality standards in the delta unless we deal with the selenium and other salts, and other Ag chemicals that are coming down the San Joaquin River and poisoning the delta and the ground water on the way....There is minimally 2 million acre feet of water that could come from that Ag land which is now being irrigated that should not be, should never have been and it was known before a drop of water was put on that land that it should never have been irrigated.
Central Delta and South Delta Water Agencies	...actual, state of the art, fish screens on all Project export facilities should be evaluated to enable water that is truly surplus from the needs of the Delta.. to be exported with minimal impacts to fish. If an actual, state of the art fish screen is included for an isolated facility in any alternative which includes such an isolated facility, then such a screen must naturally also be included in all the alternatives..
Central Delta and South Delta Water Agencies	The EIS/EIR should include an extensive discussion of desalinization options in order to promote regional self-sufficiency.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Central Delta and South Delta Water Agencies	With regard to "legal" feasibility, two paramount questions regarding any form of an isolated facility include whether such a facility can be legally constructed and, if so, whether such a facility can be legally operated in a manner which successfully accomplishes the purposes for which it is constructed...how is the diversion of substantial amounts of fresh water flows into such a facility consistent with the basic goal of the state to "[p]rotect, maintain, and, where possible, enhance and restore the overall quality of the delta environment, including, but not limited to, agriculture, wildlife habitat, and recreational activities"?....Such construction and operation constitute an obvious and drastic alteration of the present physical characteristics of the Delta in direct contravention of the Legislature's finding and declaration in section 12981...
Central Delta and South Delta Water Agencies	...If water is exported at the northernmost tip of the Delta via an isolated facility, then such water is plainly not providing a "common source of fresh water for export," instead, it is providing an isolated source of fresh water for export which is entirely devoid of common benefits to essentially the entirety of the Delta and, hence, which is squarely contrary to section 12201 and "to the peace, health, safety and welfare of the people of the State."...Since, as just noted, one of the "objectives of this part" is to "provide a common source of fresh water for export" (Wat. Code, S 12201), the Projects have a duty to integrate their releases from storage into the Delta "to the maximum extent" possible to provide that "common" source. Diverting any amount of such releases in an isolated canal, which by definition is entirely devoid of the required commonality of benefits, is obviously not providing the "common" source of fresh water to the maximum extent possible...
Central Delta and South Delta Water Agencies	...facility, there needs to be a comprehensive analysis regarding how many drops of water, and at what times of year, and during what hydrological and ecological situations, etc., can such drops of water be legally deemed to be surplus to what "users within [the] Delta are entitled" (Wat. Code, § 12203) and surplus to what is "necessary to meet the requirements of Sections 12202 and 12203 of this chapter."...This Anti-Degradation Policy is yet another example of a policy which must be duly assessed before the feasibility of any proposed project ...can be meaningfully determined.
Central Delta and South Delta Water Agencies	Potential alternatives which include an isolated facility or other unlawful component and, thus, which cannot pass the legal feasibility test, cannot not be properly credited for CEQA purposes as being included within the EIS/EIRs mandatory "range" of feasible alternatives.
Central Delta and South Delta Water Agencies	What constitutes an "improvement" of water supply "reliability" in the eyes of the lead agencies? This objective must ultimately be broad enough to allow for consideration of alternatives that seek to make the water supplies of the Project's export contractors more reliable by providing non-Delta watershed water supplies to those contractors in lieu of the inherently unreliable and variable Delta water supplies.
Central Delta and South Delta Water Agencies	An alternative of "regional self-sufficiency" ...every feasible effort is made to the maximum extent possible to develop new non-Delta watershed water and/or make better use of existing non-Delta watershed water to meet the needs of export contractors.
Central Delta and South Delta Water Agencies	In the event, the Projects simply cannot feasibly use the water in the Delta after an apocalyptic levee failure and/or cannot get by with other supplies while the levees breaks are being repaired, then the fortification of various master levee scenarios should be considered to minimize the intrusion of bay waters in the event of such failures much like what is already being implemented at the present time.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Central Delta and South Delta Water Agencies	Tidal gate structures should also be evaluated to help repel bay salinity in the event of such a massive failure.
Central Delta Water Agency	The environmental evaluation must look at alternatives which develop supply from outside the Sacramento and San Joaquin Rivers watershed including desalting brackish groundwater, municipal wastewater and in some cases seawater.
City of Antioch	Exports of water currently put a tremendous strain on the Delta and its tributaries; addressing these difficult species issues equitably may require changes to the volume of water diverted by the Projects in addition to the other possible measures listed in the NOP. Through land retirement, conservation and other measures, the demand for exported water could be reduced while continuing to serve existing out of Delta beneficial uses.
City of Antioch	Implementation of additional water conservation measures by Delta water users - especially those uses that remove water from the watershed completely -- are potentially feasible means to lessen significant impacts associated with operation of the Projects.
City of Livermore	Include a range of project alternatives, such as an alternative that includes significant statewide and/or regional improvements to local water conservation, groundwater management, and water recycling.
City of Livermore	The BDCP should consider a wide range of possible restoration and conservation activities aimed at improving ecological conditions, including those resulting from the Delta pumps as well as from other non SWP-related activities (e.g., agricultural and municipal inputs).
Conaway Preservation Group	The EIR/EIS And The BDCP Should Include An Analysis And Consideration Of Conservation Opportunities And Mitigation Measures Upstream Of The Delta
Contra Costa Water District	Alternatives in the EIR/EIS, should (1) consist of a comprehensive set of actions, including projects proposed during the Delta Vision process, (2) include a broad range of conveyance facility options to ensure that potential solutions with reduced impacts are not overlooked, and (3) incorporate interim and near-term actions.
Contra Costa Water District	The EIR/EIS should include an alternative consisting of a screened intake and pipeline of approximately 2,000 to 3,000 cfs that would provide a reliable water supply primarily to urban areas now exporting water from the SWP and CVP export pumps near Tracy.
Contra Costa Water District	The EIR/EIS should examine fully screening all intakes, including the existing export intakes in the South Delta, with positive barrier fish screens for the export facilities...Screening these facilities to eliminate salvage and loss of adult delta smelt would improve fish population numbers and avoid a number of significant impacts associated with large canals.
Contra Costa Water District	...Metropolitan Water District of Southern California, a potentially regulated entity of the BDCP, has proposed various barrier configurations and operational modifications to provide for protection of delta smelt equivalent to the current interim operational restrictions...while reducing the water supply impacts and Delta water quality degradation...The BDCP should incorporate similar near-term actions, designed with an integral monitoring component to evaluate the effects of these barriers on multiple species of concern.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Contra Costa Water District	Implementation of pilot screens at or near Clifton Cow Forebay could immediately reduce the loss of fish by predation in the Clifton Court Forebay and through salvage operations...This should be examined and environmental documentation completed on its own accelerated schedule.
Contra Costa Water District	A number of proposals have been developed that do not require relocation of intakes to the north Delta, nor require construction of pipelines or canals. These alternatives, which have been presented to the Delta Vision Blue Ribbon Task Force, must be fully considered and evaluated or the document could be significantly and fatally flawed.
Contra Costa Water District	Project alternatives should be developed to evaluate a broad range of conveyance capacity and configuration alternatives for this new facility, including but not limited to continued use of screened south Delta diversions and modifications to channels, that will reduce fish impacts and improve water quality in the Central and South Delta.
Contra Costa Water District	Although DWR did not examine anything below 5,000 cfs, an earlier evaluation by CCWD found that a 2,500 cfs facility would provide similar water supply. While meeting water supply reliability goals, the smaller capacity facility would leave more water in the river system to benefit the environment and maintain or improve water quality...Additionally, a smaller capacity facility could be constructed as a pipeline, which has a number of benefits over an open canal..
Contra Costa Water District	Positive barrier fish screens should be considered at water intake locations covered by the proposed project.
Contra Costa Water District	The EIR/EIS should analyze a wider variety of parameters for this facility, evaluating lower conveyance capacity and alternative configurations. Preliminary modeling indicates a 2,500 cfs peripheral pipeline, operated in combination with through Delta conveyance, will meet the water supply goals of the BDCP.
Delta Diablo Sanitation District	All solutions should be explored, including reoperations; decreasing water supply obligations through conservation, water transfers, and recycling; increased storage; engineered solutions to redirect flows, etc.
Delta Diablo Sanitation District	One solution that should be included in the planning and environmental review of the BDCP is the development of a new water supply from the western part of the Delta. Such a water supply could help relieve the Delta of its water supply obligations, as well as allow precious upstream reservoir releases to flow through the Delta prior to diversion. Over the past three years, the District has completed feasibility level studies on locating a new fish friendly, high quality water supply project within the DDSD service area. The project would divert water out of one or more of the existing water supply intakes owned by others within the District's service area, and utilize advanced treatment to convert the brackish water from the western part of the Delta into a high quality water supply for urban or agricultural purposes.
Delta Vision Blue Ribbon Task Force	..the EIR/S should include the full range of combinations of improved through Delta and alternative conveyance.
Delta Vision Blue Ribbon Task Force	Incorporate assumptions on water conservation to be achieved through the Governor's announced plan....of a 20% statewide reduction in per-capita use by the year 2020.
Delta Vision Blue Ribbon Task Force	The BDCP should clearly state expectations on water diversion under different conditions and the decision processes and rules it would use to determine allowable diversions under a range of hydrological and climatological conditions.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Dublin San Ramon Services District	The analysis should also include projects that have the potential for providing means for diverting water from the Delta through adequately screened intakes at locations other than the existing Banks and Jones pumping plants.. such a project is the proposal to expand Los Vaqueros Reservoir and construct a pipeline from there to Bethany Reservoir..
Dublin San Ramon Services District	A second example is the multi-agency desalination facility being studied for location in the brackish waters of the lower end of the Delta..
Dublin San Ramon Services District	Identify the impacts and include options that encourage and provide incentives for significant statewide and/or regional improvements to local water conservation, surface water and groundwater management, water recycling and desalination.
Dublin San Ramon Services District	I think of the Delta as the heart and soul of the entire California water system, and maybe bypass surgery -- maybe a canal, a pipeline, an alternative water conveyance system would be a good thing. And it would make it a sustainable Delta, which would make a sustainable water system.
East Bay MUD	One example of a structural measure is tunneling a Through Delta Conveyance channel under the Mokelumne River into the South Fork to allow the North Fork to be used for fish migration and separated from the South Fork with a flood gate. A fish ladder would provide access to upstream migrating salmonids from the South Fork into the Mokelumne River or to the Sacramento River.
East Bay MUD	Another structural option to consider would be the construction of a fish screen and boat lock at Terminous, to prevent fish passage from the South Fork of the Mokelumne River into Little Potato Slough. This option would also facilitate the downstream migration of juvenile salmonids originating on the Mokelumne and Cosumnes rivers.
East Bay MUD	A third structural option would be to redirect the Mokelumne River into the Sacramento River upstream of the Delta Cross Channel, via Meadows Slough. This option would place the migratory Mokelumne and Cosumnes fish into the Sacramento River where they would have a better chance of avoiding entrainment in the central and southern Delta.
Farmer in Clarksburg	Instead of working on the symptom, You should be attacking the problem of an ailing Delta. The problem is staring you in the face! 6.5 million Acre Feet of water is contracted to export from the Delta with a Water Shed that will not support it.
Farmer in Clarksburg	What broke the Delta was trying to just -- is trying to export six and a half million acre feet of water from the Delta that the water shed cannot support.
Farmer in Clarksburg	We will not now, stand by idly, as the objects of an environmental experiment based on presumptions. We will, however, stand with you to fully utilize existing flood control infrastructure such as the Yolo Bypass to assure better flood protection for the Sacramento area.
Farmer in Clarksburg	We will not now stand by idly as the objects of an environmental experiment based on presumptions. We will, however, stand with you to fully utilize existing flood control infrastructure such as Yolo Bypass to ensure better flood protection for the Sacramento Area.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Farmer in the South Delta	It said people from within the Delta led by Tom Zuckerman, and by the South and Central Delta Water agencies have proposed specific alternatives which would solve any problems without the canal and all of the havoc that a canal would cost including increased longer stages during floods.
Kern County Water Agency	We believe that construction of an isolated facility, the operation of dual conveyance, is the most reasonable approach, and we expect that the BDCP process will lead to that conclusion.
Los Angeles Area Chamber of Commerce	The strategy to restore the estuary should study ways to separate the natural tidal fluctuations of the ecosystem from the movements of the water system....A full analysis of conveyance alternatives is absolutely necessary in order to provide a foundation of fact necessary for historic change in the Delta.
Metropolitan Water District of Southern California	Since WUE programs already are built into water need assumptions they- will not fulfill the stated purpose and objectives of the BDCP nor will they avoid or reduce any of the potentially significant impacts of the proposed action. They are therefore not suitable for inclusion as alternatives to the proposed action in the Draft EIR/EIS.
Metropolitan Water District of Southern California	New and improved conveyance should be part of all conservation alternatives in order to maximize opportunities for Delta ecosystem restoration and to the meet water supply and reliability goals of the CVP and SWP.
Morada Area Association	There is a plan by Dr. Russ T. Brown, Jones and Stokes dated March 23, 2007 titled "Proposed to Reconnect the San Joaquin River to the Estuary - Delta Corridors Project" which deserves your consideration before you simply commit to a politically expedient solution.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...we recommend that the EIS/EIR analyze operational criteria to respond to a range of water years and other foreseeable circumstances that will affect covered species, including: (1) poor ocean conditions that affect ocean-going covered species including salmon; (2) continuing toxic pollutants in the Delta, which affect numerous covered species; (3) increased levels of take from non-covered activities; (4) failure of one or more levees in the Delta; (5) changes to hatchery policies; (6) increased upstream diversions; (7) further declines in the populations of listed species; (8) impacts from ongoing development in the Delta; and (9) the arrival or spread of invasive species. The operational criteria must alter the timing and/or amount of water exports through the CVP and SWP as necessary to protect covered species and the Delta ecosystem due to such foreseeable circumstances
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...there must be clear criteria for triggering and guiding the adaptive operating criteria.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	Changes to the operations of the water projects that significantly reduce take of these species over the term of the permit must be implemented as part of the final approved HCP/NCCP

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR should analyze the conveyance alternatives identified in the Notice of Preparation ("NOP"), however, alternative export regimes must also be analyzed...the EIS/EIR must consider a reasonable range of outflow and export levels from the Delta, including several alternatives that increase the level of freshwater outflow and reduce the amount of water diverted and exported from the Delta, as compared with current conditions.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	With respect to increased outflow/reduced export alternatives analyzed in the EIS/EIR, demand reduction, water conservation, and water efficiency measures can be used to meet the water supply reliability goal of the BDCP. Likewise, water recycling, conjunctives use, urban stormwater capture, improved groundwater management, desalination, water transfers and similar programs can also provide additional water supply reliability
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The BDCP should include operational criteria to respond to a broad range of water years and other foreseeable circumstances, such as poor ocean conditions, in order to operate the CVP and SWP to meet conservation goals and ensure that the regulatory assurances provided in the Habitat Conservation Plan / Natural Community Conservation Plan...
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...the BDCP should analyze land retirement, including land retirement on the west side of the San Joaquin Valley, as one measure to help achieve increased freshwater outflow and reduced exports/diversions...
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The document must clearly distinguish between increased average diversions and increased reliability. The two terms are not identical.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	We also note that the inclusion of fall-run Chinook salmon on the list of covered species...raises significant concerns. Although not currently listed under either the ESA or CESA, the fall run's population has declined precipitously in recent years...Inclusion of this species provides an unwelcome suggestion that DWR and the Bureau of Reclamation will manage the water projects in a manner that fails to prevent the listing of the species during the life of the permits...a goal of the BDCP must be to maintain healthy sport and commercial fisheries, and the BDCP must include conservation measures to conserve, restore and sustain the fall-run Chinook population.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	..the HCP/NCCP must minimize the take of covered species, must provide guaranteed funding for implementation over the life of the permits, must not jeopardize either the survival or recovery of listed species, and must be consistent with existing legal requirements applicable to the CVP and SWP...
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	To the extent that the BDCP relies on similar conservation measures, the EIS/EIR must analyze the EWA and the likelihood that the BDCP could suffer from similar problems.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	If the Mirant Delta power plants are included in the BDCP, particular attention should be paid to the following issues related to operation of the plants and their environmental effects: Analysis and minimization of the impacts of the entrainment of fish, effects of thermally heated discharges, and other impacts on covered species and other fish and wildlife species, including operational and structural changes such as: o Requiring more effective screening of the plants' cooling water intakes; o Changes to existing cooling water intakes and intake flow velocities; o Monitoring and reporting the plants' take of covered species; o Temporal and/or other restrictions on water withdrawals; and o Elimination of the existing once-through cooling systems for the plants, and replacement with dry cooling or recirculating cooling systems; Operational changes or other actions to reduce greenhouse gas emissions from plant operations; and, Establishing strict and enforceable numeric limits on the take of covered species.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR should analyze alternatives that would increase outflow and reduce exports as compared to current conditions, and analyze water conservation, efficiency, and additional demand reduction measures, as well as water recycling, groundwater and conjunctive use programs, urban stormwater capture and other tools to achieve the BDCP's water supply reliability goal
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...the EIS/EIR should compare the cost effectiveness of water conservation and efficiency, and a full range of water supply alternatives with the construction, maintenance and operation of Delta conveyance facilities and other water supply components identified in the BDCP.
North Delta CARES	Build the Auburn Dam.....would not only provide flood protection, but hydroelectric power (environmentally sustainable) and additional drinking water (allowing more to flow to Southern California).
North Delta CARES	If the issue truly is habitat protection, stop diverting water into the California Aqueduct....the money being spent on North Delta "habitat restoration" could be diverted and better spent studying desalinization efforts in Southern California.
North Delta Water Agency (Downey Brand LLP)	Therefore, it is appropriate that the EIR/EIS provide at least one alternative that includes a reduction in water exports water as part of a multi-factored approach to mitigating the effects of the Projects. Preferably, the EIR/EIS should analyze the environmental effects of a range of reductions upon all identified alternatives to properly inform decision-makers and the public of the approach that would have the greatest promise of reducing the environmental impacts of the Projects. It is not appropriate to simply bypass this analysis under the guise of a conclusory statement that any reduction in exports is infeasible when demand management, desalination projects, conjunctive use, xeroscaping, and zero net water developments have not been fully developed in the service areas where the water is being exported.
North Delta Water Agency (Downey Brand LLP)	The EIR/EIS must also evaluate the size/capacity of any isolated conveyance facility.
North Delta Water Agency (Downey Brand LLP)	To mitigate for the environmental effects of habitat enhancement, the EIR/EIS must address the need to install fish screens and to undertake other measures to protect aquatic and terrestrial species that are being introduced into new locations within the Delta or whose existing populations are being enhanced. Without appropriate mitigation measures in place, existing landowners engaged in longstanding land uses may inadvertently be said to "take" these listed species under the Federal and State Endangered Species Acts, even though the species would not exist in those locations were it not for the BCDP.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Northern California Water Association	To the extent that the BDCP includes proposed voluntary agreements with upstream water users that would address issues in the Delta, the scope of those agreements must be well-defined in the EIR/EIS project description. Similarly, any voluntary arrangements outside of the Statutory Delta must not interfere with numerous fish and wildlife conservation efforts already underway outside the Statutory Delta.
Northern California Water Association	I look forward to get into the formal evaluation that we think will appropriately identify needs for conservation in the delta water supply for export.
Planning and Conservation League	Upstream impacts that should be considered in development of the EIR/EIS on the BDCP include: The potential for changed operations at upstream reservoirs..
Planning and Conservation League	...we recommend an approach that aims to increase water supply reliability by reducing supply expectations.
Planning and Conservation League	While engineering alternatives that compare different structural or routing solutions for improvements or additions to Delta conveyance infrastructure are certainly appropriate to consider...
Planning and Conservation League	[the reasonable project alternatives should also include:] Increased reliability through decreased demand on delta water supplies* #1: An alternative that includes reduced Delta exports and aggressive implementation of water conservation, water recycling, and groundwater treatment to fully meet water demand.
Planning and Conservation League	[the reasonable project alternatives should also include:] Increased reliability through decreased demand on delta water supplies* #2: An alternative that considers the retirement of drainage-impaired lands in the San Joaquin Valley, consistent with the EIR on San Joaquin Valley Drainage.
Planning and Conservation League	What are the advantages and disadvantages of pipeline(s) versus a canal, including impacts on aquatic and terrestrial species?
Planning and Conservation League	What are the advantages and disadvantages of building a lined vs. unlined canal, including impacts on aquatic and terrestrial species?
Planning and Conservation League	What are the advantages and disadvantages of different alignments for the various options, including impacts on aquatic and terrestrial species?
Planning and Conservation League	What are the advantages and disadvantages of different capacities for a canal or pipeline(s), including impacts on aquatic and terrestrial species?
Planning and Conservation League	What are the advantages and disadvantages of freshwater turnouts from a canal or pipeline(s) that would discharge fresher water at various locations in the Delta, including impacts on aquatic and terrestrial species?
Planning and Conservation League	What flows are required for: a. Hydrologic conditions that promote recovery of covered species; b. Effective fish screening?; c. Support of an adequate food web in the Delta?; d. Management of invasive species?; e. Maintenance of water quality for other Delta beneficial uses, including drinking water, ecosystem, and agriculture?
Planning and Conservation League	How would alternative in-Delta operations change upstream operations, including effects on upstream flows, temperature, water quality and aquatic and terrestrial species?

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Planning and Conservation League	What amounts of water could be diverted in different water years, by season, and on average while meeting the planning goals of species recovery?
Planning and Conservation League	How would in-Delta agriculture have water of acceptable quality?
Planning and Conservation League	How would the fish facilities (including both screening and handling) at the existing diversion locations in the South Delta be improved to minimize loss of fish?
Planning and Conservation League	What operational management conditions are necessary to avoid impacts to pelagic fish and other species at the South Delta pumps under the various conveyance options?
Planning and Conservation League	What bypass flows would be required for the fish screens to work effectively and how can those estimates be tested?
Planning and Conservation League	How much water could be diverted through screens meeting the necessary standards? Given the uncertainties as to how alternative facilities will impact aquatic species, what options are available for reversible experiments that would be put into place prior to making permanent commitments?
Planning and Conservation League	...is that upstream actions should be part of the area that you look at. Not only because it's fairly obvious that anadromous fish go upstream, but that several of the potentially regulated entities, DWR and the Bureau of Reclamation have projects upstream that effect the flows going into the river and then, into the delta.
Planning and Conservation League	Under your list of conservation activities I did not see a reference to water conservation, water recycling, storm water capture, groundwater clean up, in areas served by exports from the delta as well as upstream areas. And, we believe that those will be key to any successful restoration plan.
Resident of Clarksburg	The range of the alternatives seems limited to variations on a single theme. To better meet legal and regulatory requirements for an EIS/EIR these alternatives should be expanded to include other actions to meet the same goals.
Resident of Clarksburg	These [alternatives] should include at a minimum the greater regulation of land use in Southern Cal...the greater resolution of water usage, including establishment of water markets, metering, monitoring and both of fines and denial for over use...
Resident of Clarksburg	The extent of the action items limited: it fails to include technological alternatives that could achieve the same end perhaps at lower cost in the long-run. These alternatives to be included should include desalinization using the variety of methods currently existing and proposed....
Resident of Clarksburg	All sources including wastewater treatment, sewage treatment and reuse, and the establishment of dual water systems should be included.
Resident of Clarksburg	...there's a big focus on the diversion of water for Southern California. And it sounded like it's -- you know -- the system is broken and so we must fix it. Okay, that's great. But are we gonna fix it where all the fix is required to come out of reducing the water rights and everything of folks here, versus saying that the Southern California water is inviolate?

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
Resident of Courtland	Won't it be necessary to convey water through the Delta for an extended period of time even if a peripheral aqueduct is considered, so why do both?
Resident of Courtland	In order to export water from Delta channels will the State develop new upstream water?
Resident of Courtland	...wouldn't it be more productive to develop and finance projects which help create regional self sufficiency?
Restore Hetch Hetchy	Improving the reliability of water supply for EBMUD and SFPUC customers is within the domain of the BDCP, given the broad scope of the Department of Water Resources legal responsibilities for ensuring reliable water for all Californians. Note that both EBMUD and the SFPUC have received Delta supplies in the past during times of need. It is likely that relatively little supply would actually be provided through improved Delta facilities to these customers, but it is very important that the capability exist in case that additional supply is needed.
Restore Hetch Hetchy	An additional source of water for the San Francisco Public Utilities Commission, even if seldom used, could also replace the small amount of supply that would be lost if Hetch Hetchy Valley in Yosemite National Park were to be restored. While the BDCP has not heretofore considered restoration of Hetch Hetchy Valley in Yosemite National Park, it is evident from the valley's proximity to the Delta and the actual crisscrossing of conveyance systems, that a Delta solution has the potential to be part of a Hetch Hetchy solution. We believe that analysis of the potential is legally required as part of the BDCP EIR/EIS.
Restore Hetch Hetchy	The federal Raker Act, which authorized the construction of O'Shaughnessy Dam, states that Tuolumne diversions to San Francisco and its customers must conform to the laws of California. Therefore federal aspects of the BDCP analysis must address the reasonableness of the existing diversion, given available alternatives. In addition, the Raker Act (Section 9, paragraph h) limits diversion of Tuolumne supplies to those that are supplemental to other supplies that either were existing at the time of the Act's passage or that the "grantee ... may hereafter acquire". Delta supplies were not available in 1913 but are available today and many Bay Area agencies depend on them. Given the Raker Act's express limitation on Tuolumne diversions to the Bay Area, compliance with the Raker Act must include consideration of the availability of Delta supplies.
Sacramento County Farm Bureau	Farm Bureau emphatically opposes an isolated facility (peripheral canal).
Sacramento Regional County Sanitation District	A fifth BDCP alternative should be evaluated in the EIR/EIS in which non-structural approaches for achieving water supply reliability are considered. Nonstructural alternatives should include water conservation, water reclamation, localized desalination, increased capture and storage of localized rainfall or other forms of water procurement in lieu of continued or increased Delta deliveries.
San Joaquin County	Peripheral Canal in San Joaquin County as the supervisors recently developed an additional resolution in 2007 where they again opposed the idea of a peripheral canal being constructed, as well as any isolated conveyance facility -- or dual conveyance facility in the Delta.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	...the Central Delta Water Agency has advanced a water supply alternative of "Regional Self- Sufficiency." This alternative... needs to be considered in the environmental analysis for the BDCP.
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	The County is aware that the current water conveyance alternatives do not include the comprehensive "Delta Corridors" plan...presented by the South Delta Water Agency and the Central Delta Water Agency based in part on work performed by Dr. Russ T. Brown, Jones & Stokes.....The environmental document for the BDCP must include meaningful analyses of this alternative and the BDCP decision makers must give meaningful consideration to implementing the Delta Corridors alternative.
San Joaquin Farm Bureau Federation	The process should give full consideration to a much improved through Delta plan without a canal. Specifically, the BDCP and the EIR/EIS process should consider the South and Central Delta's Comprehensive Management Plan on an equal footing with the BDCP proposal.
San Juan Water District	Development and operation of delta conveyance infrastructure must provide environmental protection and water supply reliability in a matter that does not affect upstream water suppliers and the same may not benefit one stakeholder at the expense of another stakeholder.
San Juan Water District	Development of additional surface water storage supplies is a necessary component of any delta solution for both environmental and urban water supply and Ag supply uses.
San Juan Water District	Investment is necessary in conjunctive use programs and coordination among regulatory agencies must be sufficient to allow such programs to be implemented.
SH Merwin & Sons, Inc	The problem California is faced with is not that the Delta is broken and needs to be altered; the true problem is that we have too many people in this state, living mostly in areas that lack the local water they need (and should have been required to prove they had before the land was developed)...California does indeed have a serious problem, but it is far better to address the true issue: overpopulation, rather than chasing the symptoms.
SH Merwin & Sons, Inc	...an alternative water supply for Southern California through desalinization might prove to be the most cost effective solution in the end, but that is currently outside the scope of the BDCP..
SH Merwin & Sons, Inc	The levee system that is in place now, and that South state water users currently have a vested interest in helping to maintain, needs to have a mechanism built in that ensures continued funding for maintenance if an isolated conveyance option of any kind is implemented. Perhaps an endowment large enough to annually fund levee enhancement or protection / maintenance should be funded by water exporters who would benefit from the isolated conveyance.
SH Merwin & Sons, Inc	...there would need to be clearly defined limits on the extent to which the isolated conveyance may be used, in other words, it cannot be used to take water more aggressively than in the past.
SH Merwin & Sons, Inc	...a significant portion of what would have been the Peripheral Canal was dug to provide fill dirt for I-5 in the 1970's. Is that factored into an eastern alignment option? If not, why not?

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
SH Merwin & Sons, Inc	I live on the East berm (Right bank) of the Sacramento Deep Water Ship Channel, and I would prefer to see any "western conveyance" be located within the channel, and not across my farmland.
SH Merwin & Sons, Inc	Why not consider a diversion from the channel above, or near Rio Vista, on the west side of the Sacramento River or Cache Slough, then digging one siphon somewhere nearer to Collinsville?
SH Merwin & Sons, Inc	Regarding agricultural diversions within the Delta, in addition to studying the costly installation of fish screens at all such diversions, perhaps the use of shallow wells on the land side of the levees that would tap natural seepage under the levees might be a viable solution in some cases.
Sheriff of San Joaquin County	...possibly a study to decide whether or not it would be better to spend the money to develop and maintain the levees as they currently are instead of putting additional monies into an alternative.
South Delta Water Agency	One of the options available to the fishery agencies is to limit exports and require increased outflow to the point where the impacted fisheries are improved.
South Delta Water Agency	The review must include other alternatives, not currently in the BDCP proposal. SDWA and CDWA proposed to the Delta Vision process a comprehensive program which included the "Delta Corridors" plan.
South Delta Water Agency	The review should include an improved through Delta conveyance as well as one that curtails exports in order to meet superior water right and environmental needs.
South Delta Water Agency	Ongoing investigations, speculation and analysis in the POD process indicates that the solution or solutions to the radical decline in certain fisheries are not yet known. Until such time as the specifics of why the decline is occurring at this time it is impractical and improper to adopt a Plan which gives exports a multi-year approval or guarantee of operations.
South Delta Water Agency	...an alternative not presented by BDCP is an increased outflow scenario which should improve fisheries. Such an option must be considered in the review.
Southern California Water Committee	What we're looking for instead is for you to identify a flexible alternative that will provide as we have said, the needed environmental protections as well as a reliable high quality water supply.
Speaker at Stockton Preliminary Scoping Meeting	It is not clear under any of the scenarios that we've experienced so far that it's possible to protect the Delta, the fish and wildlife environment, and the uses with the prospect of level of exports. We have been strongly advocating for years that people who evaluate the environmental impact of facilities on the Delta must look at the level of exports. We may very well have to reduce exports to zero except in surplus water years.
Speaker at Stockton Preliminary Scoping Meeting	So I would ask that you broaden that to make it a more comprehensive review of what is needed to protect the Delta and it would appear that it may very well be zero exports if the 5 million acre feet was supposed to come in by the year 2000.
Sportsmen's Yacht Club	Alternative conveyance, Peripheral Canal, or Love Canal, it's wrong. California voters approved a \$4 billion dollar bond issue to repair and improve the levees. This is what the public warrants.

Table E-5. Preliminary Scoping Comments Related to Delta Conditions and Water Supply Operations Concepts

Commenter	Comment
State Water Resources Control Board	In addition, to achieve BDCP's project objectives to assure protection and restoration of fish and wildlife resources, the EIR/EIS should analyze a broad range of alternate water quality objectives and operational strategies, including reductions in exports, that may be more protective of fish and wildlife beneficial uses.
State Water Resources Control Board	...the State Water Board requests analyses of a broad range of alternatives under the following scenarios: (1) potential interim changes to the Bay-Delta Plan; (2) long-term changes to the Bay-Delta Plan with new conveyance facilities; and (3) long-term changes to the Bay-Delta Plan without new conveyance facilities.
State Water Resources Control Board	Specifically, the State Water Board requests analysis of a broad range of conveyance alternatives, flows (including changes to Delta outflow objectives), and diversions by the SWP and CVP (including reduced diversions or a cap on diversions) for providing open water habitat under the above scenarios.
Stone Lakes National Wildlife Refuge Association	Clearly Delineate the Proposed Location of Project Alternatives Involving Conveyance Systems. The impacts analysis should be based on a specific location for the alternatives involving freshwater conveyance systems.
Tuolumne County	All of California hydrologic regions should manage resources to achieve an increased degree of self-sustainability and to avoid increasing inter-regional allocation of resources.
Tuolumne County	How will the BDCP Project planning process evaluate greater water use efficiency efforts in Southern California that will reduce the dependency for imported water?
Western Growers	Western Growers believes that any 'fix' implemented must be comprehensive in nature and utilize all of the water supply management tools at our disposal including water use efficiency, water recycling, surface and groundwater storage, desalination, and other strategies.
Wheeler Ridge-Maricopa Water Storage District	My assumption is that there will be no project alternative. In some sense there will be a reduced or multiple reduced export alternatives, as well as what I understand is the preferred alternative for a dual system.
Yolo Natural Heritage Program	The BDCP should expand the list of covered activities to include known water conveyance projects (planned or in place) undertaken by local governments within the BDCP planning area.
Yolo Natural Heritage Program	The Yolo JPA recommends consideration of reasonable alternatives beyond the four options identified in the "Options Evaluations Report" that may be discovered through the scoping sessions.

Table E-6. Preliminary Scoping Comments Related to Surface Water Concepts

Commenter	Comment
American River Water User Group	Actions to address the ecosystem and water supply reliability crisis in the Bay Delta must include adequate assurances that Delta solutions: · are based on sound science; · are part of a comprehensive water management approach that includes both conveyance and water supply; · are protective of watershed of origin rights; · are based on beneficiary pays principles; · avoid redirected impacts and costs to upstream areas, including reduction in reliability of water supplies or water quality and increased stream temperatures in upstream tributaries; · include water quality standards for the Bay Delta that take into account the potential for failure of Delta levees and that do not require significant unscheduled water releases from Folsom Reservoir
American River Water User Group	Actions to implement the BDCP must avoid these types of impacts. The BDCP EIR/EIS should analyze all impacts to upstream water supplies (including storage under upstream water rights and the frequency with which the State Water Resources Control Board's Term 91 is triggered), water quality and lower American River flows (including water released from Folsom Reservoir). The evaluation of impacts on Folsom Reservoir water availability and quality is especially critical because this reservoir is the only source of CVP water physically available to CVP contractors in the American River Division.
Association of California Water Agencies	Solutions must respect existing water rights in areas of origin interests
BIOCOM	Over the years BIOCOM has strongly advocated for sound water policies and programs. These include programs that enhance regional water conservation efforts and expand the use of reclaimed water. Many of our member companies have embraced conservation and the use of reclaimed water for years, and many more are taking similar steps now.
California Department of Public Health	We also request that the scope of the analysis include the affects of water transfers (from one water right holder to another), changes in water use (i.e., from irrigation to potable water supply), points of diversion, rates of diversion, and seasons of diversion.
California Farm Bureau	At the same time, new water marketing opportunities could help to increase water supply reliability statewide, reduce or avoid groundwater overdraft conditions in areas South of the Delta, and potentially create new opportunities for more effective ecosystem protection. The BDCP EIR/EIS should examine both potential adverse effects and benefits of increased water transfers as a possible consequence or outcome of improved conveyance.
California Native Plant Society Santa Clara Valley	Can this EIR/EIS review projected consumer use data provided by water retailers and districts in sufficient detail as to be credible?
California Native Plant Society Santa Clara Valley	Studies of Delta water transfers and resource management should include ways to manage water loss due to evaporation
California Sport Fishing	...describe in detail how the reductions of Delta exports identified in Delta Vision will be accomplished within the California Water Rights Process and
California Sportsfishing Protection Alliance	...consideration of increased or guaranteed water delivery or new diversions of fresh water from the delta that would result in increased degradation of water quality are impermissible under the federal Clean Water Act.
California Sportsfishing Protection Alliance	We note that the California Department of Water Resources, in Bulletin No. 76, estimated that, while full demands on the State Water Project system could be met with surplus water until 1981, any future increases would have to be met through additional diversions of water from the Eel, Trinity, Mad-Van Duzen and Klamath Rivers.

Table E-6. Preliminary Scoping Comments Related to Surface Water Concepts

Commenter	Comment
California Striped Bass Association	Federally subsidized water contracts should be reviewed, where some cases farmers are selling their water for a profit rather than growing crops....Upon reviewing all of the four proposals, I find myself in the position of rejecting this method of water conveyance. There has to be another way to fulfill California's water needs.
California Striped Bass Association	Water was originally diverted to support farms and communities basically in Southern California that didn't have enough water for their activities. Now so much water is being diverted that it has become another cash crop for the farmers at the south of our normal watersheds.
California Striped Bass Association, Stockton Chapter	But subsidized water going to agribusiness in the south area is an issue that has to be addressed. I think it has to be looked at how important that water is, what the use is, where it's going, what it's being used for, what good that water is doing for society, and then the other issue that really needs to be addressed, is in terms of municipal use.
Central Delta and South Delta Water Agencies	...the following effect/topics should be thoroughly analyzed...Evaporative water losses from any proposed creation of wetlands.
Central Delta and South Delta Water Agencies	...the following effect/topics should be thoroughly analyzed...If any increase in exports are contemplated or reasonable foreseeable, then a thorough identification of the source of such exports and examination of the full range of potential environmental impacts from the export of such water must be conducted.
Central Delta Water Agency	Any fair environmental evaluation must evaluate the range of tolerable exports from the watershed if any at all
Central Delta Water Agency	I would just like to say the common pool, whoever thought of that was a genius to have the projects depend on the same water quality as the Delta fisheries, the Delta farmers, the Delta commercial folks -- to have everybody draw out of the same pool was genius.
City of Antioch	As a result of the City's reliance on in-basin use of Delta water, the City's primary concern with the BDCP is how any changes in operation of the SWP and CVP ("the Projects") could affect the City's ability to continue meeting the needs of its customers.
City of Antioch	Specific modeling should be conducted to determine how various options would affect the number of days in which water quality conditions would constrain Antioch's ability to exercise its senior water rights.
City of Stockton	The EIR/EIS needs to evaluate the effects of the BDCP on the proposed Delta Water Supply Project (DWSP). The DWSP is a project proposed by the City of Stockton to divert water from the San Joaquin River at a location near the southwestern corner of Empire Tract, a raw water pipeline from the diversion site to a treatment plant to be located north of Eight Mile Road and east of Lower Sacramento Road, a treatment plant with an initial capacity of treating 30 million gallons per day, and a treated water pipeline to connect to existing city water mains.
City of Stockton	Efforts are now underway to restore flows in the lower San Joaquin River above the mouth of the Merced River. The EIR/EIS needs to recognize this in its analysis of the BDCP.
City of Stockton	The various conveyance alternatives could cross the City's raw water pipeline. This needs to be addressed in the evaluation.
City of Stockton	How would the BDCP affect the amount of water potentially available to the City under the state's watershed or area of origin protection statutes...? Later phases of the DWSP may be designed to take advantage of this water supply source.

Table E-6. Preliminary Scoping Comments Related to Surface Water Concepts

Commenter	Comment
Contra Costa County Public Works Department	The PWD requests that the EIR & EIS carefully analyze the potential impacts that any proposed water conveyance bypass system or conveyance modifications will have upon sediment accumulation in the western Delta, and the impacts that the additional sediment will have upon shipping routes, recreational uses, hydrologic characteristics, public services, flood hazards, and the potential for levee and other flood control structural failures.
Contra Costa Water District	Canals will sever many large tracts of agricultural land, and create severe drainage issues that will be very expensive to mitigate, if mitigation is at all possible.
Contra Costa Water District	The canal will sever property, disrupt island drainage, and create a barrier to migration corridors. Additionally, the existing irrigation and drainage ditches that the canal will sever may be considered as habitat for various special status species.
County of Yolo	How will water move through (and into) the Delta following implementation of the BDCP? Will this be in compliance with all applicable laws and court orders?
County of Yolo	Because many of the Reclamation Districts in the Clarksburg region rely on riparian water rights, it is important to clearly evaluate and describe the potential impacts of a major upstream water export facility on the expected delivery and yield of downstream riparian rights and the continued viability of irrigated farmland that depends on those rights. Also, there needs to be assurances that all senior water rights and all rights to water within the area of origin will not be affected.
County of Yolo	Once the BDCP is adopted and all required incidental take permits are issued, the Department will have an obligation to implement the BDCP in a manner that is consistent with the permits. This may require adjustments to water deliveries that will jeopardize both the amount and reliability of fresh water exports...This could cause an array of significant environmental and economic impacts that do not seem to have been disclosed to date. These potential impacts should be accurately reflected in all BDCP planning documents and in future public comments.
Delta Protection Commission	Water for flooding to provide seasonal and year-round wildlife habitat should be provided as part of State and federal programs to provide water for wildlife habitat.
Farmer in Clarksburg	I happen to live on a large lake in the area. Lake Winchester. And I selected that as my permanent home site. In fact, I have a foundation for a home going up there now. We work very closely with the people that are managing the water through a rec district. The landowners chip in. We have recreational activity that goes on in that lake through a water ski club. They chip in and maintain the banks on that. We work to keep the reeds and the other problems down jointly.
Farmer in Turlock	As Delta's solutions take shape, we have to make sure that we protect the interest of those who currently use water in the Delta.
Metropolitan Water District of Southern California	The Draft EIR/EIS should be consistent with Metropolitan's long-term plan for water sustainability, its Integrated Resources Plan (or IRP), and with statewide water demand projections.
Metropolitan Water District of Southern California	The new water for growth will come from water use efficiency efforts such as conservation, voluntary water transfers and new local supplies such as recycling. However, the delta will remain a baseline source of supply.
Morada Area Association	We are all mandated to protect, preserve, and restore our God-given water resources public trust.
Morada Area Association	Our obligation and responsibility is to protect, preserve, and restore our God-given water resource...a precious public trust.

Table E-6. Preliminary Scoping Comments Related to Surface Water Concepts

Commenter	Comment
North Delta Water Agency (Downey Brand LLP)	Any habitat creation or wetland projects depending on application of water from the Delta channels will also require a water right, which the project proponent will have to acquire.
North Delta Water Agency (Downey Brand LLP)	...introducing man-made marshes along the banks of the Delta islands will not restore a natural habitat, but will create a new type of habitat as a means of trying to approximate aquatic conditions...the EIR/EIS should identify all potential environmental impacts on hydrology, biological species, and soils resulting from this new form of habitat creation....
Northern California Water Association	The NOP suggests that the BDCP will involve operational changes to the Central Valley Project (CVP) and State Water Project (SWP). These operational changes will result in environmental and water supply impacts related to the Sacramento and Feather Rivers that must be addressed in the EIR/EIS....The BDCP EIR/EIS must contain mitigation measures and alternatives that minimize any such impacts.
Northern California Water Association	...it's really important that there be recognition of the area of origin and the water right system, assuming water rights that exist in this state...
Northern California Water Association	We look forward to facilitate formal comments about once again issues with respect to the senior water rights or the issues of area erosion need to be considered as a step one in looking at those assignments.
Planning and Conservation League	In order to fully analyze the impacts of reducing exports from the Delta, models such as CALSIM II and CALSIM Lite must have the capacity to simulate reduced export scenarios in meaningful ways.
Planning and Conservation League	The environmental review document must include clear identification of both the strengths and limitations of the analytical tools (e.g. CALSIM II) used for analysis.
Planning and Conservation League	The EIR/EIS on the BDCP should clearly explain how the BDCP will be coordinated with the OCAP reconsultation process
Planning and Conservation League	How do the various options, including a canal, affect local drainage and the permits necessary for that drainage within and into the Delta?
Planning and Conservation League	How would other water users (e.g. Contra Costa Water District and City of Rio Vista) have water of acceptable quality?
Planning and Conservation League	..the work must include clear identification of both the strengths and limitations of the available tools.
Rancher in Fresno	So we must depend on the SWP for our water. Now the cost of water, as everything else, is going out of sight.
Reclamation District 999	The restoration of Tidal wetlands will require the diversion of water. We request that the EIR process evaluate the current water rights laws and their application to the Bay Delta conservation Plan.
Reclamation District 999	The beneficial use of water within the Delta, at the confluence of the State's two largest river systems, warrants a higher priority than the use of that water in distant locations, as recognized in the Water Code's protections for watersheds of origin.
Reclamation District 999	We would ask when you do your EIR process, and your -- as you do your plan, that you carefully consider that you're in compliance with all the federal and state reclamation law.

Table E-6. Preliminary Scoping Comments Related to Surface Water Concepts

Commenter	Comment
Reclamation District 999	And that you also when you use water for a wetlands, you're gonna be using water, and we ask that you carefully evaluate the current water rights law, and how your plan effects water rights of the people in the Delta.
Regional Council of Rural Counties	The BDCP must acknowledge California's water rights priority system, and state and federal law relating to the areas of origin, county of origin, and watersheds of origin.
Regional Council of Rural Counties	...the BDCP must include assurances that water rights and water supplies of upstream communities will not be adversely impacted by the construction, operation, or management of new and/or improved water conveyance facilities.
Resident of Clarksburg	How much water will this plan consume month-by-month on an annual basis?
Resident of Courtland	If upstream water is not developed, is the supply adequate to meet the area of origin needs to include the ecosystem and continue exporting from Delta channels?
Resident of Courtland	How will damages be determined and financed for any breach of the contract between the State of California Department of Water Resources and North Delta Water Agency dated January 8, 1981?
Resident of Courtland	What will the damages be and how much will they cost for each of the four options under consideration?
Resident of Courtland	How will removing fresh water from the North Delta impact the ecosystem and water supply in the balance of the Delta?
Resident of Courtland	..will the state mitigate for seepage damage and repair any erosion damage caused by SWP flows?
Resident of Courtland	Will exports of water from Delta Channels be conducted in accordance with the law of the State of California, which requires protection of the areas within which water originates and the watersheds in which water is developed?
Resident of Courtland	You need to understand that when you put water in the Delta it doesn't stay where you put it. You can put it behind the levee and it pops up on the next island. So as you change -- as you plan to change the hydrology of the area, you need to be very careful about where you put water.
Resident of Walnut Grove	Northern California is in a drought situation. The water level in our slough is becoming very low which is beginning to affect our irrigation pumps for sand/mud is getting sucked up along with the river water for field irrigation. The Sacramento River's low water table also affects our ground water.
Restore The Delta	...we are concerned about the quantity of exports, and to a lesser degree about the timing of those exports.
Restore The Delta	No one has determined the water needs of the Delta, and already we are 5 million acre feet short of promised water from North Coast rivers that was eliminated from the supply equation. Exports in the same time frame exports have continued to increase. Supply has not. Exports were supposed to be surplus water, those waters not needed to maintain the Delta.

Table E-6. Preliminary Scoping Comments Related to Surface Water Concepts

Commenter	Comment
Restore The Delta	In the big picture we feel that all diversions need to be evaluated. All diversions that -- diversions that used to flow into the Delta, back to the original. How can you improve the system of the Delta by taking fresh water -- more fresh water -- Sacramento River water away from the Delta. The Delta needs more water, not less water in the system flowing through it. We're opposed to any type of isolated facility, and there are other alternatives in our opinion that would work better. We ask that you read and understand the original contracts of water exports. They are very specific about what water was to be used for export.
Rio Vista City Council	I want to know what studies will be done to determine the impact of the moving of significant amounts of water from the ... from the Upper River near Hood.
San Diego County Farm Bureau	Somewhere today in San Diego County avocado trees were stumped. In some places citrus trees were cut down and some place else nurseries cut back production in order to comply with the current mandatory 30% reduction in irrigation water use by farmers. Those will serve as short term methods for meeting the reduction in water supplies. But, if long term solutions are not found, the farmers will not be able to sustain their livelihoods.
San Francisco Bay Conservation and Development Commission	...we recommend that the EIR/EIS include analysis of the fresh water flow needs of the entire estuary, not just the Delta. The EIR/ EIS should analyze the flow targets in the Delta Vision Strategic Plan when they become available in order to determine the appropriate flows needed support ecosystem processes as well as the recovery of individual species.
San Joaquin County	Part of the resolution that was recently passed in 2007 brought forth the issue that the state water project has failed to develop the \$5 million acre feet necessary that was promised during the state water project as it was developed from north coast to watersheds. And we feel that that is a very key issue regarding the issues in the Delta primarily due to lack of supply. Conveyance of a new Peripheral Canal does nothing to provide additional supply for the State of California.
San Joaquin County	It would adversely affect water rights from water users in San Joaquin County and would circumvent the Delta common pool, and will seriously impair Delta water quality and adequate supply for all beneficial uses here in San Joaquin County.
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	The BDCP and its environmental document need to meaningfully consider water supply reliability for all users of water supply from the Sacramento-San Joaquin River watersheds.
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	The BDCP and its environmental document must be developed consistent with the requirements and protections of the Delta Protection Act.
San Jose Water Company	In the absence of dependable, imported water supplies, overuse of the basins will ultimately result in basin overdraft, land subsidence, and water shortages, and some of these effects, we think, could be seen after just a few years of over pumping. Although our distribution system is built with considerable flexibility relative to source of supply, San Jose Water Company and several of our fellow retailers here in the Valley, have portions of our service areas that are directly reliant on Delta water supply provided by the district through their three treatment plants. And there's really no alternative supply for these parts of our systems if there were long-term Delta interruptions.

Table E-6. Preliminary Scoping Comments Related to Surface Water Concepts

Commenter	Comment
San Juan Water District	The BDCP EIR/EIS should analyze all impacts to upstream water supplies (including storage under upstream water rights and the frequency with which the State Water Resources Control Board's Term 91 is triggered), water quality and lower American River flows (including water released from Folsom Reservoir).
Shasta County Water Agency	We are anxious for an improvement, but we cannot tolerate gains at the expense of Area of Origin protections, or other protections of our existing water rights.
South Delta Water Agency	The project purpose must include compliance with all permit terms and conditions, as well as other legal limitations and requirements on the projects.
South Delta Water Agency	...the Delta Protection Act...places certain burdens on the export projects...the environmental documents must include a review of the BDCP alternatives with these statutory/operational limitations.
South Delta Water Agency	The environmental documents must examine how an isolated facility would be operated to insure no adverse impacts to other and superior water right holders.
Speaker at Chico Preliminary Scoping Meeting	In doing conveyance improvements by installing the peripheral canal what sort of capacity changes will occur, and the ability to convey water if we increase the ability to convey water, where is that water gonna come from, and what would be the impacts of those changes?
Speaker at Los Angeles Preliminary Scoping Meeting	They'll bypass that category and not mitigate it at all, and that emphasis needs to go from land use into the housing element. There are general plans and housing elements being done right now. You don't see water mentioned other than we'll conserve water, at least in the one year in LA, and you didn't see it in the report that's going out for the last few years that they have to report to the state. It's just an element missing.
Speaker at San Jose Preliminary Scoping Meeting	...we have more water being consumed for alfalfa than all of Los Angeles, all of San Diego, all of San Diego County, all of San Francisco, times two, and that's just fundamentally wrong.
Speaker at San Jose Preliminary Scoping Meeting	And you have to look this water coming down through the Delta and adjust what is going on the level of salinity as your progress, whether you call it a peripheral canal, or whatever, you will have stages or steps in flood control and tide basins that you're going to have to look at.
Speaker at Stockton Preliminary Scoping Meeting	My concern is with regard to your duty as public officials to protect the public interest and the public trust which you've put up for us is an equivalent of water supply with protection and conservation of the environmental values of the Delta. That in my opinion constitutes a violation of your public trust responsibility. The export of water from the Delta was supposed to be surplus. You've heard speakers talk about in particular the 5 million acre feet that was supposed to be brought in by the State Water Project to not only provide additional water to meet shortages within the watershed, but to make available the water for the 4-1/4 million acre feet of export.
State Water Contractors	I think that land that this plan will do; it will put a lot less pressure on the water resources here in the north if we're able to move the water that's in the reservoirs and that won't be ratcheted down so severely as we are right now.
State Water Resources Control Board	...the State Water Board must consider the full range of impacts associated with the BDCP in order to fulfill its responsibilities under the public trust doctrine. The State Water Board has an independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible, and to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water.

Table E-6. Preliminary Scoping Comments Related to Surface Water Concepts

Commenter	Comment
State Water Resources Control Board	...the NOP states that the BDCP is being developed to set out near- and long-term approaches to meet the objectives of the BDCP. Any near-term actions that involve activities within the State or Regional Water Boards' regulatory purview should be coordinated with the appropriate agency as soon as possible to assure that adequate analyses are conducted to satisfy the State and Regional Water Boards' regulatory requirements.
State Water Resources Control Board	...the EIR/EIS must address the State and Regional Water Boards' regulatory requirements related to these issues. It must identify any impacts to beneficial uses of water that may result from these activities, and propose alternative measures or mitigation measures to reduce or avoid any impacts.
State Water Resources Control Board	...if the proposed project will involve any changes in water rights, the EIR/EIS should fully analyze and propose mitigation for any potential impacts of the project on other legal users of water (and on public trust resources to the extent not already addressed). While CEQA does not specifically require analysis of impacts to other legal users of water, there may be direct or indirect environmental impacts associated with the project that would require analysis under CEQA.
Stockton East Water District	Analysis of environmental impacts depends upon the mechanism identified to provide adequate water quality and quantity within the Delta....Water users within protected areas are entitled to water to meet their demands before water may be exported from the Delta. This issue must be addressed in any EIR/EIS prepared for the BDCP.
Tuolumne County	Counties and watersheds of origin must have assurances that their rights to water resources will be protected and programs to resolve conflicts in the Delta will not result in redirected negative impacts to the counties and watersheds of origin.
Tuolumne County	As the County of Origin of the Stanislaus and Tuolumne Watersheds, the County believes it is necessary for DWR to consider circumstances that will not negatively impact and will protect the County's area of origin rights.
Wilson Farms and Vineyards	How much water will this plan consume month by month on an annual basis?
Yolo County Board Supervisor	...I for one am concerned about the impact of additional flows from around -- more flows for a longer period of time along the -- uh -- in the bypass, down the deep water channel, and what those impacts would have in the surrounding jurisdictions, especially here in this particular area. But also for West Sacramento as well.
Zone 7 of Alameda County Flood Control and Water Conservation District	We depend on the State Water Project to provide a reliable high quality supply. But we recognize that in taking deliveries that that delivery must be done in a responsible manner. That is in a manner that protects and maintains the quality and habitat values of the Delta, as well as being able to convey a water supply reliably.

Table E-7. Preliminary Scoping Comments Related to Water Quality Concepts

Commenter	Comment
Building Industry Association of Southern California	A source that is low in bromides and organic compounds will remain necessary in order to successfully blend delta water with other supplies.
California Farm Bureau	Consideration of Deliberate Water Quality Mitigation Measures Both In BDCP EIR/EIS And As Part of On-Going; HCP/NCCP Planning That Currently Assume Dual Conveyance
California Native Plant Society Santa Clara Valley	...seek technical assessment of where mixing zone will reestablish as saltwater intrusion extends further up into Delta and review wetlands habitat impacts as well as hydrology impacts that can be expected.
California Sport Fishing	Provide a detailed analysis of how expansion of wetland habitat and changes in hydrology will affect mercury methylation, and the bio availability and/or bio concentration of mercury, selenium, and other toxic pollutants on the food chain.
California Sport Fishing	...the elimination of a similar capacity and the increase in residence time in the Eastern Delta will have enormous and serious water quality implications and they've been pushed under the rug too long.
California Sport Fishing	We note that consideration of increased guaranteed water delivery or new water diversion to fresh water from the Delta, that would result in increased degradation of water quality are impermissible under the Federal Clean Water Act, and that economic considerations have been found by the courts to be illegal pursuant to Section 10 of the Federal Endangered Species Act.
California Sportsfishing Protection Alliance	Provide a detailed analysis of how expansion of wetland habitat and changes in hydrology will affect mercury methylation and the bioavailability and/or bioconcentration of mercury, selenium and other toxic pollutants to the food web.
California Sportsfishing Protection Alliance	The transfer of relatively good quality Sacramento River water around or through the Delta via an isolated or dual facility will inevitably reduce assimilative capacity throughout the Delta and increase residence time of water in the eastern Delta.
California Sportsfishing Protection Alliance	...the San Joaquin River is legally defined, under the federal Clean Water Act, as impaired because of selenium and boron.
California Striped Bass Association	A couple of the reasons -- other reasons that I am against either a single isolated or dual conveyance -- whatever nomenclature you want to put on it, I am afraid that it will increase salinity in our area of the Delta, and we are continually fighting salinity right now, and we don't need more water diversions or water re-routing to lessen the flow and the flushing actions of our natural tides. There will be increased pollution because of the same reasons. There won't be enough water coming down from either direction, north or south, to wash the pollutants out to sea. Or to dilute them. And it will badly impact our natural tidal actions, which traditionally in a watershed have a cleansing and diluting action twice a day.
California Water Impact Network	The EIS/EIR should specifically identify how well each of the alternatives meets water quality and quantity objectives for all affected water bodies that are contained in the various Basin Plans for the Sacramento River, Delta and Trinity River...This would include sediment, temperature, salinity, selenium, mercury, boron and any other water quality constituents which impair beneficial uses...

Table E-7. Preliminary Scoping Comments Related to Water Quality Concepts

Commenter	Comment
California Water Impact Network	Water quality must be implemented, seriously implemented.
Central Contra Costa Sanitary District	CCCSD discharges our treated wastewater effluent into Suisun Bay. As such, we are especially concerned with the water quality and health of the ecosystem in the Suisun Bay.
Central Delta and South Delta Water Agencies	...the EIS/EIR should first thoroughly explain as precisely as possible what the water quality will likely be under existing conditions should the Projects desire to continue exporting water...Then the EIS/EIR should clearly explain how long that water quality will likely remain in that state assuming the recently adopted emergency preparedness plans are in place ...The EIS/EIR should then thoroughly explain whether the Projects can still divert and utilize water of that level of quality for agricultural beneficial uses, urban, etc. in either blended form with water stored in San Luis or blended with other water supplies. Assuming the water cannot be used in its current "degraded" state, the EIS/EIR should explain what facilities could be constructed to desalinate that water, or better allow for the blending of that water with other higher quality supplies, etc., and the costs of the construction and operation of such facilities.
City of Antioch	Specific modeling should be conducted to determine how various options would affect the number of days in which water quality conditions would constrain Antioch's ability to exercise its senior water rights.
City of Stockton	How would the BDCP affect water quality at the proposed diversion site?
City of Stockton	The EIR/EIS needs to evaluate what effects the BDCP will have on water quality in the San Joaquin River. Specifically, the EIR/S should evaluate what changes may result in the assimilative capacity of the river and how that might affect discharge permits..
Conaway Preservation Group	The BDCP Should Consider Improving The Water Quality Of Flows From Yolo County.
Contra Costa County Public Works Department	A reduction in the quality of water entering the western Delta will most likely affect the County's NPDES permit and Total Maximum Daily Load (TMDL) requirements by resulting in increased water quality standards for water discharged from CCC's creeks and storm drain systems to the receiving waters of the Delta and San Pablo Bay. The PWD requests that the EIS & EIR examine the relationships between flows into the western portion of the Delta and potential effects on water quality (and subsequent regulatory implications) when analyzing any alternatives involving bypassing/diverting flows from the Sacramento River to south Delta pumping facilities or otherwise modifying the Delta's flow regimes.
Contra Costa County Public Works Department	The likelihood of increased salt water intrusion into the Delta needs to be analyzed and mitigated.
Contra Costa Water District	The project effect on Delta water quality and water supply must be fully evaluated and disclosed and mitigation measures proposed and adopted to reduce significant impacts to insignificance.
Contra Costa Water District	...the EIR/EIS should analyze the impacts to X2, listing the average monthly value and maximum daily change in X2 from the baseline conditions.
Contra Costa Water District	... The Bay Institute has developed a Delta flow index that shows strong correlations to a composite Delta fish abundance index. The Delta flow index should also be used to evaluate impacts of alternatives.

Table E-7. Preliminary Scoping Comments Related to Water Quality Concepts

Commenter	Comment
Contra Costa Water District	...the EIR/EIS should assess the project's effect on salinity at multiple locations in Suisun Bay and within the Delta. The salinity regime under project conditions should be compared to the salinity regime under current conditions and compared to the observed salinity regime at different time periods in history (e.g. 1910 's, 1960's, 1970's, 1980's). The impact of changes in salinity should be discussed in terms of the potential impact to the covered species resulting from direct changes to habitat environmental quality and resulting from indirect changes due to the likely effect on distribution of invasive species, such as..Corbula anzurensis and ... Egeria densa..
Contra Costa Water District	In addition to salinity, the BDCP has the potential to change the residence times in the Delta in significant ways, thus impacting temperature, turbidity, and contaminant concentrations.
Contra Costa Water District	Assumptions regarding contaminant loads from the San Joaquin River must be realistic and cover a range of future scenarios, and disclose the potential impacts of any long residence times in the South Delta that could adversely affect sensitive species.
Contra Costa Water District	Any assumptions regarding efficacy of existing contaminant source control programs must recognize the risk that if those programs do not meet targets...the project should analyze impacts of contaminant residence times (such as selenium) at current and future levels, without always assuming the contaminant is removed by other projects.
Contra Costa Water District	The EIR/EIS should analyze the environmental impacts on chloride, bromide, and organic carbon concentrations at all existing and planned drinking water intakes in the Delta and provide for mitigation where appropriate.
Contra Costa Water District	Any proposals to change current water quality standards must be thoroughly evaluated and the impacts on all beneficial uses of Delta water must be disclosed.
Contra Costa Water District	By diverting a large fraction of the flow on the Sacramento River, the canal will remove a similar fraction of the sediment and nutrient load, potentially effecting turbidity and nutrients within the Delta....Any changes to turbidity and nutrients should be fully evaluated and disclosed, with proposed mitigation measures...
Contra Costa Water District	...the EIR/EIS must evaluate the impacts associated with anticipated operation and maintenance activities, including: aquatic weed management and the potential use of herbicides or physical clearing of vegetation that will be necessary along, and in, any canal; levee maintenance; and facility security. The potential impact of maintenance activities on the habitat within the canal as well as downstream beneficial uses, such as recreational use in reservoirs, agricultural irrigation, and drinking water must be considered.
Contra Costa Water District	The effect of the proposed project on these water quality parameters [salinity, temperature, and turbidity] should be fully explored and discussed in the context of the effect on invasive species [Corbula amurensis and Egeria densa.]
Contra Costa Water District	Project conveyance options may alter hydrodynamics within the Delta and lead to accumulation of contaminants such as selenium, potentially increasing toxicity. If the EIR/EIS assumes contaminant levels are controlled by other mechanisms, those mechanisms must be a pre-condition for implementation of the proposed project.
Contra Costa Water District	The EIR/EIS should analyze the environmental impacts on chloride, bromide, and organic carbon concentrations at all existing and planned drinking water intakes in the Delta and provide for mitigation where appropriate.

Table E-7. Preliminary Scoping Comments Related to Water Quality Concepts

Commenter	Comment
County of Yolo	What is the potential for the diversion of freshwater flows to increase the concentration of pollutants in the Delta, including but not limited to pesticides and methylmercury? How would increased pollutant concentrations affect both the "covered species" and other species in the Delta?
Delta Protection Commission	Local governments shall ensure that salinity in Delta waters allows full agricultural use of Delta agricultural lands, provide habitat for aquatic life, and meet requirements for drinking water and industrial uses.
Delta Protection Commission	Programs to enhance the natural values of the State's aquatic habitats and water quality will benefit the Delta and should be supported.
Delta Vision Blue Ribbon Task Force	We recommend that the BDCP clearly evaluate the implications of alternative approaches to conveyance and to ecological restoration on existing (and potentially modified) water quality objectives for the Delta, and how these objectives will be affected by the various alternatives under development. Those water quality levels should address both ecosystem and human needs.
Family in Clarksburg	The area to be flooded is referred to as a "tidal marsh wetland." In the northern delta, near Sacramento, would the tide action be sufficient to create the intended effect, or would the marsh become a gigantic pool of stagnant water?
Farmer in the South Delta	...it is clear that the -- there has been no analysis -- independent analysis obtained and made public of the increase in salinity in the Delta that would necessarily happen if you build a canal in the Delta.
Metropolitan Water District of Southern California	The Draft EIR/EIS should address impacts as they relate to future salinity changes in the Delta and the relevance to existing and potential water intake locations, conveyance and ecosystem restoration strategies.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR must analyze the Projects' effects on water quality, including indirect effects to covered species and other wildlife, and those effects must be mitigated to a less than significant level.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...the EIS/EIR must analyze and minimize the cumulative impacts of the covered activities in conjunction with other reasonably foreseeable projects and activities, including urban and agricultural runoff, in-Delta diversions, upstream diversions, continued and reasonably foreseeable increases in these diversions, and implementation of the San Joaquin River settlement.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR must analyze the BDCP's impacts, with particular focus on:...(2) water quality, including salinity, toxic hot spots, pesticides, mercury, and other pollutants...
North Delta CARES	How is the impact of the discharge of ammonia and other substances by the Sacramento regional sewage treatment plant into the Sacramento River accounted for in the BDCP?
North Delta CARES	In the Delta region, what is the impact of shallow water on the methylation of Mercury (Hg) on all species of fish population in any proposed primary habitat restoration area(s) in the ecosystem in which the shallow water area is a part?

Table E-7. Preliminary Scoping Comments Related to Water Quality Concepts

Commenter	Comment
North Delta CARES	In the Delta region, what is the impact of shallow water on the methylation of Mercury (Hg) on plant-life in the ecosystem in which the shallow water area is a part?
North Delta CARES	In the Delta region, what is the impact of shallow water on the methylation of Mercury (Hg) on all species of fish population in any proposed tidal marsh wetlands in the ecosystem in which the shallow water area is a part?
Planning and Conservation League	What would be the water quality at different locations in the Delta under different operations?
Resident of Courtland	How will removal of water from the Delta Common Pool affect water quality downstream from the peripheral aqueduct?
Resident of Courtland	Will water quality down stream from the peripheral aqueduct conform with the requirements of the contract between the State of California Department of Water Resources and North Delta Water Agency (for the assurance of a dependable water supply of suitable quality) dated January 28, 1981?
Resident of Courtland	Will the State cease all exports from Delta channels when water quality in the North Delta does not meet contractual requirements?
Resident of Courtland	Will the aqueduct and any other export from Delta channels be conducted in accordance with recital (g) of the above referenced contract? (i.e. will exports be conducted in a manner to conform with part 4.5 of Division 6 of the California Water Code...
Rio Vista City Council	What will the extent of the salinity intrusion into the Suisun Marsh, the Sacramento, and San Joaquin Rivers.
Sacramento Regional County Sanitation District	The EIR/EIS must fully evaluate the alternative BDCP projects for consistency with State and Federal antidegradation policies under the Clean Water Act and the California Water Code.
San Francisco Bay Conservation and Development Commission	The EIR/EIS should analyze the impacts of the project on salinity, temperature and concentrations of dissolved oxygen and contaminants in the Bay.
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	Any EIR/EIS prepared for the BDCP must fully analyze the impacts on water quality and possible, viable alternatives to meet water quality standards.
San Joaquin Farm Bureau Federation	The BDCP should obtain and make public a competent, independent analysis of the salinity that would occur under its plan during months and years of low river flow in Delta channels south of the Sacramento channel
South Delta Water Agency	The environmental review must fully analyze the alternative's impacts to water quality, especially in the South Delta.
South Delta Water Agency	...the environmental documents must examine how the various options will affect compliance with the Southern Delta salinity standards as those standards are terms of the DWR and USBR permits....
South Delta Water Agency	Case law, statues, and permit tern and conditions quire the projects to keep the Delta water at certain qualities for those in-Delta uses. Hence, the operation of any isolated facility must include the protection of the water quality on which those uses depend.

Table E-7. Preliminary Scoping Comments Related to Water Quality Concepts

Commenter	Comment
South Delta Water Agency	I'd also like to encourage the process to divulge its preliminary modeling results with regards to the effects of an isolated facility or a dual facility on water quality in the Delta.
Speaker at San Jose Preliminary Scoping Meeting	And so my issue here is that, one of the problems that we have is that water quality, first of all, is so poor that we have an issue with trihelamethanes, as I'm sure you know, and so we still have to improve the quality of water so that we can reduce trihelamethanes, which are a carcinogen and may become a legal issue certainly in this area.
Sportsmen's Yacht Club	Canal will make Contra Costa water unable to drink -- unsuitable to drink. We can't take more water. It's public trust.
State Water Resources Control Board	...the EIR/EIS must analyze the impacts to water quality...
State Water Resources Control Board	...the NOP states that the BDCP is anticipated to include a comprehensive monitoring, assessment, and adaptive management program. Development this program should be coordinated with the water quality compliance and baseline monitoring required by the State Water Board pursuant to Decision 1641 and the Regional Monitoring Program currently being developed by the Central Valley Regional Water Board.
State Water Resources Control Board	...BDCP alternatives could have impacts on water and sediment quality in the Delta including: salinity, mercury, nutrients, dissolved oxygen, dissolved organic carbons, turbidity, temperature, and other constituents within the State and Regional Water Boards' purview
Stockton East Water District	Evaluation of environmental impacts from any alternative must closely evaluate: Potential impact on water quality throughout the Delta, · How any changes in water quality would be addressed or mitigated, · The environmental impact of any required mitigation.
Zone 7 of Alameda County Flood Control and Water Conservation District	...prudent coordination with other Delta planning efforts is imperative for the long-term success of the BDCP...Central Valley Regional Water Quality Control Board concerning a basin plan amendment for methyl and total mercury in the Sacramento-San Joaquin Delta.

Table E-8. Preliminary Scoping Comments Related to Implementation Concepts

Commenter	Comment
California Farm Bureau	Adopting a willing-seller-only policy with respect to acquisition of necessary lands.
California Farm Bureau	Utilizing easements, as opposed to fee title acquisition, to maintain private ownership of agricultural lands and commercially viable agricultural whenever possible.
Delta Protection Commission	A program by non-profit groups or other appropriate entities should be developed to promote acquisition of wildlife and agricultural conservation easements on private lands with the goal of protecting agriculture and wildlife habitat in the Delta.
Delta Vision Blue Ribbon Task Force	Clear description of the complexity and cost all proposed changes in conveyance and storage.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	Second, the HCP/NCCP must provide guaranteed funding for its implementation over the life of the permits.
North Delta Water Agency (Downey Brand LLP)	To reduce these impacts to the greatest extent possible, project proponents should not seek to acquire new areas for habitat creation through eminent domain. Instead, any new habitat should be located on lands that are already in public hands or are subject to existing conservation or flood control easements, or else are purchased as a result of willing transactions by local landowners.
Planning and Conservation League	...the conservation goals of the BDCP must be supported by an effective governance structure and a strong adaptive management program. We recommend that the BDCP condition regulatory assurances on satisfaction of the conservation objectives. The environmental review document must explicitly describe the conditionality of regulatory assurances, including the timing of review and permitting periods.
Planning and Conservation League	What would be the costs for different conveyance configurations, including full mitigation and monitoring costs?
Resident of Clarksburg	What is the financing structure going to be for all phases of the proposed physical and management changes for the BCDC plan?
Resident of Clarksburg	What are the projected labor requirements and projected costs, with and without overhead costs included, for the management of the new habitat that is proposed? What formulas and assumptions will be used in calculating these costs?
Resident of Courtland	Who will pay for reconfiguration of Reclamation Districts and how much will it cost for levee and drainage infrastructure?
Resident of Courtland	How will the BDCP acquire property for conversion to wetlands and how much will it cost to include permanent crops such as grapes, pears, and cherries?
Resident of Courtland	What is the cost difference between conveying export water through the Delta vs. A peripheral aqueduct?

Table E-8. Preliminary Scoping Comments Related to Implementation Concepts

Commenter	Comment
Resident of Courtland	I would encourage you to use boundaries that are known. Boundaries that exist today. And not cut across reclamation districts and create new boundaries. New boundaries bring all kinds of very unusual impacts. We have reclamation districts that operate for flood control and drainage that operate as a unit and they may not operate very well all split up.
Resident of Merrit Island	Under eminent domain: Cost of buying land planted in vineyard and other permanent crops; and Cost of buying long-term contracts with wineries, some for as many as twenty years
Shasta County Water Agency	One important lesson from CalFed is the need for a strong governing body or governance plan. BDCP is a body comprised of many contributing agencies and some of those agencies wield more power than BDCP. If all the agencies cannot be made to work in unison, the BDCP will fail.
Speaker at Clarksburg Preliminary Scoping Meeting	I don't want to see that there's going to be eminent domain.
Wilson Farms and Vineyards	What are the projected labor requirements and projected costs with and without overhead costs included for the management of the new habitat that is proposed? What formulas and assumptions will be used in calculating these costs?

Table E-9. Preliminary Scoping Comments Related to Scoping Process Concepts

Commenter	Comment
Butte Environmental Council	There's nothing to scope. You know, you have nebulous, down the road HCP and NCCP. There is no project, so I don't know how you can proceed with Sequa and NEPA at this point. I think, you know, you have your priorities eschewed and I have never yet encountered an HCP and NCCP that started the environmental review before they've even got to the purpose and need, and what are you doing?
Butte Environmental Council	And, there's no initial study provided, at least that's acknowledged that that isn't provided to the public which would have at least given us a little more, I hope to balance off of. And, I really think that if you ever get to a project description so that the public would want something to analyze and comment on, I hope you'll come back because I think this should all be repeated.
Central Delta and South Delta Water Agencies	CEQA is not meant to be the process to determine whether the proposed project is feasible...Thus, before the CEQA process ever begins the project must be fairly determined to be feasible.
County of Yolo	...the legal adequacy of the BDCP and the EIR/EIS depends on whether the public review and comment process satisfies all legal requirements. The County believes that the NOP does not meet these requirements. Further scoping - following the issuance of a legally adequate NOP - is therefore both necessary and appropriate.
County of Yolo	The NOP is Premature, and it Lacks an Adequate Project Description
County of Yolo	The NOP Does Not Properly Describe the Geographic Location or Scope of the Project.
County of Yolo	The NOP Does Not Properly Identify the Potential Environmental Effects of the Project.
East Bay MUD	Under the option of dual conveyance, the scoping document needs to identify measures to reduce the impact of operating a Through Delta Facility.
Greene and Hemly	Was the April 30th meeting used to comply with NEPA requirements?
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund	...we urge the lead agencies to adjust the scoping process as necessary to adequately incorporate the development of a conservation strategy. This adjustment would also likely provide adequate time for the BDCP to incorporate the final implementation recommendations of the Delta Vision process, which we believe would be of great benefit to the overall planning effort of both BDCP and Delta Vision.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The scoping and comment period for the EIS/EIR should be reopened upon completion of the BDCP conservation strategy and adoption of the Delta Vision Strategic Plan.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	Consistent with our March 24,2008 letter, and in order to improve informed public participation in the process, we respectfully request that the agencies re-open the scoping and comment process upon completion of the draft BDCP conservation strategy and Delta Vision Strategic Plan
North Delta CARES	What, in all of its detail, was defined as the project as of the date of the Scoping Meeting of April 30,2008 in Clarksburg, California?

Table E-9. Preliminary Scoping Comments Related to Scoping Process Concepts

Commenter	Comment
Resident of Clarksburg	It is important to the people of Clarksburg, and the people who are interested in the project from around the state, to keep our comments in the record in their entirety, and not reduce our individual comments into general or combined comments.
Resident of Clarksburg	it is important to the people of Clarksburg and the people who are interested in the project from around the state to keep our comments in the record in their entirety. And not reduce our individual comments into general or combined comments
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	The NOP identifies the BDCP as the project; however, the content, parameters and description of the BDCP are unknown. There is no BDCP plan to review.
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	The NOP indicates that Governor Schwarzenegger by letter dated February 28, 2008 directed the Department of Water Resources to proceed with "the CEQA/NEPA process to evaluate at least four alternative Delta conveyance strategies in coordination with the BDCP efforts to better protect at-risk fish species. . ." It is unclear from the NOP if this is the environmental document requested by the Governor. If so, the NOP does not clearly describe the referenced four alternatives...
South Delta Water Agency	The scoping process is designed to lead to implementation of a particular plan to be determined by the Bay Delta Conservation Process, BDCP. It is not designed to determine whether that plan is a viable solution, and whether there may be other more effective plans. It was clear that the scoping sessions are not intended to lead to unbiased consideration of other plans. The scoping process will merely meet a process requirement while a BDCP plan is moved toward implementation.
State Water Resources Control Board	...the NOP states that formal preparation of the EIR/EIS will commence once the BDCP has been further developed. The State Water Board reserves the right to provide additional comments once additional information becomes available. This information may be provided in writing or through participation in the BDCP Steering Committee, technical teams, or workgroups.
Stockton East Water District	It is very difficult to make meaningful comments on the March 17, 2008 Notice of Preparation, because the NOP does not meet the minimum requirements set forth in the CEQA Guidelines §15082(a)(1).
U.S. Environmental Protection Agency	The project purpose and need statement, proposed federal action, and intended covered activities need significantly greater definition before the interested public can meaningfully comment on the scope of the environmental analysis.
U.S. Environmental Protection Agency	The revised scoping notice should provide more specificity as to what activities (construction and operation of the existing or new facilities) are intended to be covered by the federal permit.
U.S. Environmental Protection Agency	The revised NOI should clarify the proposed level of review of this document. Typically, large projects include some kind of programmatic review with subsequent documents tiering from the programmatic review to deal with site-specific issues or particular problems. The lead agencies should clarify whether this EIS is intended to serve as a single environmental review covering both programmatic decisions (such as, what form of conveyance will be used, at what size) and site specific issues (actual alignment, rights of way, site specific mitigation). If a tiered or supporting document approach is intended, the lead agencies should discuss their proposed division of issues between the programmatic and the site-specific documents.

Table E-10. Preliminary Scoping Comments Related to Future Participation Concepts

Commenter	Comment
California Native Plant Society Santa Clara Valley	Are the six chosen environmental organizations representative of California citizenry and user groups....Ducks Unlimited and California Assn. of Fly Fishermen are two user groups who should definitely be at the table, and also Audubon and a representative of boaters. California Native Plant Society could contribute to considerations of habitat and water conservation criteria.
California Sportsfishing Protection Alliance	We request a receipt of timely submission and that we be placed on the list to receive both electronic and hard copies the draft EIR/EIS.
City of Antioch	The ability of interested parties to understand and meaningfully participate in the development of the BDCP could be enhanced by improving accessibility of written and other materials being considered in the planning process.
City of Antioch	Because in-Delta water users such as the City have such a crucial stake in how the BDCP is designed and implemented, the BDCP will need to specifically address in-Delta concerns to succeed...the City supports the Steering Committee's work toward fuller inclusion of in-Delta interests in the process.
City of Livermore	City of Livermore is requesting that Zone 7 to be identified as a Responsible Agency pursuant to CEQA for the development of the BDCP EIR/EIS. We also request that Zone 7 be designated a non-federal cooperating agency under NEPA.
Contra Costa Water District	Although CCWD is actively participating in the BDCP planning process as an interested party, CCWD is not a Potentially Regulated Entity (PRE). CCWD operations are governed 'by independent biological opinions.
County of Yolo	Under the California Environmental Quality Act ("CEQA), the County is a "responsible agency" with regard to the BDCP, as it may have permitting authority or approval power over aspects of the project.
County of Yolo	..the county would like it to be very clear to the state and federal agencies and all of the other folks that are involved in creating BDCP that heretofore, local government has been excluded from the process, and that needs to change...Yolo County is involved in the process of a general plan update, and part of that update includes specific proposals to protect the viability of agriculture in this area and enhance the vitality -- the economic vitality of this region.
Dublin San Ramon Services District	The final irony is that very few of the impacted communities are directly represented in the many activities under way to address the Delta crisis. The voices of these cities and of millions of water ratepayers - the ultimate water consumers of Delta water - are generally not heard. The BDCP must make a special effort to reach those a step removed from the traditional water industry and actively engage those communities and citizens in this important process.
Farmer in the South Delta	Let me go back to March 21st when DWR held a meeting to kick off this EIR scoping process. The material handed out at that time, and the remarks of Deputy Director Jerry Johns, made it very clear that this is not really a democratic process that's intended here. They prejudged that the preferred alternative would be whatever comes out of the BDCP. Now that body is an unelected body, unaccountable, and it's steering committee includes nobody from the Delta.
Meeting Attendee	If it were not for one alert Clarksburg citizen, we would not have known about this meeting.

Table E-10. Preliminary Scoping Comments Related to Future Participation Concepts

Commenter	Comment
Meeting Attendee	The list of stakeholders, in the information handed out by BDCP, shows the lack of local participation, representation. The stakeholders list is also devoid of elected officials. Who is accountable to the citizens of the affected areas?
Metropolitan Water District of Southern California	This letter contains Metropolitan's response to the NOP as a Responsible Agency pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15096 and one of the Potentially Regulated Entities (PREs) in this process
North Delta Water Agency (Downey Brand LLP)	To ensure that the BDCP process and the resulting EIR/EIS reflects the interests of the people of the Delta, the Steering Committee should be expanded as quickly as possible to include significant interests within the Delta.
North Delta Water Agency (Downey Brand LLP)	The BDCP should make a more concerted effort to reach out to local agencies and landowners, and solicit their feedback during the planning process. Many local landowners within the Delta are not accustomed to tracking public notices for large-scale environmental planning processes....Public meetings should be held within the Delta during each significant phase of the planning process, and in particular to get feedback regarding all lands and locations that may be identified as habitat creation or mitigation lands, and for any modifications to flood control plans and local levees....the notices and meetings should include maps with proposed action...clearly recognizable boundaries, and these meetings should be held prior to any final decisions..
Olivenhain Municipal Water District	...we would like to be involved in the planning. We would like to be involved in the public discourse on how much is this gonna cost. We need to know every step of the way what you're gonna expect from us.
Reclamation District 2025 (Holland Tract)	The District is an interested party and responsible agency with respect to Bay Delta Conservation Plan (BDCP) activities that may affect the island and its levee protection system.
Reclamation District 2026 (Webb Tract)	The District is an interested party and responsible agency with respect to Bay Delta Conservation Plan (BDCP) activities that may affect the island and its levee protection system.
Reclamation District 2028 (Bacon Island)	The District is an interested party and responsible agency with respect to Bay Delta Conservation Plan (BDCP) activities that may affect the island and its levee protection system.
Reclamation District 756 (Bouldin Island)	The District is an interested party and responsible agency with respect to Bay Delta Conservation Plan (BDCP) activities that may affect the island and its levee protection system.
Reclamation District 999	On a final note, we urge the BDCP to make a more concerted effort to reach out to local landowners and solicit their feedback on the final recommendations.
Resident of Clarksburg	Sure their government officials gave notice of community meetings, but they did so in the same manner as our presenters did this evening. They advertised in abstract papers, not read by the local community.

Table E-10. Preliminary Scoping Comments Related to Future Participation Concepts

Commenter	Comment
Resident of Clarksburg	Your Public Participation process appears limited, to the point of not meeting legal and regulatory communities. While the Public Notice was appropriate in media placement, it was less than informative as to the extent (and nature) of the proposed action. Nor did it seem much attention was paid to the communities involved being rural with little mass media penetration and even less sophistication with federal and state environmental public policy actions. Strongly urge an assessment of the communities involved by a recognized professional (member of IPPP) and the creation of a truly informative and collaborative public communications plan with measurable actions.
Resident of Clarksburg	..if it wasn't for one of our local citizens hearing about this meeting tonight, you wouldn't have anybody here.
Resident of Clarksburg	Especially when the stakeholders themselves -- there is not an elected official on any of these. They are authorities. They are water agencies and districts. And who are these folks beholding to? It's not the voters.
Resident of Courtland	Is it appropriate to establish wetland and tidal wetland zones for the four options under consideration without input from the areas being considered for conversion?
Resident of Delta	...I would like to state at the outset that I feel that the bulk of most Delta planning and research to date, including this process, has been marked by unaccountable lacks of interest in and input from those who are closest to the actual land and waters of the Delta and who potentially have the most to lose: Delta residents, communities, landowners, growers, and water users. To ensure that the BDCP has the best chance of succeeding in its stated goals, these lacks should be remedied ASAP
Resident of the Delta	...it's [Delta] not part of the steering committee and it hasn't been mentioned in any of the considerations today. And, that's a big mistake. There are many, many people and many, many elements involved that just don't deserve to be ignored.
Rio Vista City Council	I have read your options document ...and looked at the steering committee, and I would like to know where on the steering committee and involved in this process are the Delta stakeholders.
Sacramento Regional County Sanitation District	Please include the District on the notice list to receive all notices concerning the BDCP including, but not limited to, notice of any workshops, meetings or hearings on the BDCP or EIR/EIS, and any CEQA Notice of Determination for the project.
South Delta Water Agency	I can't get the steering committee to answer basic questions about what modeling they've done and what the assumptions are.

Table E-10. Preliminary Scoping Comments Related to Future Participation Concepts

Commenter	Comment
State Water Resources Control Board	<p>...the NOP states that the BDCP is being prepared with the participation of the State Water Board and other agencies. To clarify, the State Water Board is participating in the BDCP planning process for the limited purposes of advising the BDCP parties of the State Water Board's regulatory requirements and providing technical information. The State Water Board is neither a party to the BDCP planning agreement nor a decision making member of the Steering Committee. By participating in the process in an advisory capacity, the State Water Board hopes to ensure that a broad range of alternatives is evaluated, and the potential impacts of all the alternatives are fully disclosed. While the State Water Board can provide information that will help guide the BDCP parties toward a successful completion of the BDCP process, the State Water Board cannot make a prior commitment to the outcome of any regulatory approval that must be issued by the State Water Board. The State Water Board acts in an adjudicative capacity when it acts on a request for water right application, change petition, or other water right approval that may be required for or requested in connection with a proposed project. The State Water Board must be an impartial decision-maker, avoiding bias, prejudice or interest, in any adjudicative proceedings conducted in accordance with the State Water Board's regulatory approvals. Accordingly, State Water Board staff will not act as advocates for any alternatives considered during the BDCP process.</p>
Tuolumne County	<p>...Board took action on December 4, 2007, by adopting a resolution "asserting legal standing and formally requests coordination status with all federal and state agencies maintaining jurisdiction over lands and/or resources located within Tuolumne County." The resolution is attached, and this Board formally requests that the DWR, pursuant to Sections 81 25-81 29 of the California Water Code, "Coordinate" with the County of Tuolumne</p>
U.S. Environmental Protection Agency	<p>Most observers of Delta conveyance alternatives believe that the US Bureau of Reclamation (or, potentially, the US Army Corps of Engineers (Corps)) will need to be involved in the construction and operation of at least some part of any new conveyance alternative. To streamline the environmental review process, these agencies should be included as lead agencies in this and any subsequent environmental reviews.</p>
U.S. Environmental Protection Agency	<p>Similar permitting issues under state law may confront state agencies proposing to take action under the BDCP. To avoid unnecessary duplication and delay, EPA recommends that the lead agencies coordinate with the potential regulatory agencies to assure that the proposed EIS meets the needs of regulatory agency NEPA/California Environmental Quality Act (CEQA) compliance.</p>
Wallace Chan Farms	<p>I'd like to have an agenda that's more "meaty" in advance; more advance notice of the meetings; and local representation (elected officials, area residents) on the steering committee</p>
Yolo County Board Supervisor	<p>We are frustrated at this point that -- and then in some ways we don't feel that there was really sufficient -- has been sufficient opportunity to participate and certainly to prepare for this meeting,...there is not a adequate opportunity as I see it, in the process for the -- both the local communities and the local jurisdictions to be directly involved....And Yolo County is working very hard to enhance the opportunities down here for our agricultural -- for the farmers and for the folks who live down here and who support that. What we are afraid of, and I think some of the preliminary suspicions or concerns that we have is that again, there will not be an adequate opportunity to really represent those concerns and help shape this project.</p>
Yolo County Board Supervisor	<p>I want to urge you to open the dialogue, to actually create a formalized place for places like Solano County, Yolo County, Sacramento County to be at the table. To be formally and legitimately represented in your conversations and your meetings.</p>

Table E-10. Preliminary Scoping Comments Related to Future Participation Concepts

Commenter	Comment
Yolo County Habitat/Natural Community Conservation Plan	...the BDCP website could be improved so that it's easier to find useful information.
Zone 7 of Alameda County Flood Control and Water Conservation District	DWR should actively engage Delta land and water users (individuals and organizations) as a source of information about past and future Delta water use, levees, and ecology.
Zone 7 of Alameda County Flood Control and Water Conservation District	Zone 7 is requesting to be identified as a Responsible Agency pursuant to CEQA for the development of the BDCP EIR/EIS. We also request designation as a non-federal cooperating agency under NEPA.

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Table E-11. Preliminary Scoping Comments Related to the Study Area and Study Period Concepts

Commenter	Comment
Butte Environmental Council	...I would hope that as you look at creating a project description that you will consider the terrestrial and aquatic species and, habitat that is outside of your study area. Clearly the tributaries are crucial to what happens in the delta and so, I don't think that you can only consider a project area...
California Department of Public Health	...the area that could potentially be affected by decisions from the BDCP would inevitably include water systems regulated by other CDPH Districts that overlay the State Water Project and the Central Valley Project areas of effect.
Central Contra Costa Sanitary District	We urge the Department of Water Resources to expand the project area to include Suisun Bay and-San Pablo Bay due to the potential environmental impacts that could result from any actions of the BDCP.
City of Livermore	Given the complex ecosystem and water supply infrastructure of the Delta region, the Project Area in the EIR/EIS may necessarily include areas outside of the legal Delta boundary in order to minimize impacts and maximize results of the BDCP.
Meeting Attendee	I am concerned with any plan that has a time line of 50 to 100 years. No one knows the future.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund	The scoping notice states that the geographic scope of the BDCP is generally limited to the legal Delta. However, whatever the geographic scope of the BDCP itself, NEPA and CEQA require the consideration and analysis of connected actions. It is clear that water use beyond the scope of the legal Delta will affect conservation actions and water supply considerations that are within the scope of the BDCP's goals.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR should consider broadening the Project Area and scope to include all parts of the CVP and SWP, including reservoirs upstream of the Delta, as well as other activities that impact covered species
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	A holistic approach to managing the Delta requires that these upstream and downstream facilities and habitats be included in the BDCP. Even if such facilities and habitats are not included in the EIS/EIR, impacts outside of the Project Area must be analyzed and mitigated to a less than significant level.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The BDCP has proposed a fifty-year permit term. In light of the changing nature of the Delta and scientific uncertainty over causes of species declines, we encourage the BDCP to consider shorter permit terms, such as 5-10 years, rather than a fifty-year permit....The EIS/EIR should consider including alternative permit durations among the range of reasonable alternatives.
Planning and Conservation League	...the EIR/EIS must describe the impacts of the BDCP both within and beyond the Statutory Delta.
Wilson Farms	You'll also need to study adjacent lands to this project, because this project will have an enormous impact on these lands as well. We want to see a very detailed report before any of this begins.
Zone 7 of Alameda County Flood Control and Water Conservation District	...the Project Area in the EIR/EIS may necessarily include areas outside of the legal Delta boundary in order to minimize impacts and maximize results of the BDCP.

Table E-12. Preliminary Scoping Comments Related to Future Conditions without BDCP Concepts

Commenter	Comment
Association of California Water Agencies	...no action alternative carries some significant impacts including serious implications for interests outside the delta. Water pressure on other supply sources such as groundwater will increase, and we know about the over draft groundwater in the state. These impacts must be assessed as part of the review.
California Farm Bureau	With the prospect of dual or isolated conveyance in the future, it is possible that instream flow augmentation and water quality mitigation could become express objectives of a future EWA or successor program, along with fisheries protection and direct avoidance of adverse effects from exports. Similarly, separate "pots" of current and potential future environmental water could be managed in some integrated fashion to achieve multiple objectives, including salinity control in the Delta, as well as fish protection and enhanced in-stream flows. Potential options here include (b)(2) and (b)(3) water under section 3406 of the Central Valley Project Improvement Act (CVPIA), VAMP flows, and potential flows deriving from long-term implementation of the Phase 8 Settlement of the State Water Resources Control Board's Bay-Delta Proceedings on the 1995 Water Quality Control Plan.
Central Delta Water Agency	The breadth of the evaluation should also include a determination of the range of impacts resulting from continued development of arid lands and arid lands in differing regions.
City of Livermore	DWR should actively engage Delta land and water users (individuals and organizations) as a source of information about past and future Delta water use, levees, and ecology.
El Dorado County Water Agency	Two currently pending processes that will result in additional water diversions for use within El Dorado County should be considered in constructing the baseline. First, Public Law 101-514 directs the United States Bureau of Reclamation to provide the El Dorado County Water Agency (EDCWA) with 15,000 acre-feet per year of water from Folsom Lake. EDCWA and the Bureau are currently negotiating a contract ("Fazio Contract") for this supply. Additionally, the El Dorado County Water & Power Authority, a Joint Powers Authority comprising the County of El Dorado, EDCWA, the El Dorado Irrigation District and the Georgetown Divide Public Utility District, has filed an application ("Supplemental Water Rights Application") with the California State Water Resources Control Board for an additional 40,000 acre-feet per year of water to be diverted in the watershed tributary to Folsom Lake ("Supplemental Water Rights Application")
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund	The EIR/EIS must include a meaningful regulatory baseline for current Delta operations, against which potential impacts would be measured. That baseline must include the existing protective measures required to protect delta smelt, pursuant to the federal court's decision in NRDC v. Kempthorne....It must also include any requirements that may be imposed to protect crashing salmonid populations in the Sacramento and San Joaquin River systems in the companion case of Pacific Coast Federation of Fishermen's Associations v. Gutierrez.... Clearly, court orders required to limit exports and diversions to protect imperiled fisheries provide evidence that the diversion levels of recent years are not sustainable and cannot serve as a reasonable baseline.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR must analyze the BDCP's impacts, with particular focus on:...(4) cumulative impacts...

Table E-12. Preliminary Scoping Comments Related to Future Conditions without BDCP Concepts

Commenter	Comment
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	In order to meet CEQA and NEPA's informational goals, the environmental baseline must be based on actual conditions on the ground, rather than the maximum exports that the CVP and SWP are operationally capable of or the full extent of the Projects' paper water rights.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	...the ESA requires that the baseline for the section 7 jeopardy analysis include the effects of existing human activities, even if those activities are outside of the scope of the federal action currently contemplated.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The baseline for analysis in the EIS/EIR must be based on the existing operational and legal constraints for the CVP and SWP
Northern California Chapter of the Federation of Fly Fishers	The problem as far as I'm concerned is Westlands Irrigation District and other large irrigation districts that want water, and they want lots of water, and they want it cheap, and you guys want to give it to them.
Northern California Water Association	it's very important that you recognize baseline conditions as it relates to the environment. The Sacramento Valley is distinct from the delta, and yet I think the Sacramento Valley has established over the last 10 years that they will make contributions to the recovery of species.
Planning and Conservation League	NO PROJECT: An alternative that fully complies with current regulatory standards, including all water quality objectives...Modeling of the no project alternative must include operations that are consistent with regulatory standards.
Sacramento Regional County Sanitation District	The Existing Condition for the EIR/EIS should be the legal and regulatory constraints existing at the time of issuance of the NOP. As such, the Existing Condition for this project should include the legal determinations and operational constraints embodied in the Wanger decision and other recent legal decisions.
San Francisco Bay Conservation and Development Commission	It should also analyze cumulative impacts, including the potential impacts of other projects being planned for the Delta, including habitat restoration in Suisun Marsh and the deepening of the Stockton and Sacramento Ship Channels.
San Joaquin Farm Bureau Federation	The BDCP should make public an analysis of how we got into a situation where we can neither protect the Delta nor provide an adequate developed water supply, and should explain how the BDCP proposal will address these causal factors.
Southern California Water Committee	In the opinion of the SCWC, no action in the Delta is not acceptable.
Southern California Water Committee	In our opinion that no action alternative will not even preserve the status quo. That no action alternative will actually result in a continuation of the degradation -- degrade -- oops, will continue to degrade..the delta.

Table E-12. Preliminary Scoping Comments Related to Future Conditions without BDCP Concepts

Commenter	Comment
State Water Resources Control Board	The EIR/EIS analyses also should consider water quality activities that have been initiated by the State and Regional Water Boards, but are not yet complete. Specifically, the State Water Board has begun a review of the southern Delta salinity and San Joaquin River flow objectives included in the Bay-Delta Plan. As a result of that review, the State Water Board may modify the southern Delta salinity or San Joaquin River flow objectives. The EIR/EIS should consider the information developed in this process and the potential future changes in these boundary conditions in its analyses.
State Water Resources Control Board	In addition, the EIR/EIS analyses should consider other known and foreseeable projects by the State and Regional Water Boards, including those discussed in the Strategic Workplan for the Bay-Delta (Workplan) which describes activities the State and Regional Water Boards intend to take in the Bay-Delta over the next five years.
Western Growers	...we believe it is critical that the BDCP EIR/EIS scoping process fully disclose the impacts to agriculture, the state's economy and environmental quality under the "no action" alternative.
Wheeler Ridge-Maricopa Water Storage District	For instance, in the no-project or reduced export alternatives, we would expect exports to be reduced into Kern County, and that reduction has direct affects on farmland, resulting in less farmland being in production and less food being produced. A loss of farmland under CEQA is a significant environmental affect that would need to be analyzed as part of your alternatives. In addition, the impacts on groundwater banking projects, of which Kern County has a major role in the state in supplying groundwater banking facilities, those impacts are necessary for analysis in reduced exports or no-project alternatives.
Young, Woolridge Law Firm - represent San Joaquin Valley districts	...I think it's very important that the right no-project alternative and baseline be identified.

Table E-13. Preliminary Scoping Comments Related to Agricultural Concepts

Commenter	Comment
Barsoom Inc	Most if not all of the Clarksburg area is under the Williamson Act
Barsoom Inc	Clarksburg has rich, highly productive agriculture
California Department of Food and Agriculture	We recommend that the following impacts be addressed in the EIR/EIS: Indirect Impacts on Delta agricultural land.
California Department of Food and Agriculture	We recommend that the following impacts be addressed in the EIR/EIS: The cumulative loss of agricultural land
California Department of Food and Agriculture	Though not required explicitly by CEQA, we suggest that a second, perhaps less detailed, level of cumulative impact analysis of agricultural land be conducted on the Delta-dependent region.
California Department of Food and Agriculture	The CALFED Bay-Delta Program's Record of Decision adopted more than 30 mitigation measures to address the direct and indirect impacts on agricultural land. We recommend your consideration of these mitigation measures to address both programmatic and project-specific impacts of BDCP implementation on agriculture.
California Department of Food and Agriculture	In lieu of direct mitigation using conservation easements, we suggest considering an agricultural mitigation bank. Mitigation fees to compensate for the loss of agricultural resources could be deposited into an account managed by a Delta governance entity
California Department of Food and Agriculture	We recommend that, at a minimum, the following attributes be described: Acreage and classification of the agricultural lands of the project area using the Department of Conservation's Farmland Mapping and Monitoring Program's classification system
California Department of Food and Agriculture	..we recommend that the EIR/EIS consider the use of a modified version of the state (Department of Conservation) or federal (USDA) Land Evaluation and Site Assessment (LESA) model to determine the significance of agricultural land impacts.
California Department of Food and Agriculture	We recommend that, at a minimum, the following attributes be described: Acreage and gross production value of crops grown in the Delta using county agricultural commissioner crop reports and recent DWR land use map of the Delta
California Department of Food and Agriculture	We recommend that, at a minimum, the following attributes be described: State and local agricultural land conservation policies that apply to Delta agricultural lands, including county general plan and zoning designations, Williamson Act agricultural preserve and contracted lands (including Farmland Security Zone contracts), and conservation easements intended to protect lands for agricultural purposes
California Department of Food and Agriculture	We recommend that, at a minimum, the following attributes be described: The unique attributes of the Delta that distinguish it from other growing regions of the state and the advantages that these growing conditions give Delta agriculture
California Department of Food and Agriculture	We recommend that, at a minimum, the following attributes be described: Unique obstacles to Delta agriculture, information that could be important in distinguishing between lands when minimization of project impacts on agriculture can be achieved by avoiding the best farmland in favor of marginal farmlands. This information may also be useful where land or agriculture infrastructural improvements can be made to remove obstacles as a form of compensatory mitigation.

Table E-13. Preliminary Scoping Comments Related to Agricultural Concepts

Commenter	Comment
California Department of Food and Agriculture	We recommend that because agriculture is the predominant land use in the Delta, and the only land use listed whose productivity is dependent on the Delta's unique natural soil, water and climate conditions, it be given separate focus as recommended in the CEQA Guidelines.
California Department of Food and Agriculture	We recommend that the following impacts be addressed in the EIR/EIS: Direct loss of agricultural land to other, non-agricultural land uses
California Department of Food and Agriculture	We recommend that the following impacts be addressed in the EIR/EIS: Indirect loss of agricultural land due to the loss of infrastructure needed to support farming in the Delta, such as transportation access to agricultural islands; and, loss or impairment of agricultural land as a result of the loss of water supply or water quality.
California Farm Bureau	Preserving existing agricultural land at a 1: 1 or greater ratio, including in particular lands on the periphery of the Delta that could serve both presently and in the future as a 'bulwark' against urban encroachment, cumulative farmland loss, long-term subsidence and potential loss of lower elevation lands, future sea level rise, etc.
California Farm Bureau	Allotting buffers to avoid adverse impacts to adjacent lands.
California Farm Bureau	Working with private landowners and adopting specific mitigation measures to address impacts to adjacent lands, increased flood risks, incompatible timing of floodplain inundation, etc.
California Farm Bureau	Fully compensating farmers for truly unavoidable, adverse impacts.
California Farm Bureau	The BDCP EIR/EIS should analyze potential statewide farmland conversion and growth inducing impacts from new conveyance. Agricultural land that might be lost to water quality impairments or habitat restoration in the Delta, to induced urban growth in the San Joaquin Valley or Southern California, or to water transfers and fallowing to the North should all be considered in EIR/EIS. Furthermore, when considering the environmental and economic impacts of Delta farmland conversion it is relevant to consider impacts to the human food supply, the implications for long-term food security, domestic versus foreign production, and cumulative and indirect impacts from farmland conversion both nationally and throughout the State of California.
California Farm Bureau	Removing or reducing current impediments to conveyance across the Delta could greatly facilitate water transfers from agricultural uses in Northern California to other uses in Southern California. However, these actions could negatively result in a significant reallocation of water supplies, leading to potential fallowing or permanent loss of agricultural land, rising prices for agricultural water, significant socioeconomic impacts in communities and regions of the state that currently depend on agriculture as a source of income, new growth in export-dependent areas of the State, and other potential, adverse, environmental impacts. The BDCP EIR/EIS should consider such impacts, including potential sources and volumes of transferred water and ways in which such impacts could be avoided or reduced.

Table E-13. Preliminary Scoping Comments Related to Agricultural Concepts

Commenter	Comment
California Farm Bureau	BDCP actions that would potentially remove private lands from local tax rolls and levee assessment districts, or that reduce the economic viability of Delta agriculture overall by increasing Delta salinity, could lead to a decline in local investment and capacity to maintain and improve levees. This could lead to the unplanned loss of numerous Delta islands, with potential widespread adverse impacts on water quality, water supply, species conservation, and habitat restoration. The BDCP EIR/EIS should consider the potential for such impacts and adopt appropriate mitigation measures, including measures to reduce and avoid adverse large-scale water quality and farmland conversion impacts, in order to provide the conditions for an economically viable agricultural economy that will continue to maintain and improve Delta levees over time.
City of Stockton	With less water available for in-Delta uses, agriculture could suffer. Significant amounts of agricultural land would be taken out of production for the canal rights-of-way. Local Stockton businesses that support agriculture would suffer.
Contra Costa County Public Works Department	The EIR & EIS should analyze the potential effects of large-scale water diversions on agricultural, recreational, residential, industrial, and other business uses within the western portion of the Delta.
County of Yolo	How much farmland will be converted to water supply infrastructure, habitat, or other non-agricultural uses as part of the BDCP? Will mitigation - such as agricultural conservation easements in accordance with local requirements - be provided?
County of Yolo	Will implementation of the BDCP and related projects result indirectly in the conversion of additional farmland to other uses, or simply the cessation of agricultural uses? How will such indirect conversions be mitigated?
County of Yolo	To what extent will implementation of the BDCP result in additional restrictions on agricultural practices - including both current and reasonably foreseeable future practices? Can the impact of these restrictions be lessened or avoided through the implementation of buffers or similar measures?
Delta Protection Commission	Habitat restoration projects should not adversely impact surrounding agricultural practices
Delta Protection Commission	Local governments shall encourage acquisition of agricultural conservation easements as mitigation for projects within each county, or through public or private funds obtained to protect agricultural and open space values, and habitat value that is associated with agricultural operations
Delta Protection Commission	Promote use of environmental mitigation in agricultural areas only when it is consistent and compatible with ongoing agricultural operations and when developed in appropriate locations designated on a countywide or Delta-wide habitat management plan.
Delta Protection Commission	Local governments shall encourage management of agricultural lands which maximize wildlife habitat seasonally and year-round, through techniques such as sequential flooding in fall and winter, leaving crop residue, creation of mosaic of small grains and flooded areas, controlling predators, controlling poaching, controlling public access, and others.
Family in Clarksburg	Would permanently removing this land from agricultural production impact the future availability of locally grown produce for the people of Sacramento?

Table E-13. Preliminary Scoping Comments Related to Agricultural Concepts

Commenter	Comment
Family in Clarksburg	If adopted, literally thousands of acres of prime farm land would be flooded. What would be the impact to those families currently farming this land? Of what strategic importance is this farm land to the security of the United States and this country's ability to feed its citizens?
Farmer in Clarksburg	During the last four decades, growers have planted over 17,000 acres of our upper Delta region into premium wine grapes...We have invested heavily in vineyards which have a life expectancy of 25 to 30 years..
Farmer in Clarksburg	Extrapolating those economic impacts to just our 17,000 acres of wine grapes, we create in excess of 11,000 full time equivalent jobs in California and an additional 13,500 jobs nationwide. This generates \$357 million in California wages and almost \$900 million in wages throughout the USA. Taxes generated from our wine grape acres exceed \$107 million to the State of California and an additional \$64 million nationally. In excess of 700,000 visitors with tourism expenditures exceeding \$71 million are attributable to our 17,000 acres of grapes.
Farmer in Clarksburg	During the last four decades the growers have planted over 17,000 acres of our Upper Delta Region in premium wine grapes. Our crops have proliferated in quality and yield, and the Clarksburg Delta has earned the reputation of being the Banana Belt for premium wine grapes among California wineries. We have invested heavily in vineyards which have a life expectancy of 25 to 30 years.
Farmer in Clarksburg	Extrapolating those economic impacts to just our 17,000 acres of wine grapes, we create in excess of 11,000 full time equivalent jobs in California, and an additional 13,500 jobs nationwide. This generates \$357 million dollars in California wages and almost \$900 million dollars in wages throughout the U.S.A. Taxes generated from our wine grape acreage exceed \$107 million dollars to the State of California, and an additional \$64 million dollars nationally. In excess of 700,000 visitors with tourism expenditures exceeding \$71 million dollars are attributable to our 17,000 acres of grapes.
Farmer in the South Delta	...there is no understanding of the fact that the increase in salinity that the canal would cost would clearly put most of agriculture in the Delta out of business.
Friends of Clarksburg Library	Our community has a rich agricultural background and many of the land use practices provide valuable habitat for wildlife, the proposal envisioned in the BDCP Scoping Plan endanger both the agricultural and habitat values that currently exist.
Greene and Hemly	When areas are removed from agricultural production many people are affected. Service providers such as fertilizer suppliers, farm equipment mechanics, and local food markets will all lose customers. How will the BDCP Costs Benefit Analysis calculate how many businesses will lose customers and what the financial impact on these service providers will be? Obviously local service companies will lose efficiencies of scale from the smaller market size thereby becoming more expensive to operate. How will this be calculated? These higher costs will be passed onto remaining customers, how will it affect them?
Greene and Hemly	When farm workers are displaced from the project areas they will not be able to find other positions without losing seniority. What is the economic impact on these workers and how will it be measured?

Table E-13. Preliminary Scoping Comments Related to Agricultural Concepts

Commenter	Comment
Greene and Hemly	Changing the ecology of the area will alter the pest species mix in farms adjacent to the project. Are the increased pest control and mitigation costs for pest such as Stink Bug, Box Elder Bugs, and Coyotes to be included as costs of the project? How would these estimated costs be figured?
North Delta CARES	How is the agriculture which is an integral part of the historic Delta town of Clarksburg protected by the installation of a tidal marsh wetlands or primary habitat restoration area(s) anywhere in the area within 15 miles of the town of Clarksburg?
North Delta CARES	What are the impacts on the "Farmland of Local Importance identified by SACOG, the Sacramento Area Council of Governments, caused by the project envisioned by the BDCP?
North Delta CARES	What are the impacts on the "Unique Farmland identified by SACOG, the Sacramento Area Council of Governments, caused by the project envisioned by the BDCP?
North Delta CARES	What are the impacts on the "Prime Farmland identified by SACOG, the Sacramento Area Council of Governments, caused by the project envisioned by the BDCP?
North Delta CARES	What are the impacts on the "Farmland of Statewide Importance" identified by SACOG, the Sacramento Area Council of Governments, caused by the project envisioned by the BDCP?
North Delta CARES	Has the economic impact of destroying multi-generational agricultural land been considered?...Why is the State considering drowning these vineyards for "habitat restoration?"...
North Delta Water Agency (Downey Brand LLP)	The EIR/EIS must also include an assessment of the conversion of productive agricultural land... the agencies will need to establish appropriate thresholds of significance for the potential loss of these productive lands, and establish mitigation measures that may include funding the creation of additional agriculture lands, possibly in the Delta uplands that are currently not subject to agriculture.
Rancher in Fresno	At risk is drinking water to 25 million people and the bread basket of the world, over 9 million acres of rich farmland, comprising 350 different species of productive plants...So you're talking about close to 400 million plants, versus that little fish. Now that to me is a little out of proportion.
Resident of Clarksburg	Loss of farmland in the delta will have ripple effects with ag equipment suppliers, truck dealers, seed suppliers, etc., where good paying stable jobs will be directly impacted and lost. How will this plan mitigate for the losses of those jobs?
Resident of Clarksburg	...loss of farmland in the Delta will have ripple effects with ag equipment suppliers, truck dealers, seed suppliers, etcetera, where good paying stable jobs will be directly impacted and lost. How will this plan mitigate the losses of those jobs?
Resident of Clarksburg	Under state law, Clarksburg is an agriculturally protected area. The Delta Protection Act of 1992 fathers the Agricultural Uses.
Resident of Clarksburg	...the question that I ask you to answer when you do your EIR, are you planning to do a cost benefit analysis of these 30 to 40,000 acres taken out of food production for world markets and human consumption if a tidal marsh should be implemented here.

Table E-13. Preliminary Scoping Comments Related to Agricultural Concepts

Commenter	Comment
Resident of Courtland	Also, the impact on our agro business would be devastating.
Resident of Courtland	How will the BDCP mitigate for loss of very productive farmland in the North Delta to include negative impacts on the wine and Bartlett pear industries and what will it cost?
Resident of Courtland	You need to look at where -- what uses are on the property now. If it's intense farming, I would -- you know -- I think you should go some place else. There are opportunities in the North Delta to do what you want to do and to put together a good plan without making it very difficult for the intensive farming that occurs.
Resident of Delta	Farming in the area of these marshes could also be hampered by humidity changes, invasive species, disruption of the essential movement of farm equipment, and new seepage issues.
Resident of Delta	The big danger I see in the BDCP process is that once again, in our zeal to, in this case, return large areas of the Delta to their former state, people will lose sight of what will now be lost - some of the richest, most productive farmland anywhere.
Resident of Delta	Another issue concerns me, which is the promotion of wildlife-friendly farming practices....Today, there are wheat-fields all over the place because of the great need on the world market for this commodity. If a farmer has as his partner in a conservation easement a government entity, how quickly will he be able to make such decisions, given that government has the reputation of taking years to get things done?
Resident of Delta	It sounds like we want to go back to the way things were, and yet, I don't think people are thinking much about what might be lost, namely the farming land that was produced in the beginning.
Resident of Delta	..if you drive around this area this year -- right now -- you will see acres, and acres, and acres of wheat. Two years ago you didn't see hardly any. Now how did that happen? Well, there's a need for wheat. But if the government was involved in deciding whether to farm wheat this year, it might even take 10 years before they could come to that decision.
Resident of Delta	...as soon as you have an ag conservation easement or wildlife habitat easement on your land, then you have a silent partner that isn't going to be so silent. And I think that the farming industry will be affected by that.
Resident of Merrit Island	Unique micro-climate for growing grapes: Fertile land; Access to water; and Western breeze that cools grapes
Resident of Walnut Grove	Flooding our Clarksburg land will be devastating to both us and the environment:...Killing our prime grape vineyard which is our only income for survival.
Rio Vista City Council	This [salt water intrusion] will impact our agricultural resources and every user of Delta water.

Table E-13. Preliminary Scoping Comments Related to Agricultural Concepts

Commenter	Comment
Sacramento County Farm Bureau	With the exception of Prospect Island, we are opposed to designating any farmland located in the North Delta and east of the Sacramento River Deep Water Ship Channel for conversion to marshland for the following reasons: 1. This part of the North Delta is organized into reclamation districts; 2. This part of the North Delta is devoted to intensive, high value agricultural production to include pear orchards, apple orchards, wine grape vineyards, and cherry orchards; 3. This part of the North Delta provides a significant amount of habitat for terrestrial animals and is important nesting and foraging habitat for the Swainson's hawk and other avian species; 4. This part of the North Delta does not include large tracts of land in public ownership; 5. This part of the North Delta will be the most resistant to the drivers of change being considered by the Blue Ribbon Task Force and should be preserved for agricultural production, recreation, and terrestrial habitat.
Sacramento County Farm Bureau	Will the BDCP provide mitigation for...loss of farmland, and for all the other negative impacts? This will add tremendously to the cost of acquisition and conversion and because the loss of farmland, jobs and economic activity cannot be replaced, the North Delta should not be considered for habitat restoration...
San Diego County Farm Bureau	San Diego County probably boasts the 12 largest farm economies amongst all counties in the United States.
San Diego County Farm Bureau	For our farmers to continue to be a part of San Diego County, we require the continuance of a dependable source of imported water.
San Diego County Farm Bureau	Somewhere today in San Diego County avocado trees were stumped. In some places citrus trees were cut down and some place else nurseries cut back production in order to comply with the current mandatory 30% reduction in irrigation water use by farmers. Those will serve as short term methods for meeting the reduction in water supplies. But, if long term solutions are not found, the farmers will not be able to sustain their livelihoods.
San Joaquin County	A facility would require the taking of primary agricultural land and possibly urban areas for the construction of a itself based on its current alignments and the loss of additional acreage from seepage from the canal could cause some severe damage to additional prime agricultural land...
San Joaquin County and San Joaquin County Flood Control and Water Conservation District	The County contends that the NOP is lacking in that it does not describe or contemplate that the BDCP will affect agricultural and the conditions necessarily associated with agricultural production within the Delta.
San Joaquin Farm Bureau Federation	The BDCP should reveal what lands would be converted from agriculture to marshes or open water by its plan either overtly or because increases in salinity causes farming to be economically infeasible. The latter should be determined by qualified agricultural advisors rather than by economists.
SH Merwin & Sons, Inc	Clarksburg produces virtually the entire world's supply of dichondra seed...Yolo County is the fifth largest agricultural county in the leading agricultural state in the nation. Even though just 5% of Yolo County farmland lies in the Delta, it generates more than 20% of that county's agricultural revenue.

Table E-13. Preliminary Scoping Comments Related to Agricultural Concepts

Commenter	Comment
SH Merwin & Sons, Inc	Detrimental impacts to neighbors such as increased insect or disease pressures, and seasonal odors need to be assessed. Also the economic impacts to agriculture adjacent to a project, such as spray buffers, potential hydrologic impacts such as increased seepage, and losses due to increased waterfowl feeding, need to be assessed and mitigated.
Speaker at Clarksburg Preliminary Scoping Meeting	...if you're going to take land...Where are you going to get the land? Because that's the big concern that I see -- is -- that land is there, but it's being farmed.
Speaker at Clarksburg Preliminary Scoping Meeting	This is fabulous farmland that if they don't have anywhere else and it needs to be protected.
Wheeler Ridge-Maricopa Water Storage District	For instance, in the no-project or reduced export alternatives, we would expect exports to be reduced into Kern County, and that reduction has direct affects on farmland, resulting in less farmland being in production and less food being produced. A loss of farmland under CEQA is a significant environmental affect that would need to be analyzed as part of your alternatives.
Wheeler Ridge-Maricopa Water Storage District	These impacts are real to the farmers, as you well know. And they understand dealing with the Delta, and the environmental situation, and making sure the environmental side is equally balanced with the agricultural need. And we have contracts for water that comes through the Delta. And with our reliability shrinking, and Judge Wanger type rules, and these kinds of things, it's crushing the small farmer, and it's putting a heavy burden on the larger farmers.
Wheeler Ridge-Maricopa Water Storage District	And it won't be long when the larger farmer cannot afford the cutbacks, the costs, and some of these burdens that are put on them, not to mention the other input costs that are going through the ceiling.

Table E-14. Preliminary Scoping Comments Related to Socioeconomics, Population, and Land Use Concepts

Commenter	Comment
Bogle Vineyards	I want to talk about the community. Living in Clarksburg my whole life, except for the years I left for College, it is a very special place. There are not many places left in California where everybody knows everybody else, where the crime rate is pretty much zero, and where neighbors actually care and help each with only a phone call. These are the values that are getting lost in society today and with this project you will loose a community that doesn't really exist in very many places anymore...
City of Stockton	Private property would be taken for canal rights-of-way resulting in a loss of local property taxes.
Clarksburg Fire Protection District	What is impact of the project and all alternatives on the financial viability of the Clarksburg Fire Protection District?
Contra Costa County Public Works Department	The EIR & EIS should analyze the potential effects of large-scale water diversions on agricultural, recreational, residential, industrial, and other business uses within the western portion of the Delta.
County of Yolo	To what extent could the direct and indirect loss of farmland following implementation of the BDCP cause environmental effects - such as urban blight and similar deterioration - in Clarksburg and other legacy towns in the Delta?
County of Yolo	To what extent could the direct and indirect loss of farmland and related revenues following implementation of the BDCP displace farm workers, disrupt social institutions such as schools, churches, and fire departments, and otherwise undermine the economic and cultural vitality of Clarksburg and other legacy towns in the Delta? This should include consideration of whether the charter school that recently opened in Clarksburg (following an extensive efforts by local residents) would remain viable.
County of Yolo	If large tracts of existing farmland are purchased by the State or Federal governments and converted into permanent habitat, there will be a significant effect on the ability of local agencies to continue to deliver services to the public. For Yolo County, the resulting loss of property tax would compound existing structural inequities such as the shift in Educational Revenue Augmentation Funds.
Delta Farmer	Even though just 5% of Yolo County farming lies in the Delta, it generates more than 20% of this community's agricultural revenue. Not only are we helping to feed people, but we also pay property taxes in assessments on our farm land. So as tax and inputs in personal and corporate income taxes, too. We hire services and buy supplies from companies that help us fertilize, protect, harvest, and haul our crops. The people that help us grow our crops live on our farms. Many with their families. These farms are what make the Delta communities function.
District Representative for Congressman Mike Thompson	The process needs to be not just about the fish and the water, but about the land and the people who live here and who have farmed it through generations. So the sooner that the planning effort can become proactive and collaborative, I think that would be a win-win for all concerned.
Farmer in Clarksburg	We have homes. We have farms. We've got people spaced out far enough to where there is breathing room between. We don't want to become a subdivision. And we certainly don't want to become a flood pond.

Table E-14. Preliminary Scoping Comments Related to Socioeconomics, Population, and Land Use Concepts

Commenter	Comment
Farmer in Turlock	Local economic interests must be respected along with water rights and area of origin interests. It is imperative that the BDCP process address the key issues concerning the Delta in an expedited manner.
Greene and Hemly	What will be the impact of altered accessibility in the region, (for example: at projects completion if a farmer has to haul his crop additional miles to market, his profitability decreases) how will that cost be calculated? How will the costs of increased driving upon local citizens be calculated?
Greene and Hemly	There is an intangible value to living and working in an area beyond the value of house and land which will be permanently destroyed by the project. People will need to relocate. How will that be measured
Meeting Attendee	If relocated, who will pay the cost?
Meeting Attendee	The report fails to address or mention the "human inhabitant?" of the Delta.
Meeting Attendee	I am concerned with the; Taking of Species, the Taking of Land and the Taking of a way of Life.
Meeting Attendee	I'm concerned about the taking of land, the taking of water, and the taking of a way of life.
Member of Clarksburg Fire Protection District Board of Directors	Our district has a great need -- a tremendous need for a new firehouse. And we're working on that. But we're looking for a location to build it, and we need funds to build it. Funds have been a major obstacle for our Fire Protection District for many years. We cover an area of approximately 53 miles -- square miles. The Dunn and Bradstreet's Zap Database shows Clarksburg with 70 businesses, 29 of which are agricultural. These businesses provide employment for 540 employees, which represents about 41% of our population of his district, and about 44% of the income to the Fire Protection District. To provide health, welfare services and the necessary coverages for the district, we cannot allow the district to be flooded.
North Delta CARES	How is the economy of the historic Delta town of Clarksburg protected by the installation of a tidal marsh wetlands anywhere in the area within 15 miles of the town of Clarksburg?
North Delta CARES	How is the nature of the historic Delta town of Clarksburg protected by the installation of a tidal marsh wetlands anywhere in the area within 15 miles of the town of Clarksburg?
North Delta CARES	How is the small town quality and society which is an integral part of the historic Delta town of Clarksburg protected by the installation of a tidal marsh wetlands, or primary habitat restoration area(s) anywhere in the area within 15 miles of the town of Clarksburg?
North Delta Water Agency (Downey Brand LLP)	Additional concerns include the erosion of the local county tax base. When productive lands are purchased by public entities and converted to habitat or open space, they do not contribute to the County tax rolls.

Table E-14. Preliminary Scoping Comments Related to Socioeconomics, Population, and Land Use Concepts

Commenter	Comment
North Delta Water Agency (Downey Brand LLP)	BDCP documents have not adequately disclosed or discussed the impacts of land conversion on the human community. These impacts include reducing the size and changing the nature of the local community, depressing the local economy, eliminating family legacies in land and family farming, and forcing large-scale relocation. Historic communities may be unalterably changed or even eliminated. The EIR/EIS must address such impacts..
Rancher in Fresno	Our government is designed to be a republic, where the rights of the individual are sovereign and always protected. The remedies being executed under the Endangered Species Act, in an attempt to save the Delta smelt, are placing millions of people and hundreds of plant species in extreme danger.
Reclamation District 999	In preparing its final recommendations for the resource management of the Delta, the BDCP should give due weight to the needs and importance of our community and its people, and fashion a comprehensive program that provides for a healthily functioning ecosystem while ensuring the ongoing reasonable and beneficial use of water within the Delta.
Reclamation District 999	...one of the many recent proposals presented to the BDCP is a plan for the State to take most or all of the lands within the District and surrounding areas by negotiated sale or eminent domain, and to convert our lands from a community into a seasonal floodway and marsh. The BDCP should dismiss this approach outright. Such a plan would destroy our homes, our farms and our family legacies, hamstringing the Clarksburg wine appellation, and eliminate a large, increasingly productive swath of the Yolo County tax base.
Reclamation District 999	The BDCP's Final Report must implicitly recognize that places like the District must be preserved.
Resident of Clarksburg	Loss of farmland in the delta will have ripple effects with ag equipment suppliers, truck dealers, seed suppliers, etc., where good paying stable jobs will be directly impacted and lost. How will this plan mitigate for the losses of those jobs?
Resident of Clarksburg	The documented and undocumented impacts of this plan directly and indirectly affect the people of Clarksburg, yet the people of Clarksburg carry the burdens, but get none of the benefits of this project.
Resident of Clarksburg	The nature and character of the delta today is recognized as valuable in this document, yet our re-development interests are specifically rejected by this document, replaced with the unbridled growth of Southern California. This is an arbitrary and capricious attempt to shift the burden of development on the very people who are themselves not able to develop.
Resident of Clarksburg	...loss of farmland in the Delta will have ripple effects with ag equipment suppliers, truck dealers, seed suppliers, etcetera, where good paying stable jobs will be directly impacted and lost. How will this plan mitigate the losses of those jobs?
Resident of Clarksburg	...the documented and undocumented impacts of this plan directly and indirectly affect the people of Clarksburg. Yet, the people of Clarksburg carry the burdens but get none of the benefits of this project.

Table E-14. Preliminary Scoping Comments Related to Socioeconomics, Population, and Land Use Concepts

Commenter	Comment
Resident of Clarksburg	...the nature and character of the Delta today is recognized as valuable in this document, yet our redevelopment interests are specifically rejected by this document, replaced with the unbridled growth of Southern California.
Resident of Clarksburg	The EIR must study the impacts on a myriad of community issues - including, but not limited to - such issues as declining population - the effect of such a plan on schools, the existing community habitats, health, the existing environment, social activities - including churches, scouting fire services, libraries, police protection as well as community social activities.
Resident of Clarksburg	These existing Delta communities cannot be discounted. They are an important asset to the state. Your EIR must address these and other community concerns.
Resident of Clarksburg	It's home to a large number of people who have made their homes here. Have made their living here. Have raised their children here. And who have worked hard to make the Delta a wonderful place to live. A wonderful place to raise their children.
Resident of Clarksburgthe Delta is a location of a number of small historical towns that have survived the difficulties of being in a flood plain. All of the citizens of the Delta have contributed to the preservation of a way of life that has developed into a strong society. Any plan to change these historic places -- these historic towns just appall me. And when I speak of the towns, I'm also speaking of the surrounding farm areas. Those people who farm out there around the little towns are also members of the town. This kind of plan that I see here actually stops any kind of growth and progress that is necessary to maintain the character of these small towns. The plan that I see being presented will destroy the character of the Delta towns.
Resident of Clarksburg	The EIR must study the impacts of a myriad of community issues, including but not limited to such issues as declining population, the effect of such plan on schools. The existing community habitats. Health, the existing environment. Social activities including churches, scouting, fire services, libraries, police protection, as well as regular community social activities. These existing Delta communities cannot be discounted.
Resident of Clarksburg	I'm concerned about the taking of land, the taking of water, and the taking of a way of life.
Resident of Clarksburg	My comments center on the environmental impact of moving all of these people out of their homes. It has been stated by members of your committee and in writing that a ring levee would be built around the towns up and down the Delta. By doing so, you create a situation where the towns will eventually die. The schools, which in many cases are the centerpiece of these Delta towns, will be fatally impacted by such a move.
Resident of Courtland	What will be the indirect cost of wetland conversion to the Delta economy, Delta employment and Delta communities?
Resident of Courtland	Is it appropriate to establish wetland and tidal wetland zones based on elevation and not consider how the land is presently being used?
Resident of Courtland	Finally, as you develop this plan, understand that we have many, many -- um -- many, many special districts that are dependent upon tax revenue. Yolo County -- if you make this a dedicated towards public ownership, you will destroy tax base for reclamation districts, mosquito districts, North Delta Water Agency, and Yolo County. So provide for that.

Table E-14. Preliminary Scoping Comments Related to Socioeconomics, Population, and Land Use Concepts

Commenter	Comment
Resident of Delta	The delta entity as itself still exists, that people raise families, they do business, they live their lives there in the delta yet there's no mention of the impact, and it will be, I know it will be mitigated and it will be mentioned. But, there's no mention of the impact to people's lives that depend upon the delta for their businesses, their recreation, that the delta as the entity pre-described in previous Cal-Fed statements still exists.
Resident of Delta	Please assure that the EIR/EIS process study in depth and breadth impacts to existing and future agricultural activities and economies, and the impacts on the Delta riverfront farming communities - their existing and continued economic vitality and historical/cultural/social/recreational value to those who live in the Delta and to urban dwellers in the State at large.
Resident of Delta	A close reading of many documents produced to date by Delta planners yields the strong impression that Delta farmers will be asked to do many things with/on their land alongside or instead of producing crops (i.e. protecting wildlife, reducing subsidence, sequestering greenhouse gasses, and providing recreation and "scenic green open space" for the urban population, etc.). The EIR/EIS must examine the extent to which these "working landscape" requirements could inhibit the optimum production of agricultural product, any diminishing of which might in this era of global food shortages be considered a national security issue as well as detrimental to the agricultural economy of the State.
Resident of Delta	Other impacts of private-to-public land transfer, such as those on funding for and operations of local reclamation districts, County services, fire districts, water agencies, State water quality and water rights programs, local school districts, etc. must be carefully looked at both for each individual entity and for the social/economic/cultural impacts on the fabric of Delta community life.
Resident of Delta	Most of the Delta legacy towns are to the north. The building of large "tidal" marshes might eventually depopulate these areas due to health and aesthetic effects as well as physically disrupting existing social interconnections.
Resident of Merritt Island	Livelihood of residents: Bogle Winery, internationally known, first winery in Yolo County; and Vineyards are only means of making a living for many residents - thousands of dollars invested in grapes and drip irrigation
Resident of Merritt Island	History of Merritt Island: Land bought from state as early as 1859 (I'm fifth generation to own my land); and Some family homes well over a hundred years old
Resident of Merritt Island	Impact on town of Clarksburg: If also flooded, there would be more eminent domain implications; If not flooded, economic impact of neighboring area under water - a ghost town?; and Impact on local school district - where would students need to be transported?
Resident of the Delta	The delta entity as itself still exists, that people raise families, they do business, they live their lives there in the delta yet there's no mention of the impact, and it will be, I know it will be mitigated and it will be mentioned. But, there's no mention of the impact to people's lives that depend upon the delta for their businesses, their recreation, that the delta as the entity pre-described in previous Cal-Fed statements still exists.
Resident of Walnut Grove	Flooding our Clarksburg land will be devastating to both us and the environment:...Destroying our over 100-year home.

Table E-14. Preliminary Scoping Comments Related to Socioeconomics, Population, and Land Use Concepts

Commenter	Comment
Resident of Walnut Grove	Flooding our Clarksburg land will be devastating to both us and the environment:...Creating job losses for our field personnel and family members.
Resident of Walnut Grove	You can help the Clarksburg people and the environment by stop taking over land that you cannot even legally prove or even have proven in the past will benefit the area/environment.
SH Merwin & Sons, Inc	Eliminate agriculture to restore native habitat, and you will create the following problems adjacent to and upwind from metropolitan areas: no property tax revenue, no economic production, increased mosquito pressure (West Nile, bird flu, Malaria, etc.) and other insect pressures (the Minute Pirate Bug has become particularly obnoxious to our quality of life in last few years), putrid odors borne on the cooling Delta breeze that arise from lowlands as they dry out seasonally.
Speaker at Clarksburg Preliminary Scoping Meeting	I'm worried about our livelihood here in the Delta, about our fabulous farmers, about economic growth.
Speaker at Los Angeles Preliminary Scoping Meeting	Land use is king here, but everyone's forgotten that land use is part of the Health and Safety Code.
Speaker at Los Angeles Preliminary Scoping Meeting	I would really like, here we have an emphasis on population so that when we have the demand, we control the water.
Wallace Chan Farms	It's our home, our work, our past, our future. We know how important the delta is - to ourselves and to the others - every day.

Table E-15. Preliminary Scoping Comments Related to Utilities and Public Services Concepts

Commenter	Comment
Barsoom Inc	There are natural gas lines, state hwy's, utility lines, etc
California Department of Public Health	The list of the "Potentially Regulated Entities (POEs) includes only a few of the public water systems currently regulated by CDPH that would potentially be affected by the proposed project. We request that the scope of the process and the final document consider the universe of all public water systems currently regulated by CDPH.
Clarksburg Fire Protection District	What is impact of the project and all alternatives on the ability of the Clarksburg Fire Protection District to provide an adequate level of fire protection to the geographical area known as the "Clarksburg Fire Protection District"?
Clarksburg Fire Protection District	What is impact of the project and all alternatives on the door-to-door response time of emergency personnel from the firehouse of the Clarksburg Fire Protection District to points of possible need in all areas beyond the town and out into the geographical area known as the "Clarksburg Fire Protection District"?
Clarksburg Fire Protection District	What is impact of the project and all alternatives on the ability of the Clarksburg Fire Protection District to meet each of the objectives in its mission?
Contra Costa County Public Works Department	The PWD requests that the EIR & EIS carefully analyze the potential impacts that any proposed water conveyance bypass system or conveyance modifications will have upon sediment accumulation in the western Delta, and the impacts that the additional sediment will have upon shipping routes, recreational uses, hydrologic characteristics, public services, flood hazards, and the potential for levee and other flood control structural failures.
County of Yolo	To what extent could the direct and indirect loss of farmland and related revenues following implementation of the BDCP displace farm workers, disrupt social institutions such as schools, churches, and fire departments, and otherwise undermine the economic and cultural vitality of Clarksburg and other legacy towns in the Delta? This should include consideration of whether the charter school that recently opened in Clarksburg (following an extensive efforts by local residents) would remain viable.
Delta Farmer	Even though just 5% of Yolo County farming lies in the Delta, it generates more than 20% of this community's agricultural revenue. Not only are we helping to feed people, but we also pay property taxes in assessments on our farm land. So as tax and inputs in personal and corporate income taxes, too. We hire services and buy supplies from companies that help us fertilize, protect, harvest, and haul our crops. The people that help us grow our crops live on our farms. Many with their families. These farms are what make the Delta communities function.
Delta Protection Commission	Natural gas production will continue to be an important use of Delta resources. Structures needed for gas extraction should be consolidated to minimize displacement of agriculture and wildlife habitat.
Delta Protection Commission	Impacts associated with construction of transmission lines and utilities can be mitigated by locating new construction in existing utility or transportation corridors, or along property lines, and by minimizing construction impacts.
Delta Protection Commission	To minimize impacts on agricultural practices, utility lines shall follow edges of fields. Pipelines in utility corridors or existing rights-of-way shall be buried to avoid adverse impacts to terrestrial wildlife.

Table E-15. Preliminary Scoping Comments Related to Utilities and Public Services Concepts

Commenter	Comment
Delta Protection Commission	Pipelines crossing agricultural areas shall be buried deep enough to avoid conflicts with normal agricultural or construction activities.
Greene and Hemly	Increased traffic will make the roads more dangerous thereby increasing the numbers of accidents on these roads. How will the value of public safety and the value of local citizen's lives be calculated?
Member of Clarksburg Fire Protection District Board of Directors	Options 1 through 4, I have some major concerns relative to the negative impact they would have on the ability of the Clarksburg Fire Protection District to perform its function. Any flooding of our farm land that would prevent access for our emergency vehicles would be detrimental to the health and welfare of our citizens.
Member of Clarksburg Fire Protection District Board of Directors	...any flooding that would prevent access to our emergency vehicles anywhere in the Clarksburg District would be very detrimental to the folks who live here. We need access and we can't allow in any way flooding of the farmlands around that area. We have 331 farm units in the Clarksburg District. 243 of those are small farms, 50 acres or less, and quite a few of them are 20 acre farms. We owe these folks -- these farmers a duty of protection, and that's the Fire Protection District's job -- is to provide emergency access to medical care and fire prevention. We have on average 52 medical aid calls a year. About 26 vehicle related calls that's either accidents or fires of vehicles.
North Delta CARES	What is the impact of the proposed tidal marsh wetlands on the existing septic systems in the town of Clarksburg?
North Delta CARES	What is the impact of the proposed primary habitat restoration area(s) on the existing septic systems in the town of Clarksburg?
North Delta CARES	How are the schools which are an integral part of the historic Delta town of Clarksburg protected by the installation of a tidal marsh wetlands or primary habitat restoration area(s) anywhere in the area within 15 miles of the town of Clarksburg?
Resident of Clarksburg	The EIR must study the impacts on a myriad of community issues----including, but not limited to---- such issues as declining population----the effect of such a plan on schools, the existing community habitats, health, the existing environment, social activities---- including churches, scouting, fire services, libraries, police protection as well as community social activities.
Resident of Delta	If ring levees were built around these towns, there could also be disruption to traffic circulation, essential public safety services, degradation of air quality, etc., resulting in further depopulation.
Rio Vista City Council	...what is the impact [of the conveyance canal] on ...the gas lines and the electrical lines
San Francisco Bay Conservation and Development Commission	...the EIR/EIS should: (1) clearly show the location of any proposed new power lines in relation to the boundary of the Suisun Marsh; (2) identify any potential project-related impacts to wetlands in the Marsh and measures for mitigating these effects; and (3) provide a construction schedule for any work affecting wetland area in the Marsh.
San Joaquin County	A facility would....sever the impaired utilities...
Sheriff of San Joaquin County	...how this will affect our ability to enforce the laws, not only on the waterways, which there are quite a bit here in San Joaquin County...

Table E-15. Preliminary Scoping Comments Related to Utilities and Public Services Concepts

Commenter	Comment
Sheriff of San Joaquin County	I would like to see an evaluation of possibly how law enforcement is going to be able to continue its original mission. But if you are going to add additional responsibilities to this, how are we going to be able to meet those needs. Currently funding will not be available to do that in some steads.

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Table E-16. Preliminary Scoping Comments Related to Transportation Concepts

Commenter	Comment
California Department of Transportation	There are numerous State Highway System (SHS) facilities within the proposed BDCP planning area boundary. Caltrans' foreseeable project plans within the area boundary include improvements to State Route 4 in Contra Costa and San Joaquin Counties, State Route 12 in San Joaquin County, and State Route 84 in Solano County. As our agencies' plans progress, Caltrans will welcome any appropriate coordination of projects.
California State Lands Commission	The EIR/EIS should analyze the effect of the proposed project on the navigational easement right of the public.
Central Delta and South Delta Water Agencies	...the following effect/topics should be thoroughly analyzed...Navigation impacts.
City of Stockton	The effect of the BDCP on traffic circulation within Stockton needs to be evaluated.
Contra Costa County Public Works Department	The PWD requests that the EIR & EIS carefully analyze the potential impacts that any proposed water conveyance bypass system or conveyance modifications will have upon sediment accumulation in the western Delta, and the impacts that the additional sediment will have upon shipping routes, recreational uses, hydrologic characteristics, public services, flood hazards, and the potential for levee and other flood control structural failures.
Greene and Hemly	How will construction of the project affect traffic immediately adjacent to the project and to surrounding areas?
Greene and Hemly	How will traffic flows in the projects area be affected?
North Delta CARES	What is the impact of the Metropolitan Transportation Plan for 2035, adopted by SACOG, the Sacramento Area Council of Governments, on the project envisioned by the BDCP?
Rio Vista City Council	...what is the impact [of the conveyance canal] on the cross Delta transportation
San Joaquin County	A facility would....sever ...local road systems

Table E-17. Preliminary Scoping Comments Related to Recreation Concepts

Commenter	Comment
City of Stockton	Activities such as recreational boating, fishing, and bird watching could suffer as a result of changes in Delta water quality and quantity. Tourism could decline as well resulting in a loss of revenue to the City.
Contra Costa County Public Works Department	The EIR & EIS should analyze the potential effects of large-scale water diversions on agricultural, recreational, residential, industrial, and other business uses within the western portion of the Delta.
Contra Costa County Public Works Department	The PWD requests that the EIR & EIS carefully analyze the potential impacts that any proposed water conveyance bypass system or conveyance modifications will have upon sediment accumulation in the western Delta, and the impacts that the additional sediment will have upon shipping routes, recreational uses, hydrologic characteristics, public services, flood hazards, and the potential for levee and other flood control structural failures.
Delta Protection Commission	Support a scientifically-valid study of the carrying capacity of the Delta waterways for recreation activities without degradation of habitat values which minimize impacts to agriculture or levees.
Sheriff of San Joaquin County	...how this will...continue to make sure that the resort type recreational things are continued in the Delta...

Table E-18. Preliminary Scoping Comments Related to Regional Economic Concepts

Commenter	Comment
Association of California Water Agencies	Without a comprehensive delta fix, shortages will continue to ripple through the south lands economy causing water rates to rise, and effecting jobs, agriculture, construction and other economic activity.
Barsoom Inc	How do you plan to mitigate for loss of jobs, housing, infrastructure, livelihood for those who have lived in the area for generations
Bell Gardens Chamber of Commerce	The Bell Garden's Chamber of Commerce realizes the importance of the bay delta to be continued, to the continued economic vitality of the state and our community, and the preservation of the bay delta is upmost important to our region.
Bell Gardens Chamber of Commerce	Additional water supply shortage as a result of seismic activity, climate change, Court Order restrictions and environment needs would impose economic constraints on the already stressed businesses and residents of Bell Garden's.
Building Industry Association of Southern California	The states future and economic vitality is linked to a reliable high quality water system. That would require a sustainable plan in the delta that restores the eco-system and improves the water system now and into the future.
Building Industry Association of Southern California	Time is of the essence. The Department of Water Resources Bay Delta Conservation Plan must stick to its schedules so that a comprehensive plan is in place by the end of 2010. Without it we risk the states economy and the welfare of residents throughout California.
California Farm Bureau	Providing payments in lieu of taxes or local tax offsets to compensate losses of local tax revenues resulting in significant public acquisition of private owned lands.
California Farm Water Coalition	When we lose that supply of water that goes out, then our economy suffers.
California Farm Water Coalition	We've seen hundreds of jobs on the farms have already been lost, hundreds of thousands of acres have not been planted, and these job losses are year-round employment.
California Farm Water Coalition	We believe that agriculture creates a very important part of our economy. The ripple affect to the transportation, processing, retail industry, people are losing their jobs. More importantly, families are losing opportunities to live in a lot of these rural communities because of the economic impacts that they've encountered.
California Sportsfishing Protection Alliance	Economic considerations have been found by the courts to be illegal pursuant to Section 10 of the federal Endangered Species Act.
Central Delta and South Delta Water Agencies	...the following effect/topics should be thoroughly analyzed...Economic impacts which have the potential to result in adverse changes to the environment,
Delta Farmer	...the Delta is a vital and an economic engine in a beautiful region to have in Northern California. All of the distinct and unique communities that exist in the Delta continue to exist to support agriculture. Eliminate agriculture to restore native habitat, and you will create the following problems adjacent to and up wind from metropolitan areas like Sacramento. No property tax revenue. No economic production.

Table E-18. Preliminary Scoping Comments Related to Regional Economic Concepts

Commenter	Comment
Delta Protection Commission	Public agencies shall provide funds to replace lost tax base when land is removed from private ownership,
Delta Protection Commission	Multiple use of agricultural lands for commercial agriculture, wildlife habitat, and, if appropriate, recreational use, should be supported, and funding to offset management costs pursued from all possible sources. Public agencies shall provide funds to replace lost tax base when land is removed from private ownership.
Delta Protection Commission	Landowners, through reclamation districts, should pay a portion of levee maintenance costs. The overall citizenry of California and the United States that benefits from the state and federal water projects, commerce and navigation, travel, production of crops, recreation, and protection of fish and wildlife habitat should also pay a substantial portion of the cost of maintaining the Delta levees
Dublin San Ramon Services District	A reduction in reliable water supply will leave portions of the development plans unfinished and, more importantly, the income from that development will not be available to pay the bond debt already incurred by the communities to construct the necessary infrastructure. The result may well be a significant financial problem for these communities and hardship on their citizens.
Farmer in Clarksburg	Extrapolating those economic impacts to just our 17,000 acres of wine grapes, we create in excess of 11,000 full time equivalent jobs in California and an additional 13,500 jobs nationwide. This generates \$357 million in California wages and almost \$900 million in wages throughout the USA. Taxes generated from our wine grape acres exceed \$107 million to the State of California and an additional \$64 million nationally. In excess of 700,000 visitors with tourism expenditures exceeding \$71 million are attributable to our 17,000 acres of grapes.
Farmer in Clarksburg	Extrapolating those economic impacts to just our 17,000 acres of wine grapes, we create in excess of 11,000 full time equivalent jobs in California, and an additional 13,500 jobs nationwide. This generates \$357 million dollars in California wages and almost \$900 million dollars in wages throughout the U.S.A. Taxes generated from our wine grape acreage exceed \$107 million dollars to the State of California, and an additional \$64 million dollars nationally. In excess of 700,000 visitors with tourism expenditures exceeding \$71 million dollars are attributable to our 17,000 acres of grapes.
Farmer in Turlock	If the State doesn't take action to restore and protect the Delta, the repercussions on the environment and the economy will be disastrous.
Greene and Hemly	Our concerns are generally economic and focused on what would be included in the BDCP Cost Benefit Analysis.
Greene and Hemly	The Peripheral Canal portion of the BDCP will require lots of rock, cement trucks and labor. Increased demand for these people and goods will affect their availability. What will that do to their market price? How will it affect companies using these goods not directly affiliated with the project?
Greene and Hemly	Will the inflationary price for these goods be considered as a cost of the project in the Cost Benefit Analysis?
Greene and Hemly	What would the inflationary pressure of the project be to the local economy?

Table E-18. Preliminary Scoping Comments Related to Regional Economic Concepts

Commenter	Comment
Greene and Hemly	Will the uncertainty of the projects anticipated benefits be included in the project's Cost Benefit Analysis?
Greene and Hemly	What will be the County and State costs for the additional wear and tear on the roads? Who will bear the costs for these additional repairs?
Helix Water District	The economy of California is dependent on the reliable water supply from Northern California, and we can no longer continue to believe that the delta will work in the future.
Inland Empire Economic Partnership	...we will continue to out perform the State economy as a whole, and Southern California's economy as a whole contributing quite a bit to the state in terms of tax revenues and general economic returns. And, water certainly given our climate, is a major concern to us and we look forward to your successes.
Los Angeles Area Chamber of Commerce	Our mission is to preserve the economic prosperity, and quality of life in Southern California. And, clearly water is a key to that.
Los Angeles Business Council	Considering the current affordability of affordable housing crisis in Los Angeles and the housing market as it stands right now, it's disconcerting to us that a multitude of current housing projects in Los Angeles County have been put on hold because there can not be a guarantee in water resources and water supply.
Member of Clarksburg Fire Protection District Board of Directors	Obtaining funds to build our firehouse has been a major obstacle. We cover an area of approximately 53 square miles. Dun & Bradstreet's Zapdata Database shows Clarksburg with 70 businesses; 29 of which are or support agriculture. These businesses provide employment for 540 employees or 41% of our population and about 44% of our income.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR should analyze the economic costs and benefits of water conservation and efficiency improvements to meet water supply needs, as well as identifying reasonable sources of funding to implement the BDCP..
Planning and Conservation League	Who would pay the costs, and (e.g., if funded according to the beneficiary-pays principle) would different conveyance configurations and operations indicate different cost-sharing partners?
Resident of Clarksburg	Loss of farmland in the delta will have ripple effects with ag equipment suppliers, truck dealers, seed suppliers, etc., where good paying stable jobs will be directly impacted and lost. How will this plan mitigate for the losses of those jobs?
Resident of Clarksburg	...loss of farmland in the Delta will have ripple effects with ag equipment suppliers, truck dealers, seed suppliers, etcetera, where good paying stable jobs will be directly impacted and lost. How will this plan mitigate the losses of those jobs?
San Diego Economic Corporation	Reduced bay delta water reliability will take a toll on San Diego's economy and competitiveness. It will also take a toll on the economy and compet[itiveness] of the entire state. If that is allowed to happen, reduced tax revenues will further strain already strapped state and local government resources and services.

Table E-18. Preliminary Scoping Comments Related to Regional Economic Concepts

Commenter	Comment
San Diego Regional Chamber of Commerce	We know it's critical to addressing environmental issues, but at the same time please don't lose fact that water reliability is critical for San Diego. Not just our economy but for the people that live here.
San Gabriel Valley Economic Partnership	Economic impacts resulting from our water shortage would be enormous on businesses and residents of the valley.
Speaker at Los Angeles Preliminary Scoping Meeting	And what was striking was the loss of about, to the economy that region represents 30% and I think that needs to be brought out in this study.
Speaker at Los Angeles Preliminary Scoping Meeting	But, we'll settle for eco-regions, something the public can identify with. With this climate change going on and it is an eco-region thing, it's an international eco-region, it's from forest to ocean and I think this needs to be brought into that category. There are groups that are conscious of this but on an end for this particular project was just so critical to California they're not. You need to start lumping water and energy together so I think you can get some public support in this.
Speaker at San Jose Preliminary Scoping Meeting	When you look at that agriculture consuming 85% of the water produces about 3% of the state GDP, when you're looking at this valley here that is driving the economy of the state that is the sixth largest economy in the world, there's just something wrong.
Valley Industry and Commerce Association	VICA would also suggest that you consider economic impacts as we move forward.
Wilson Farms and Vineyards	What is the financing structure going to be for all phases of the proposed physical and management changes from the BDCP Plan?

Table E-19. Preliminary Scoping Comments Related to Flood Management Concepts

Commenter	Comment
Building Industry Association of Southern California	...reliability can not be achieved without the BDCP addressing rising sea levels in the delta and the rising risk of catastrophic levee failures due to flooding or seismic events.
California Farm Bureau	In addition, the BDCP EIR/EIS should also consider and address potential adverse seepage and downstream flooding effects associated with potential restoration of Delta lands for habitat use.
Central Delta and South Delta Water Agencies	...the following effect/topics should be thoroughly analyzed...Impacts on the integrity of existing levees within the Delta from the construction and operation of any isolated facility or other facilities.
City of Stockton	The isolated conveyance facility would intersect several eastern streams and rivers which could impact their ability to handle flood flows.
City of Stockton	Money needed for the Delta conveyance facility could be diverted from existing programs, leaving fewer funds available for levee maintenance and repairs.
Contra Costa County Public Works Department	The PWD requests that the EIR & EIS carefully analyze the potential impacts that any proposed water conveyance bypass system or conveyance modifications will have upon sediment accumulation in the western Delta, and the impacts that the additional sediment will have upon shipping routes, recreational uses, hydrologic characteristics, public services, flood hazards, and the potential for levee and other flood control structural failures.
Contra Costa Water District	Canal levees are also subject to erosion from wind waves....Using rip-rap or other means to resist the action of wind waves will increase head losses along the canal, resulting in larger cross-sections and larger environmental impacts.
Contra Costa Water District	Flooding of an island upon which a canal is constructed will subject the external canal levees to wave action, erosion and seepage. A levee break on a river near a canal will subject the canal to potential failure from the erosive forces of the floodwaters filling the island. Either situation will potentially disable all supplies through the canal for an extended period.
County of Sacramento	It will be imperative that any analysis of alternatives for the Bay Delta Conservation Plan include specific attention to the potential impacts locally to water surface elevations and flood protection to these Delta areas and communities resulting from the project....Alternatives which may include strengthening of existing levees or construction of new levees or conveyance structures must consider and incorporate measures to ensure that such improvements do not result in the creation of "weak points" in the system in other levees as the project facilities are improved.
County of Sacramento	The project alternatives must consider the dual function of the Delta as both a water supply and flood control system which has local as well as regional importance and ensure that both the functions and integrity of both systems are not compromised.
County of Yolo	To what extent will habitat restoration projects require the changes to existing levee systems, potentially reducing the level of flood protection enjoyed by residents, businesses, and agricultural lands?

Table E-19. Preliminary Scoping Comments Related to Flood Management Concepts

Commenter	Comment
County of Yolo	How will the BDCP be integrated with the preparation of the Central Valley Flood Protection Plan? To what extent could it impair the timely completion of the plan or conflict with other public and private efforts to increase (or restore) the level of flood protection afforded by Delta levees?
County of Yolo	As noted above, the EIR/EIS should review the extent to which existing levees and related infrastructure may need to be altered to accommodate habitat restoration projects and other components of the BDCP. In particular, to the extent such changes reduce the level of protection afforded to residents, businesses, and agricultural land in the Delta (or elsewhere), the EIS/EIR should document these potential impacts and thoroughly explore all feasible mitigation measures.
Delta Protection Commission	Local governments shall ensure that Delta levees are maintained to protect human life, to provide flood protection, to protect private and public property, to protect historic structures and communities, to protect riparian and upland habitat, to promote interstate and intrastate commerce, to protect water quality in the State and federal water projects, and to protect recreational use of the Delta area.
Delta Protection Commission	Levee maintenance, rehabilitation, and upgrading should be established as the first and highest priority of use of the levee.
Delta Protection Commission	Levee maintaining agencies and fish and wildlife agencies should continue to cooperate to establish appropriate vegetation guidelines.
Delta Protection Commission	Materials dredged from Delta channels should, if feasible, be stored at upland sites for reuse for levee maintenance and repair, and other feasible uses in the Delta.
Delta Vision Blue Ribbon Task Force	The BDCP should explicitly address the level of flood protection required for ecosystem protection, for the protection of water conveyance systems, and assess how its projects impact non-ecosystem levees and human uses of the Delta.
Farmer in the South Delta	...if Delta agriculture goes out of business, and the primary maintainers of Delta levees, and that would have to cease then and the levees would become abandoned.
Los Angeles Area Chamber of Commerce	Reliability cannot be achieved without the BDCP addressing rising sea levels in the Delta and the rising risk of catastrophic levee failures due to flooding or seismic events.
North Delta CARES	What is the impact of the project envisioned by the BDCP on current flood protection measures throughout the Delta?
North Delta CARES	If the issue following Hurricane Katrina is flood protection, dredge and rebuild the existing Yolo Bypass.
North Delta Water Agency (Downey Brand LLP)	The BDCP should place a stronger focus on measures to protect and improve Delta levees, including a greater role in flood management planning.
Reclamation District 999	Instead, the BDCP should focus on other, more measured alternatives to improving passage of northern Delta floodwaters and enhancing habitat. One less invasive approach to controlling floods would be to improve the efficiency of the Yolo Bypass.
Reclamation District 999	If any additional seasonal floodways in the north Delta are deemed of critical importance, they should be located in narrow, targeted areas away from acreage that is planted in high-value permanent crops, such as grape vines.

Table E-19. Preliminary Scoping Comments Related to Flood Management Concepts

Commenter	Comment
Resident of Clarksburg	Since a stated results of the proposed action is to create "tidal" wetlands where there were none, the potential impact on present flood zones and flood protection measures (levees, drainage, bypass basins, etc.). The shift of tidal waters upriver to where there were none would be expected to significantly raise the risk of flooding for such communities as Davis, West Sacramento and Stockton plus a host of smaller communities.
Resident of Clarksburg	How will the increase in number and concentration of tunneling and burrowing animal species that will derive from the increased available habitat effect infrastructure in and around the edges of the Delta?
Resident of Clarksburg	...I didn't see anything about levees, which sort of tie into preserving the farmland and the people's homes, and sort of what goes on around here. And -- and I'm concerned, because I live on the levee, and I really appreciate the efforts of those folks from State Water Resources Board to drive around trying to take care of our levees.
Resident of Courtland	How will flood control and drainage be impacted within Reclamation Districts where wetlands are created?
San Joaquin County	A facility....would create significant flood dangers to agricultural
San Joaquin Farm Bureau Federation	When farmers can no longer be the primary maintainers of non-urban levees will the BDCP proposal provide levee maintenance by some other designated entity, or will those levees be abandoned so that the Delta channel system converts to an open water bay?
Sheriff of San Joaquin County	..how this will affect our ability to...responsible when there is levee failures.
Wilson Farms and Vineyards	How will the increase in number and concentration of tunneling and burrowing animal species that will derive from the increased available habitat affect infrastructure in and around the edges of the Delta?

Table E-20. Preliminary Scoping Comments Related to Groundwater Concepts

Commenter	Comment
California Farm Bureau	In addition, the BDCP EIR/EIS should also consider and address potential adverse seepage and downstream flooding effects associated with potential restoration of Delta lands for habitat use.
California Native Plant Society Santa Clara Valley	Will loss of underflow increase island subsidence?
Central Delta and South Delta Water Agencies	...the following effect/topics should be thoroughly analyzed...Seepage impacts on lands within the Delta from the construction and operation of any isolated facility or other facilities.
Contra Costa Water District	Earthen canals leak, both into and out of the canal.
Morada Area Association	Our area overlays a large cone of depression under the Northeastern San Joaquin Groundwater Basin. We all rely on wells...
Morada Area Association	Such a plan [dual conveyance] will facilitate the eventual destruction of our groundwater basin by salt and heavy metal/arsenic contamination.
North Delta CARES	What is the impact of the proposed primary habitat restoration area(s) on the existing domestic water wells in the town of Clarksburg?
North Delta CARES	What is the impact of the proposed primary habitat restoration area(s) on the ground water levels in the town of Clarksburg?
Planning and Conservation League	Upstream impacts that should be considered in development of the EIR/EIS on the BDCP include: The potential for changed management of groundwater resources (e.g. the Tuscan Aquifer)
Resident of Clarksburg	Also analyzed should be the specific impact of this flooding on adjacent groundwater hydrology with specific attention to residential and fire source water.
Resident of Courtland	How will seepage from the new channel be evaluated and mitigated?
Resident of Courtland	What will be the seepage impacts where wetlands are created and what will it cost for mitigation?
Resident of Courtland	What will be the cost for seepage mitigation?
Resident of Walnut Grove	Northern California is in a drought situation. The water level in our slough is becoming very low which is beginning to affect our irrigation pumps for sand/mud is getting sucked up along with the river water for field irrigation. The Sacramento River's low water table also affects our ground water.
Speaker at Chico Preliminary Scoping Meeting	...especially because we have unknowns up here with our aquifer, with our water supplies, with the potential direction of our economy up here and, you know, what kind of out sources we're going to need to respond to our future demands. How would you fund or (unintelligible) this project fund, the research that will be needed to assure us that more solutions aren't coming at the risk...

Table E-20. Preliminary Scoping Comments Related to Groundwater Concepts

Commenter	Comment
Speaker at Chico Preliminary Scoping Meeting	If more state ground waters become a portion of this statewide water supply then either three increased conveyance capacity or as a substitute for un-devoted surface water, then we need to look at what would be the impacts on the ground water systems up here.
Speaker at Chico Preliminary Scoping Meeting	We have growing ground water depressions under the city of Chico and under Durham in 2006 they noticed for the first time. So this is a stressed community system, and if this ground water source which is going to affect spring run salmon streams is intended to be used as a substitute for service water that can no longer be devoted, that's really inputting impact.
Yolo Natural Heritage Program	Surface water transfers have the added potential to adversely impact local groundwater basins.

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Table E-21. Preliminary Scoping Comments Related to Sediment Concepts

Commenter	Comment
California Native Plant Society Santa Clara Valley	If a Bay Delta bypass conduit is designed to accommodate the requested 15,000 cfs by water user agencies a modeling of estuary needs to be done in order to assess extent of impacts on historic estuary functions. i.e. An analysis of capability of diminished winter flows to carry Delta sediment through Bay and out Golden Gate would be an essential study, and please use research by U.C. Davis's Professor Krone, as South Bay Salt Pond Restoration scientific sediment transfer studies do not seem to be holding up under actual conditions. To what degree will sedimentation of Bay be accelerated?
Contra Costa County Public Works Department	The PWD requests that the EIR & EIS carefully analyze the potential impacts that any proposed water conveyance bypass system or conveyance modifications will have upon sediment accumulation in the western Delta, and the impacts that the additional sediment will have upon shipping routes, recreational uses, hydrologic characteristics, public services, flood hazards, and the potential for levee and other flood control structural failures.
Contra Costa Water District	By diverting a large fraction of the flow on the Sacramento River, the canal will remove a similar fraction of the sediment and nutrient load, potentially effecting turbidity and nutrients within the Delta....Any changes to turbidity and nutrients should be fully evaluated and disclosed, with proposed mitigation measures...
San Francisco Bay Conservation and Development Commission	We request that the EIR/ EIS include analysis of sediment dynamics throughout the whole system, including potential impacts on the Bay.

Table E-22. Preliminary Scoping Comments Related to Seismic Concepts

Commenter	Comment
Central Delta and South Delta Water Agencies	...the EIS/EIR's analysis should thoroughly examine the likelihood of such a magnitude earthquake near all of the Project's major export facilities...
Contra Costa Water District	An unlined canal crossing liquefiable soils will be subject to failure in seismic events and allow disruption of vital water supplies for long periods. The EIR/EIS must fully evaluate and disclose these impacts..
Contra Costa Water District	Since the conveyance facility will likely be crossing liquefiable soils in a seismically active region, seismic stability is a key issue. A pipeline, or a series of pipelines, would reduce risk of failure and shorten the time period the facility would be out-of-service for repair following a seismic failure in comparison to an open canal built of earthen levees.
Contra Costa Water District	The existing Delta levees are currently being evaluated for risk to seismic events as part of the Delta Risk Management Strategy. Given the potential risk, it is difficult to justify building another 80 miles of levees associated with an unlined canal (the embankments) on top of liquefiable soils. Removal, replacement, and compaction of those soils, along with the cost of damage to existing drainages and associated land uses are likely to make a pipeline cost-effective compared to a properly designed canal capable of providing a secure water supply.
Los Angeles Area Chamber of Commerce	One of the issues that we want to make sure gets addressed is the issue of seismic stability in the delta
Metropolitan Water District of Southern California	BDCP alternatives should address the seismic safety of Delta levees and the potential for seismically-induced levee failures and associated flooding impacts.
Resident of Clarksburg	...the other question I understood tonight by listening, that the concerns of a seismic event were almost imperative. The fact of the matter is I don't believe there's ever been a seismic event here in the Delta, and I would like to know where that information comes from.

Table E-23. Preliminary Scoping Comments Related to Potential Risk from Mosquitoes Concepts

Commenter	Comment
County of Yolo	The EIR/EIS should also consider potential human health effects, including but not limited to increased incidence of the West Nile Virus, which could result from the introduction of significant new wetlands habitat near Clarksburg and other urban areas.
Delta Farmer	Increased mosquito pressure, what is now Bird Flu, and virulent encephalitis, malaria, and other insect pressures...pirate bug has become particularly obnoxious to our quality of life. Spore a grain of rice and it fills every nook and cranny when it flies.
Delta Protection Commission	Seasonal flooding should be carried out in a manner so as to minimize mosquito production.
Family in Clarksburg	What would happen to the mosquito population if this gigantic marsh was created? Would there be enough fish to eat the mosquito larvae? Would the incidence of West Nile Virus increase in the Sacramento area? What threshold of the incidence of West Nile Virus must be met before spraying the marsh would begin? What impact would such spraying have on the environment and the people still living in the delta?
North Delta CARES	Will there be an increase in mosquito population because of the installation of a tidal marsh wetlands or primary habitat restoration area(s) anywhere in the area within 15 miles of the town of Clarksburg?
North Delta Water Agency (Downey Brand LLP)	The EIR/EIS should address potential impacts to human health. The habitat creation projects that have been proposed during the BDCP process include the creation of artificial marsh areas. Marshes frequently make productive breeding areas for mosquitoes and, as a result, may increase the potential for diseases including the West Nile virus..
Resident of Clarksburg	If West Nile Virus increases in this area, it is expected to have significant impacts on native birds. How are these impacts analyzed and mitigated for?
Resident of Clarksburg	Creating a shallow water refuge in our area would be tantamount to creating a West Nile Virus incubator, affecting the entire Sacramento Valley, not just Clarksburg. If you propose to eradicate the anticipated mosquito population with 'Evergreen Crop Protection EC 60-6', the current broad spectrum pesticide being used by the vector control agencies, then you will be killing all of the insects in the 'refuge,' beneficial or otherwise; and that would eliminate the food source of the purported reason for the project, the Smelt.
Resident of Clarksburg	Building a shallow water refuge here is paramount to creating an incubator for West Nile Virus. And that would infect the entire Sacramento Valley, not just little Clarksburg. Um -- if the proposal is to eradicate the mosquitoes that will come with that water, using the -- uh -- what is it the Evergreen 60-C that we're using now, that will also kill all the other insects, beneficial and otherwise. And the fish that we're trying to save, will die with no food. I urge you to reconsider using our area.
Resident of Clarksburg	How will public health and nuisances from increased insect populations be dealt with, especially considering prevailing wind patterns and proximity to small and large population centers?

Table E-23. Preliminary Scoping Comments Related to Potential Risk from Mosquitoes Concepts

Commenter	Comment
Resident of Courtland	As a spokesperson for the Sacramento-Yolo Vector Control District I am all too aware of the dangers lurking in standing water and flooded areas. The idea that limitless acres would deliberately be made breeding grounds for disease is unthinkable.
Resident of Courtland	I am in this wheelchair and have been since 2005 because of one mosquito bite. I contracted West Nile Virus. I will be paralyzed partially for the rest of my life. I can deal with that. What I can't deal with is having other people suffer the same fate.
Resident of Courtland	I spoke today with Vector Control. They have absolutely no idea of this entire project.
Resident of Walnut Grove	Flooding our Clarksburg land will be devastating to both us and the environment:...Harming or even possibly killing humans due to the West Nile and other mosquito infestations.
SH Merwin & Sons, Inc	Eliminate agriculture to restore native habitat, and you will create the following problems adjacent to and upwind from metropolitan areas: no property tax revenue, no economic production, increased mosquito pressure (West Nile, bird flu, Malaria, etc.) and other insect pressures (the Minute Pirate Bug has become particularly obnoxious to our quality of life in last few years), putrid odors borne on the cooling Delta breeze that arise from lowlands as they dry out seasonally.
Wilson Farms and Vineyards	How will public health and nuisances from increased insect populations be dealt with, especially considering prevailing wind patterns and proximity to small and large population centers.
Yolo Natural Heritage Program	Effect of West Nile Vectors on human and avian populations

Table E-24. Preliminary Scoping Comments Related to Air Quality and Potential for Odors Concepts

Commenter	Comment
Delta Farmer	Putrid odors born on the cooling Delta breeze would arise from lowlands since they dry out seasonally. I know exactly what you have to expect and look forward to. I live 200 yards from the Yolo Bypass, and I live downwind from government owned, managed wetlands.
Resident of Clarksburg	Tidal marsh wetlands have significant odor problems, as anyone who has driven by one knows, which create objectionable and nuisance odors for the community. How will these be mitigated?
Resident of Clarksburg	...tidal marsh wetlands have significant odor problems as anyone who has driven by one knows. Thus create objectionable and nuisance odors for the community. How will these be mitigated?
Resident of Delta	What might be the effects of higher humidity caused by manufactured tidal marshes on local weather patterns, including for nearby urban areas? Please see Sacramento Bee, October 7, 2007 "No guarantees on Delta breeze - earthquake, flood could turn off our air conditioner, experts say" for the effect of new large bodies of water in the Delta on cooling breezes in the Sacramento area. This loss of cooling would increase A/C energy costs and have unforeseen impacts on public health, agricultural production, and terrestrial species in and near the Delta.
SH Merwin & Sons, Inc	Eliminate agriculture to restore native habitat, and you will create the following problems adjacent to and upwind from metropolitan areas: no property tax revenue, no economic production, increased mosquito pressure (West Nile, bird flu, Malaria, etc.) and other insect pressures (the Minute Pirate Bug has become particularly obnoxious to our quality of life in last few years), putrid odors borne on the cooling Delta breeze that arise from lowlands as they dry out seasonally.
SH Merwin & Sons, Inc	Detrimental impacts to neighbors such as increased insect or disease pressures, and seasonal odors need to be assessed. Also the economic impacts to agriculture adjacent to a project, such as spray buffers, potential hydrologic impacts such as increased seepage, and losses due to increased waterfowl feeding, need to be assessed and mitigated.
Speaker at Chico Preliminary Scoping Meeting	It would possibly include increased emissions if we have to pump more to draw ground water for agricultural, municipal and industrial supply.

Table E-25. Preliminary Scoping Comments Related to Climate Change Concepts

Commenter	Comment
Building Industry Association of Southern California	...reliability can not be achieved without the BDCP addressing rising sea levels in the delta and the rising risk of catastrophic levee failures due to flooding or seismic events.
California Sportsfishing Protection Alliance	Explain how the HCP will protect species from increased temperatures, salinity and sea level rises caused by global warming over the existence of the BDCP spanning the next fifty years.
California State Lands Commission	The EIR/EIS will consider alternatives for water conveyance through the Delta, and as part of the analyzes the EIR/EIS should identify desirable aquatic habitat sites and examine, for each alternative, how increased water flows, levels, and temperatures expected from recent climate change models may affect these sites.
Central Delta and South Delta Water Agencies	Impacts on all aquatic and terrestrial species must be examined, not just the BDCP covered species or other "listed" species.
Central Delta and South Delta Water Agencies	The forgoing measures to protect against an apocalyptic levee failure could also serve the additional benefit of protecting the Delta from reasonably anticipated sea level rise.
County of Yolo	What will the be the effect of global warming - and in particular, the potential for increased salinity levels in the Delta due to the rise of sea levels - on the Delta ecosystem if, among other things, freshwater flows are diverted....Could a sea level rise resulting from global warming, by itself, produce the same (or similar) degree of salinity fluctuations that are anticipated as a result of the BDCP? If so, could the combined effect of both global warming and implementation of a peripheral canal (or similar) option have serious environmental consequences?
Delta Vision Blue Ribbon Task Force	The BDCP should clearly state its assumptions regarding sea level rise and evaluate how it will address and respond to the enormous challenges of climate change and sea level rise over the course of plan implementation.
Los Angeles Area Chamber of Commerce	Reliability cannot be achieved without the BDCP addressing rising sea levels in the Delta and the rising risk of catastrophic levee failures due to flooding or seismic events.
Los Angeles Area Chamber of Commerce	One of the issues that we want to make sure gets addressed is... rising sea levels as it's related to climate change.
Meeting Attendee	The study cites the DWR model for potential sea level elevations. There are multiple models each stating different levels.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	DWR's analysis of climate change indicates that climate change is likely to increase water evaporation and could reduce total stream flows, and may make it difficult for the CVP and SWP to meet existing demands for water....Given the 50 year permit term under consideration in the BDCP, the EIS/EIR must anticipate reductions in he amount of stream flow available for export and delivery.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	The EIS/EIR must analyze the BDCP's impacts, with particular focus on: (1) global climate change...

Table E-25. Preliminary Scoping Comments Related to Climate Change Concepts

Commenter	Comment
North Delta CARES	How are the analysis, data, and conclusions of scientists who believe world and sea surface temperatures (e.g., Loehle & McCulloch, 2008) naturally change up and down over time consistent with the assumption that sea levels will rise thereby prompting a need for further flood protection in the Delta?
Planning and Conservation League	The EIS/EIR on the BDCP should include a comprehensive analysis of how conservation objectives can be met by project alternatives given the expected impacts of climate change, including: • changes in hydrology; • sea level rise; • the possible failure of multiple Delta islands; • changes in the extent and quality of important aquatic habitats (including level and frequency of inundation, water temperature, salinity, productivity, and food web dynamics); • changes in the extent and quality of important terrestrial habitats; • potential impacts on vital rates of Delta species (aquatic and terrestrial); and • potential shifts in species ranges of Delta species (aquatic and terrestrial)
Planning and Conservation League	How will various conveyance options reduce or exacerbate the impact of climate change on the water quality, timing and freshwater flow needs of aquatic species?
Planning and Conservation League	How would those diversion amounts differ under different climate change scenarios including differing levels of sea level rise, changed hydrology, and the possible loss of multiple Delta islands?
Planning and Conservation League	How will water quality at the various proposed intake locations, including an intake on the Sacramento River, be affected by differing levels of sea level rise, changed hydrology, and the possible loss of multiple delta islands?
Planning and Conservation League	How would different climate change scenarios affect functionality of pumps in the southern Delta?
Planning and Conservation League	What would it take to protect each conveyance option (including either a canal or pipeline) from the effects of differing levels of sea level rise, changed hydrology, and the possible loss of multiple delta islands?
Planning and Conservation League	What are the necessary flows including bypass and other flows, and diversion amounts consistent with ecosystem protection under various climate change scenarios, including differing levels of sea level rise, changed hydrology, and the possible loss of multiple delta islands?
Planning and Conservation League	To what degree are the answers to the questions below sensitive to future climate change scenarios? Are some conveyance configurations more resilient to climate change? How will each conveyance option impact the ability of California's aquatic species to adapt to and recover under climate change?
Resident of Clarksburg	And, since the proposed flooding will - you state - lead to prime agricultural land being flooded, the impact on the creation of "greenhouse gases" should be analyzed since such a land use change is the 2nd largest source of these gases throughout the world.
Resident of Clarksburg	The analysis of the above [flooding] should/must include sea water levels under current scientific review due to climate change over next 50-250 years; the worst case scenario should be used to assure public safety as such levels fluctuate over time.

Table E-25. Preliminary Scoping Comments Related to Climate Change Concepts

Commenter	Comment
Resident of Clarksburg	Are these the same model assumptions that they're using elsewhere throughout the state? There's several of them. Which one is the right one? DWR has about a 16-inch model assumption if the earth continues to warm. And even that model is suspect. There's a lot of folks that say that it's not warming. So here we are fixing to create a policy that is going to go and stretch out 50 years beyond, out to 100 years? When I was in high school, I remember one of my teachers telling us that the best thing we could do for mankind is figure out how to stop global cooling.
Resident of Clarksburg	...I'm just concerned, sort of with the notion of, well, it's all about global warming, or is it global cooling, or -- you know -- what's the flavor of the decade.
San Francisco Bay Conservation and Development Commission	It should include analysis of climate change impacts, including the potential impact of sea level rise.
Speaker at San Jose Preliminary Scoping Meeting	...the biggest problem that you're going to run into is what we call exigent circumstances, not just political, but weather induced by global warming.
Tuolumne County	How will advancing BDCP goals and objectives impact the statewide hydroelectric generation infrastructure?

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Table E-26. Preliminary Scoping Comments Related to Energy Use and Greenhouse Gas Emission Concepts

Commenter	Comment
California State Lands Commission	Greenhouse gas emissions information consistent with the California Global Warming Solutions Act (AB 32) should be included in the EIR/EIS.
Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute	Reducing exports from the Delta may significantly reduce the amount of energy used by the CVP and SWP, and thereby reduce the Projects' greenhouse gas emissions. The BDCP should analyze other actions that can be included in the BDCP to reduce greenhouse gas emissions and/or sequester carbon, such as the planting of tules and wetlands restoration.
Sacramento Regional County Sanitation District	The energy and greenhouse gas impacts of pumping from the Delta and subsequent pumping along the conveyance alignment must be evaluated, along with all energy and greenhouse gas impacts of all aspects of the BDCP alternatives
SH Merwin & Sons, Inc	With the increasing desire for alternative fuels, perhaps there are some potential scenarios that could prove to be mutually beneficial to farmers and the ecosystem. Has anybody studied the possibility of using Tules for biomass (cellulosic ethanol production, for instance)? Perhaps a rotational system of growing and harvesting tules might be established that would be economically viable for farmers, while producing desired benefits for the water. This is one of very few scenarios that I could envision any serious "reversion" of farmland outside of the bypass.
Tuolumne County	With regard to the Tuolumne Public Power Agency (TPPA), it is imperative that the draft EIR/EIS take into consideration the County of Tuolumne's First Preference Power allocation stemming from New Melones Dam, and that any continued or new management strategies must have no negative impact on the County's power allocation or cost of power to our citizens.

Table E-27. Preliminary Scoping Comments Related to Secondary Growth Concepts

Commenter	Comment
California Water Impact Network	the EIS/EIR should identify growth-inducing impacts from continued and ever-increasing Delta exports to central and southern California, including the possibility of agriculture to urban water transfers,
Central Delta and South Delta Water Agencies	...the following effect/topics should be thoroughly analyzed...Growth-inducing impacts.
North Delta Water Agency (Downey Brand LLP)	The EIR/EIS should also review the numerous secondary environmental effects that will be caused by the conversion of agricultural land. As one example, to the extent that the proposed projects will convert agricultural land, they will also reduce the amount of food grown and consumed locally within and adjacent to the Delta. As a substitute supply, more food will need to be transported into neighboring communities...More fossil fuels will be consumed in transporting food, which will in turn increase air emissions in areas that are already in nonattainment.
North Delta Water Agency (Downey Brand LLP)	Exported water from the Projects will be used by CVP and SWP contractors to supply water for new development ...The Supplemental EIR must disclose and evaluate the impacts, direct, indirect and cumulative, of growth induced by Project exports.
Speaker at Chico Preliminary Scoping Meeting	I just want to dovetail a little bit on, in the part of the project as it goes forward that it has to do with establishing a water reliability and the movement of water, you know, south. That the growth inducing impact creating environments or communities that are going to be dependent on this water is going to create a never dependent need. And I really want to make sure that that's taken into account because that available water might not always be possible, and then there's, we've created this expectancy that this is going to be moving down there and not necessarily gonna be feasible.
Speaker at Chico Preliminary Scoping Meeting	What would be the growth inducing impacts of those increases in water supply?

APPENDIX F

LIST OF COMMENTERS

The list of agencies, stakeholders, and individuals that provided written and verbal comments is presented in Table F-1 alphabetically by affiliation. Individuals that indicated an association with an agency or stakeholder group were identified with that affiliation in Table F-1.

Some individuals provided comments without an indication of a specific affiliation. If those commenters identified themselves in the comment with a specific association, such as "farmer in the Delta," that representation was included in Table F-1. If the commenter only provided an address, such as Sacramento, without any association or affiliation, the commenter was identified in Table F-1 as a "resident of Sacramento." Several commenters provided comments affiliated with an agency, multiple agencies, or stakeholders, and comments without an indication of specific affiliations. Some commenters at Preliminary Scoping Meetings did not provide names and were identified by the location of the meeting.

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Table F-1. List of Commenters

Commenter	Affiliation
Walt Wadlow	Alameda County Water District
Shauna Lorance	American River Water User Group
Glen Peterson	Association of California Water Agencies
Mark Weston	Association of California Water Agencies
Charles Anderson	Association of California Water Agencies
Stephen Barsoom	Barsoom Inc
Dennis R. Grizzle	Bell Gardens Chamber of Commerce
Faith Picking	BIOCOM
Warren Bogle	Bogle Vineyards
July Center	Building Industry Association of Southern California
Barbara Valmis	Butte Environmental Council
Sam Olivito	California Contract Cities Association
Steve Shaffer	California Department of Food and Agriculture
Mike Zanolli	California Department of Public Health
Betty Miller	California Department of Transportation
Justin El Fredrickson	California Farm Bureau
Mike Henry	California Farm Water Coalition
Libby Lucas	California Native Plant Society Santa Clara Valley
Bill Jennings	California Sport Fishing
Bill Jennings	California Sportsfishing Protection Alliance
Gail Newton	California State Lands Commission
Jay R. Sorensen	California Striped Bass Association
Dave Hurley	California Striped Bass Association, Stockton Chapter
Dorothy Green	California Water Impact Network
Carolee Krieger	California Water Impact Network
Donald R. Kendall	Calleguas Municipal Water District
Curtis W Swanson	Central Contra Costa Sanitary District
Dante John Nomellini Jr.	Central Delta Water Agency
Phillip L. Harrington	City of Antioch
Sam Pedroza	City of Claremont

Table F-1. List of Commenters

Commenter	Affiliation
Randy Werner	City of Livermore
Mark J. Madison	City of Stockton
Mark Pruner	Clarksburg Fire Protection District
Chris Campbell	Coalition for Environmental Protection Restoration and Development
Tovey Giezentanner	Conaway Preservation Group
Julia R. Bueren	Contra Costa County Public Works Department
Greg Gartrell	Contra Costa Water District
Michael L. Peterson	County of Sacramento
D Chamberlain & M McGowan	County of Yolo
Gary W. Darling	Delta Diablo Sanitation District
Jeff Merwyn	Delta Farmer
Linda Fiack	Delta Protection Commission
Phillip L. Isenberg	Delta Vision Blue Ribbon Task Force
Anson B. Moran	Delta Wetlands Project
	District Representative for Congressman Mike Thompson
Bert Michalczyk	Dublin San Ramon Services District
Sue Stevenson	Dublin San Ramon Services District
Dan Gallagher	Dublin San Ramon Services District
Jon A. Myers	East Bay MUD
William T. Hetland	El Dorado County Water Agency
Laura Schneider	Family in Clarksburg
Gary Merwin	Farmer in Clarksburg
Stephen F Heringer	Farmer in Clarksburg
Tim Waites	Farmer in Clarksburg
Alex Hildebrand	Farmer in the South Delta
Randy Theorini	Farmer in Turlock
Rini Venturini DiMare	Friends of Clarksburg Library
Theresa Harvey	Fullerton Chamber of Commerce
Matthew Hemly	Greene and Hemly
Mark Weston	Helix Water District
Mike Orcutt	Hoopa Valley Tribal Council

Table F-1. List of Commenters

Commenter	Affiliation
Gregory Wright	Inland Empire Economic Partnership
Jacqueie Ellis	Irvine Chamber
Lisa Bailey	Irwindale Chamber of Commerce
Kate Klimow	KB Home
Jim Beck	Kern County Water Agency
Gary Howarth	La Verne Chamber of Commerce
Gary Toebben	Los Angeles Area Chamber of Commerce
Alex Pugh	Los Angeles Area Chamber of Commerce
Michelle Garakian	Los Angeles Business Council
Amanda Beck	Meeting Attendee
Jane Klotz	Meeting Attendee
Harold C. Shipley	Member of Clarksburg Fire Protection District Board of Directors
Delaine W. Shane	Metropolitan Water District of Southern California
Dennis Majors	Metropolitan Water District of Southern California
Steve Arakawa	Metropolitan Water District of Southern California
Andrea Wagg	Montebello Chamber of Commerce
William Van Amber Fields	Morada Area Association
Darcy Burke	Municipal Water District of Orange County
Katherine Poole, Kim Delfino, Ann Hayden	Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund
Dough Obegi, Kim Delfino, Ann Hayden, Gary Bobker	Natural Resources Defense Council, Defenders of Wildlife, Environmental Defense Fund, The Bay Institute
Mark Pruner	North Delta CARES
Adam Marshall	North Delta CARES
Kevin M. O'Brien	North Delta Water Agency (Downey Brand LLP)
Scott Miller	Northern California Chapter of the Federation of Fly Fishers
L. Ryan Broddrick	Northern California Water Association
Sue Varty	Olivenhain Municipal Water District
Lucy Dunn	Orange County Business Council
Bob Mueller	Orange County Taxpayer's Association
Amy L. Glad	Pardee Homes

Table F-1. List of Commenters

Commenter	Affiliation
Roger Hartter	Pico River Chamber of Commerce
Barbara Byrne	Planning and Conservation League
Jonas Minton	Planning and Conservation League
Joyce Pylman	Pylman Vineyards
	Rancher in Fresno
David A. Forkel	Reclamation District 2025 (Holland Tract)
David A. Forkel	Reclamation District 2026 (Webb Tract)
David A. Forkel	Reclamation District 2028 (Bacon Island)
David A. Forkel	Reclamation District 756 (Bouldin Island)
Bob Webber	Reclamation District 999
Stephen Heringer	Reclamation District 999
Bob Webber	Reclamation District 999
Kathy Mannion	Regional Council of Rural Counties
Lisa Rivas	Regional Legislative Alliance
Andrew Wallace	Resident of Clarksburg
DJ Andriessen	Resident of Clarksburg
Don Fenocchio	Resident of Clarksburg
Father Dan Madigan	Resident of Clarksburg
Herbert F. Heffner	Resident of Clarksburg
Jerry Spain	Resident of Clarksburg
Kathy Hunn	Resident of Clarksburg
Martin Hill	Resident of Clarksburg
Mark Wilson	Resident of Clarksburg
Peggy Boehl	Resident of Clarksburg
Peter Stone	Resident of Clarksburg
Chuck Long	Resident of Contra Costa County
Jayne Alchorn	Resident of Courtland
Russell E. van Loben Sels	Resident of Courtland
Topper van Loben Sels	Resident of Courtland
Mary McTaggart	Resident of Delta
Dale Meyers	Resident of Livermore

Table F-1. List of Commenters

Commenter	Affiliation
Jeanne Turner	Resident of Merrit Island
Jackie Collins	Resident of the Delta
Debbie Kuhagen	Resident of Walnut Grove
Spreck Rosekrans	Restore Hetch Hetchy
Mike Robinson	Restore The Delta
Jan Vicki	Rio Vista City Council
Russell van Loben Sels	Sacramento County Farm Bureau
Wendell Kido	Sacramento Regional County Sanitation District
Eric Larson	San Diego County Farm Bureau
Fern Steiner	San Diego County Water Authority
Tom Warnum	San Diego Economic Corporation
Ruben Barrales	San Diego Regional Chamber of Commerce
Jessica Hamburger	San Francisco Bay Conservation and Development Commission
Katie Gagnon	San Gabriel Valley Economic Partnership
Mel Lidel	San Joaquin County
Deeanne M. Gillick	San Joaquin County and San Joaquin County Flood Control and Water Conservation District
Joe Valente	San Joaquin Farm Bureau Federation
Andrew Gear	San Jose Water Company
Shauna Lorance	San Juan Water District
Jeff Merwin	SH Merwin & Sons, Inc
Eric Wedemeyer	Shasta County Water Agency
Steve Moore	Sheriff of San Joaquin County
John Herrick	South Delta Water Agency
Alex Hildebrand	South Delta Water Agency
Joan Anderson Dym	Southern California Water Committee
	Speaker at Chico Preliminary Scoping Meeting
Marty Dunlap	Speaker at Chico Preliminary Scoping Meeting
Susan Strong	Speaker at Chico Preliminary Scoping Meeting
MP Albertini	Speaker at Clarksburg Preliminary Scoping Meeting
Joyce Dillard	Speaker at Los Angeles Preliminary Scoping Meeting
Bruce Lechevsi	Speaker at San Jose Preliminary Scoping Meeting

Table F-1. List of Commenters

Commenter	Affiliation
William Garbet	Speaker at San Jose Preliminary Scoping Meeting
Dante John Nomellini	Speaker at Stockton Preliminary Scoping Meeting
Woody Alspaugh	Speaker at Stockton Preliminary Scoping Meeting
Bill Worrell	Sportsmen's Yacht Club
Frances Mathews	Stakeholder
Laura King Moon	State Water Contractors
Dorothy Rice	State Water Resources Control Board
Jeanne M. Zolezzi	Stockton East Water District
Robert Burness	Stone Lakes National Wildlife Refuge Association
Richard H. Pland	Tuolumne County
Nova Blazej	U.S. Environmental Protection Agency
Beatrix Treiterer	US Fish and Wildlife Service
Brendon Huffman	Valley Industry and Commerce Association
Debra Chan	Wallace Chan Farms
Sam Olivito	Western Carwash Association
Erin Field	Western Growers
Robert Cundie	Wheeler Ridge-Maricopa Water Storage District
George Capello	Wheeler Ridge-Maricopa Water Storage District
Judy Roland	Wilderness Society
Kenneth Wilson	Wilson Farms
Mark Wilson	Wilson Farms and Vineyards
Mike McGowan	Yolo County Board Supervisor
Maria Wong	Yolo County Habitat/Natural Community Conservation Plan
Helen M Thomson	Yolo Natural Heritage Program
Maria Wong	Yolo Natural Heritage Program
Ernest Connant	Young, Woolridge Law Firm - represent San Joaquin Valley districts
G F Duerig	Zone 7 of Alameda County Flood Control and Water Conservation District
Jill Duerig	Zone 7 of Alameda County Flood Control and Water Conservation District
Vincent Wong	Zone 7 of Alameda County Flood Control and Water Conservation District