SOLANO COUNTY WATER AGENCY

July 18, 2014

Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff:

These are comments from the Solano County Water Agency (SCWA) on the Public Draft Bay Delta Conservation Plan (BDCP) EIR/EIS.

The SCWA provides a wholesale water supply to cities, special districts and State agencies in Solano County. Our agency boundaries include all of Solano County including parts of the legal Delta. We serve a population of over 300,000 with water from the North Bay Aqueduct (NBA) of the State Water Project. Since the NBA pumps water directly from the Delta, SCWA has a longstanding interest in the Delta to ensure that we can provide sufficient amounts of high quality water to our cities.

SCWA is also the lead on the Solano Multispecies Habitat Conservation Plan (Solano HCP) that is under development. We have interests in how BDCP impacts our NBA water supply, the Solano HCP, Delta agricultural diverters and local point and non-point dischargers.

We appreciate the changes made to the Public Draft EIR/EIS from our comments on the Administrative Draft EIR/EIS on consistency with the Solano HCP.

In general, we find that the Draft BDCP EIR/EIS is deficient and needs revisions regarding water quality impacts to the NBA and other areas identified in this letter. We object to approval of the BDCP with the current deficient EIR/EIS. However, if the EIR/EIS is revised to become legally adequate, then many of SCWA's environmental concerns would be mitigated or lessened.

A general comment pertains to how the North Bay Aqueduct Alternate Intake Project (AI) is referenced in the Draft BDCP. The AI project is independent of BDCP, but must be referenced in the BDCP documents because, if implemented, it will become part of the State Water Project and is in the same geographical area of BDCP. The AI project has its own EIR and separate permitting process. Where there is overlap with BDCP is in the operations of the AI project. Since the intake locations of the AI project and BDCP are in the same part of the Delta, the AI project will be operated in coordination with BDCP tunnels. In other words, whatever the limitations on pumping for the BDCP tunnels are, the AI project will be included in that limitation. Additionally,

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the BDCP documents should not take any credit for any environmental benefits of the AI project since the AI project is not a conservation measure in BDCP and we have not yet determined if we are going fund the AI project, so its implementation is uncertain. Any environmental benefit from the AI project is illusory, thus cannot be counted as mitigation.

Another general comment pertains to how the Solano HCP relates to BDCP. We see no major conflicts between the two Plans (assuming Alternative 4). However close coordination during implementation of both Plans will be necessary to ensure there are no future conflicts and to maximize environmental benefits of both Plans. We also suggest that BDCP use the most up to date environmental data that is included in the Solano HCP for the Delta area, especially our detailed vernal pool data.

In Chapter 8, increases in Bromide and Organic Carbon at the North Bay Aqueduct are identified as an unavoidable significant adverse impact. The EIR/EIS does not identify adequate mitigation measures. Appendix 3B, provides a "pledge" that BDCP will mitigate these types of significant and unavoidable impacts through subsequent agreements, with several conditions. Since such agreements are not in place at the time of the comment period, SCWA cannot consider these prospective agreements a valid mitigation measure. SCWA is interested in exploring possible agreements to address the significant adverse water quality impacts.

Attached are some detailed comments.

We have coordinated our review of BDCP documents with Solano County, Reclamation District No.2068 and the Suisun Resource Conservation District. Their comments raise other local concerns that we share and those comments are important to address.

If you have any questions, please contact me at 707 455-1103 or dokita@scwa2.com

Sincerely,

David Okita, General Manager

Solano County Water Agency Detailed Comments on 2013 Public Draft BDCP EIR/EIS

Chapter 1 – Introduction
Figure 1-2 incorrectly shows Putah South Canal as CVP
Figure 1A-2 – add Mellon levee as a Project Levee near Rio Vista
Figure 1A-4 Putah South Canal incorrectly shown as CVP

Chapter 3 - Description of Alternatives
Pg 3-17 Table 3-2 – NBA "Alternate" Intake Project not "Alternative"
Pg 3-25 Table 3-5 Operation of Alternative Intake- should this be "no Action" too?
Pg 3D -52 NBA AI – Existing conditions not in EC,NA/Cum – conflict with Table 3-5?

Chapter 6 – Surface Water
Fig 6-5 – add Mellon levee as a Project Levee near Rio Vista

Chapter 8 – Water Quality
Fig 8-7 incorrectly shows Putah South Canal as CVP

Chapter 12 Terrestrial Biological Resources
12-129 0 delete "County" from reference to Solano HCP
12- 3234 delete "County" from reference to Solano HCP
12-3244 delete "County" from reference to Solano HCP