Table 4-3. Local/Regional Agencies and Elected Officials

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1-1	I trust you had an amazing respite with your family in Colorado, and I hope you had smooth return.	This is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
1-2	Our modeler, Ben Bray, was not able to find model output files on the website and appendices. He wanted me to check if the model output is available online or by request and if it's the latter, what is the procedure. Thank you for any assistance.	Comments requesting additional information, such as modeling outputs, were responded to in a timely manner within the comment period. DWR responded to all requests for detailed modeling information within the public comment period.
4-1	Congratulations on the release of the DEIR! Given the release, I assume the DEIR modeling files will be made public. Who is the best contact to get the files?	In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for detailed modeling information within the comment period.
13-1	How do we obtain technical appendices, modeling and references?	In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for modeling files, additional information and data, references, and appendices within the comment period.
14-1	Would it be possible to obtain the GIS Data or shapefiles for the proposed tunnel project and associated facilities?	In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for data files within the comment period.
24-1	Would it be possible to obtain DWR's permit application submitted to the U.S. Army Corps of Engineers for the section 404/408 permitting process? This material relates to the analysis in DEIR Chapter 19.	In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for information within the comment period.
25-1	It is not a comment it is a request for info. DWR should have another email for that. ["It" refers to letter 0024. In this comment (here in letter 25) Osha is responding to the auto reply she received (shown below) which was sent in response to letter 24]	In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for information within the comment period.
29-1	The Draft EIR for the Delta Conveyance Project does not include adequate information to support the mass emission estimates and ambient air quality and health risk assessment modeling results presented in its air quality and greenhouse gas section (Chapter 23).	The EIR provides an impact analysis of environmental resources raised by the comment. The comment assertion regarding inadequate information is not consistent with the analyses in the EIR. The Delta Conveyance EIR has been prepared in compliance with CEQA and has fully evaluated the potential impacts on air quality. As described in Chapter 23, Air Quality and

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		Greenhouse Gases, and Appendix 23A, Mass Emissions Estimation Methodology, the potential impacts analyzed would result in less-than-significant impacts with mitigation for most impacts but could result in significant and unavoidable impacts for Impact AQ-5 and Impact AQ-6. Please see Common Response 15, Air Quality and Greenhouse Gases, regarding construction impacts on air quality and human health and methodologies for the analysis.
29-2	Please provide the spreadsheets and modeling files described in Draft EIR, Chapter 23, and appendices thereto in native electronic format (e.g., Excel, AERMOD, etc., not as PDF printouts) and with functioning formulas and cross-links (no password protection) as described below. If a hard drive is required, I can have that dropped off for your use; just let me know the size you need. Mass Emissions Estimation -All spreadsheets supporting emission estimates of criteria pollutants and their precursors, diesel particulate matter, toxic air contaminants, and greenhouse gases during construction and the operational and maintenance phase of the project, including from standby generators and land use change and sequestration. (See Appendix 23A Mass Emissions Estimation Methodology, including Attachments 23A.1 Construction Land Use Change Analysis and 23.A.2 Compensatory Mitigation Land Use Change Analysis, and Appendix 23B Air Quality and GHG Analysis Activity Data, and Appendix 23C, 23C.1.1.3 Standby Engine Generator Testing during Operations and Maintenance.) -All spreadsheets supporting emission estimates of criteria pollutants and their precursors and greenhouse gases for	In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for modeling files within the comment period.

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	emissions from operation and maintenance of the project in the year 2040 presented in Appendix 23F Air Quality and Greenhouse Gases 2040 Analysis, Tables 23F-1 through 23F-5. Health Risk Assessment and Ambient Air Quality Analysis -All AERMOD input and output files supporting modeled short-term, annual, and localized - Ambient concentrations of CO, PM, PM10, PM2.5, NO2, SO2, and diesel particulate matter (including screening analysis). (See Appendix 23C, 23C.1.1 Localized Criteria Pollutant Dispersion Modeling and 23.C.1.2 Health Risk Analysis.) -Meteorological data sets for the Sacramento Executive Airport in Sacramento, Nut Tree Airport in Vacaville, Stockton Metropolitan Airport in Stockton, and Byron Airport in Byron processed in AERMET. (See Appendix 23C, 23C.1.1.2 Meteorological Data.) - All CALINE4 input and output files and spreadsheets for vehicular CO emissions (estimated using EMFAC2017) supporting results of CO hotspot modeling. (See Appendix 23C, 23C.1.1.2 Carbon Monoxide Hot-Spot Analysis.) -All spreadsheets supporting estimated maximum excess cancer risks, maximum chronic and acute non-cancer hazard index (diesel particulate matter, NO2, and SO2), and localized PM2.5 concentrations for receptors within the Bay Area Air Quality Management District for project construction, operation, and maintenance, including for standby engine	

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	generator testing. (See Appendix 23C, 23C.1.2 Health Risk Analysis and 23C.1.1.3 Standby Engine Generator Testing during Operations and Maintenance.)	
30-1	To inform what SCHISM data we would like to see, could you please point me to the sections of the DEIR chapters/appendices that discuss how the SCHISM data was used to inform the findings? It is a large document and we are still just scratching the surface. We'd like all CalSim and DSM2 modeling as well as any other Delta hydrodynamic and water quality modeling (e.g., SCHISM).	In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for modeling files within the comment period.
36-1	The Delta Counties Coalition (DCC) [Footnote 1: The DCC is an alliance comprised of the California Counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo. These counties work collaboratively to give one voice on behalf of the Sacramento-San Joaquin River Delta and its four million area-wide residents.] requests that the Department of Water Resources (DWR) extends the public comment period on the Draft Environmental Impact Report (Draft EIR) prepared pursuant to the California Environmental Quality Act for the Delta Conveyance Project (Delta Tunnel). Our counties are at ground zero for this massive infrastructure proposal, and we require additional time to meaningfully respond, as described below.	Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and DWR's extension of the comment period.
36-2	In January 2019, Governor Newsom announced the state would no longer pursue the California WaterFix, the last iteration of the state's isolated conveyance plan for the Delta. Three and a half years later, DWR released a Draft EIR for public review that analyzes the currently proposed Delta Tunnel project.	This information describes general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
36-3	The document [The DEIR] includes over 3,000 pages of text and nearly 16,000 pages of appendices. In addition, numerous	Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and DWR's extension of the comment

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	modeling results are associated with the analysis of environmental impacts in the Draft EIR. Understanding this modeling will be critical in assessing the project's impacts on fisheries, water quality, air quality and noise, among other impacts on our counties. We are still in the process of obtaining the modeling results necessary for our staff and experts' use in their technical review of the Draft EIR released on July 27, 2022.	period. Please also refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the length and complexity of the EIR. Regarding the portion of the comment requesting additional information, DWR responded to all requests for detailed modeling information in a timely manner within the public comment period.
36-4	The DCC [Delta Counties Coalition] and its member counties provided extensive legal and technical comments on the previous iterations of the project. Some of these comments may continue to be relevant to the current review process, while others are no longer relevant. To be efficient and accurate, in addition to reviewing the new materials released July 27, 2022, it will also be necessary to review and revisit prior comments and analyses to determine relevance to the current project. This process will inform which materials are most relevant and should be resubmitted and/or require updating of analyses to match the current proposal.	Please refer to response to comment 36-1 regarding the duration of the comment period and DWR's extension of the comment period.
36-5	In addition to the Draft EIR, it is also anticipated that the U.S. Army Corps of Engineers will release a Draft Environmental Impact Statement (EIS) this year. Prepared pursuant to the National Environmental Policy Act, the EIS will also require careful review by county staff and consultants to prepare meaningful comments.	Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the U.S. Army Corps of Engineers involvement and NEPA. This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
36-6	Given these considerations [the size of the document; the need to review modeling; the need to review previously submitted comments; and the need to respond to the EIS as well], we request that the comment period be extended by 90 days to January 27, 2023. A total of a six-month review period is more appropriate given the scale and complexity of DWR's proposed	Please refer to response to comment 36-1 regarding the duration of the comment period and DWR's extension of the comment period. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the length and complexity of the EIR.

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	Delta Tunnel project. In summary, lengthening the public review period would have the following benefits: -Allow additional time to review voluminous documents and associated materials, thereby increasing the quality and organization of comments. -Allow for appropriate integration of prior comments into comments on the current documents. -Allow for coordination between the counties and others to reduce duplication of comments. -Help reduce the volume of comments submitted subsequent to the formal review process. -Allow for review of both the CEQA and NEPA review documents, and preparation of comments that appropriately distinguish between these statutory mandates.	
49-1	The original information request [Request for Mass Emissions Estimation, Health Risk Assessment, and Ambient Air Quality Analysis. Details in letter DCP 0029 (included at end of this letter] was sent August 4th, 2022. Our request is for the information in the Excel files, which we need unlocked. We request unlocked versions so that we can see how the numbers are calculated in Excel, not any proprietary software. To be clear we do not need the computer software. DWR for the Water Fix EIR had provided unlocked versions so	In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for detailed modeling information and modeling files within the comment period.

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	that our experts could complete the analysis of that data. Those tables were also prepared by ICF. I request a response by the close of business Monday, as the comment period is rapidly running, and our expert requires this information to proceed.	
49-2	Hello, just checking back on this request [The request for non-password protected Excel files made in comment #3] as to the status?	See response to comment 49-1 regarding DWR's response to requests for detailed modeling information and files.
49-3	The password below is just to access the files [The data on Mass Emissions Estimation, Health Risk Assessment, and Ambient Air Quality Analysis requested in DCP0029] on Box.com. The password does not work in Excel to "unprotect" worksheets. As a reminder, with the CWF EIR AQ analysis, we were provided with the unprotected spreadsheets for review/analysis. Thanks for checking into this for us! Thank you for this information, however, the spreadsheets in Excel files are password protected and our expert can't review the formulas/calculations. May we please have the non-password protected files? Without them, we are unable to understand and meaningfully comment on DWR's approach to the AQ analysis. While we disagree that there is intellectual property to protect, we would consider signing a non-disclosure agreement if that would move things along.	See response to comment 49-1 regarding DWR's response to requests for detailed modeling information and files.
52-1	This request is submitted on behalf of Local Agencies of the North Delta ("LAND") [Footnote 1: LAND member agencies cover an approximately 100,000-acre area of the Delta. Some of these agencies provide both water delivery and drainage services, while others only provide drainage services. These districts also assist in the maintenance of the levees that provide flood protection to homes and farms]. LAND requests	Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and the Department of Water Resources' (DWR) extension of the comment period.

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	that the Department of Water Resources ("DWR") provide at least a 90-day extension of time to provide public comments on the Delta Conveyance Project Draft Environmental Impact Report ("DEIR"). LAND member agencies and their communities would bear the impacts of the massive tunnel project and need additional time to meaningfully respond to the vast amount of data and information contained in the DEIR and supporting technical materials.	
52-2	The DEIR was circulated for public review on July 27, 2022, with the deadline for public comment set for October 27, 2022. Although this 90-day period is longer than the normal 60-day review period, the length of the DEIR and related technical materials creates unusual circumstances that require the public review period to be extended. (CEQA Guidelines, § 15105, subd. (a).) The DEIR contains over 3,500 pages of text and roughly 16,000 pages of appendices. The DEIR also relies on complex modeling for many of its analyses and conclusions. Thus, the 90-day comment period does not provide adequate time for local organizations such as LAND to adequately review the DEIR and provide meaningful comments.	Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and the Department of Water Resources' (DWR) extension of the comment period. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the length and complexity of the EIR.
52-3	For these reasons [The length of the DEIR and technical materials; complex modeling], we request to extend the comment deadline to at least January 25, 2023. We respectfully request that you provide us with a decision no later than September 9, 2022. Thank you in advance for your consideration of this request.	Please see response to comment 51-2 regarding the duration and extension of the comment period.
53-1	The Central Delta Water Agency and South Delta Water Agency ("Delta Agencies") hereby request the Department of Water Resources ("DWR") extend the public comment period on the Draft Environmental Impact Report ("Draft EIR") prepared pursuant to the California Environmental Quality Act for the Delta Conveyance Project "Project ("Project"). The Delta	Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and DWR's extension of the comment period. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the length and complexity of the EIR. In regard to the portion of the comment requesting additional information, DWR responded to all

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	Agencies would be acutely impacted by the Project and, therefore, require additional time to meaningfully review and respond to the Draft EIR. The Draft EIR includes over 3,000 pages of text and nearly 16,000 pages of appendices. In addition, numerous modeling results are associated with the analysis of environmental impacts in the Draft EIR. A meaningful review of the modeling is essential to assess the Project's impacts on water quality, water levels, fisheries, recreation, agricultural, noise, and air quality, among other issues. At this point, the Delta Agencies are still in the process of obtaining the modeling associated with the Draft EIR released on July 27, 2022. The Delta Agencies provided extensive legal and technical comments on the previous iterations of the Project and vigorously participated in the Waterfix Change Petition hearings. While some of the Delta Agencies previous analyses and comments may be relevant, we cannot be certain without adequate time to review the current Draft EIR. Therefore, the additional time will allow the Delta Agencies to submit comments germane to the current Project, which should help to streamline the process for all concerned. In considerations of these circumstances, we request that the comment period be extended by 90 days to January 27, 2023. A total of a six-month review period is more appropriate given the scale and complexity of the Project and its associated Draft EIR and related documents.	requests for detailed modeling information within a reasonable timeframe within the comment period.
53-2	The Delta Agencies also anticipate the U.S. Army Corps of Engineers will release a Draft Environmental Impact Statement later this year. Our review of that document will also be a	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding U.S. Army Corps of Engineers release of the Draft EIS in 2022. The comment does not

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	significant effort.	raise significant environmental issues and is not a comment on the contents of the EIR.
70-1	Please see the attached comment letter [rest of letter DCP 0070]. Please let me know if you need any additional information.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. Responses to the detailed comments provided in this letter are provided herein.
70-2	I am writing on behalf of the Crestline-Lake Arrowhead Water Agency to support the Delta Conveyance Project (DCP) – a project that is essential to modernizing California's water transport infrastructure. California's new reality represents extreme weather events and climate trends – including but unpredictable storms, extended and more frequent droughts, rising sea levels, increasing temperatures and an earlier spring runoff – making water management in California much more challenging. We must invest in modern infrastructure in the Delta to ensure the State water Project (SWP) can capture, move, and store water when it's available.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project. Common Response 1 also describes the project's purpose and objectives. Please see Common Response 3, Alternatives Development and Description, regarding project operations and dual conveyance of water.
70-3	The SWP is California's primary water distribution system. It captures and transports water to communities throughout the state – providing an affordable source of high-quality, clean water for more than 27 million Californians from the Bay Area to San Diego. But the infrastructure that protects, collects, and moves water through the Delta to California homes, farms and businesses was constructed more than 50 years ago and is at ever-increasing risk of failure from climate change and sea level rise. The proposed DCP is the right project at the right time to help ensure the SWP can continue to meet California's water needs into the future.	Please see response to comment 70-2 regarding comments that state opinions of general support for the project.
70-4	The DCP also addresses the impacts to Delta communities. Having worked hard to avoid and reduce environmental and	The comment is consistent with the contents of the EIR. Chapter 34, Community Benefits Program Analysis, describes the Community Benefits

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	community impacts, today's proposed project is very different from the state's previous proposals. An extensive amount of design refinements has helped avoid or minimize local impacts, and the project includes a Community Benefits Program to ensure the communities most affected by construction of the project are provided the means and resources to also achieve local benefits.	Program and its purpose. Please also refer to the Efforts to Minimize Delta Community Effects technical memoranda in the Engineering Project Reports regarding the engineering and design modifications made to reduce Delta community effects (Delta Conveyance Design and Construction Authority 2022a, 2022b).
70-5	It's prudent and responsible to pursue the DCP now. We cannot afford to delay modernizing the SWP's Delta Infrastructure – the cost of doing nothing could disrupt our state's primary water supply. For the Crestline-Lake Arrowhead Water Agency, The DCP will not only stabilize our water supply and improve the quality of the water that we deliver to our customers, our water treatment costs will decrease, our mountaintop community will continue to have supplemental water available, and there will be increased fire protection for our community. Without the DCP, our supplies are limited, and our communities are in danger.	Please see response to comment 70-2 regarding comments that state opinions of general support for the project.
98-1	Hi Carrie - thanks for sending the update. There is a lot of information in the link [Link containing information on the DCP comment period and request for the draft EIR]. The only content relevant to the Airport Land Use Commission's review is how this project affects operations at the nearby airport, Franklin Field. Is there a short description or some graphic information on the proposed project in relation to the airfield?	In regard to the portion of the comment requesting additional information, the Department of Water Resources responded to all requests for additional information within the comment period.
158-1	Hi. Good morning. My name is [speaker name]. I'm an attorney at Soluri Meserve here in Sacramento. We represent several entities throughout the north, south, and central Delta.	This information describes the background of the organization or individual commenter. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
158-2	First, I would like to echo [previous speakers names] comments regarding the request for an extension. The DEIR is a huge	Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the length and

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	document, and like they said, with the appendices it comes out to 20,000 pages, roughly. And it just takes a long time to get through all that, especially for smaller organizations. So, we also request that a 90-day extension be provided to meaningfully review and comment on this EIR.	complexity of the EIR. Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and DWR's extension of the comment period.
158-3	Additionally, we recently requested modeling data from DWR that was used in the EIR, and that was not provided, and we were told that we needed to go through a PRA request. So that has extended kind of our timeline on commenting. And although we understand that EIR doesn't have to contain all the data that's relied upon, we do believe that it should be readily available upon request. So, if DWR isn't going to, you know, expediently give that information out, we would like the date extended so that we can go through the process that DWR is requiring from us.	In regard to the portion of the comment requesting additional information, DWR responded to all requests for detailed modeling information within a reasonable amount of time within the comment period. Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and DWR's extension of the comment period.
158-4	Additionally, we believe that the alternatives provided in the EIR, are not actually alternatives because they all are essentially the same thing. They're tunnel projects that export water from the Delta in one way or another. So, therefore, we ask that DWR, you know, do more to support local projects that decrease reliance on Delta exports because the Delta Reform Act requires that. And we think that this large amount of money being spent on this project could be better spent on other local projects that do more to recycle and reuse the water that's already there.	Please see Common Response 3, Alternatives Development and Description, regarding the adequacy of the range of project alternatives chosen for the CEQA analysis. Common Response 3 also includes a description of why local water supply projects were not chosen as an alternative to the Delta Conveyance Project. Please also refer to Appendix 3A, Identification of Water Conveyance Alternatives, for an overview of the alternatives considered and screened from further review in the EIR. The Delta Conveyance Project is one aspect of the California Water Resilience Portfolio, which includes numerous local and regional water management and conservation actions. These actions are occurring concurrently, recognizing that multiple actions, including local actions, are needed to improve California's water supply resilience. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the Delta Reform Act and the project. Finally, Common Response 5, Public Water Agencies Water Management Practices, describes existing efforts and future actions to be undertaken by

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		State Water Project users to ensure California's water resources are being used efficiently and sustainably.
199-1	TANC is a joint exercise of powers agency organized under Chapter 5, Division 7, Title 1 of the California Government Code, and a Joint Powers Agreement, dated as of December 10, 1984, among the Cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara and Ukiah, the Modesto Irrigation District, the Sacramento Municipal Utility District (SMUD), and the Turlock Irrigation District, as members, and Plumas-Sierra Rural Electric Cooperative, as an associate member. TANC is the Project Manager of the COTP, which is an existing 340-mile long, 1,600-megawatt, 500 Kilovolt (kV) transmission project between the California-Oregon border and Central California. The COTP is critical to the delivery of electricity to the State of California. The Western Area Power Administration (Western) has minority ownership interests in the COTP, transmission entitlement rights, certain lands rights, and provides Operations and Maintenance (O&M) services to TANC for the COTP. TANC is submitting these comments consistent with its status as a public agency and its discretionary approvals associated with the Delta Conveyance Project. We look forward to consulting with DWR regarding the corresponding TANC considerations, discretion, and related decisions as set forth in the attached comments.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
199-2	Please do not hesitate to call me at (916) 906-2029 to discuss these comments, our consultations, and the development of mutually beneficial approaches with regard to the DCP and TANC interests and public agency responsibilities.	Please refer to response to comment 199-1 regarding the introductory nature of the comment.

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199-3	ATT 1: Transmission Agency of Northern California Comments on the Delta Conveyance Project Draft Environmental Impact Report Comment 1. TANC'S Status as a "Responsible Agency" under CEQA As a joint powers agency established pursuant to Cal. Gov. Code section 6502, the Transmission Agency of California (TANC) is a "public agency" within the meaning of CEQA (Cal. Pub. Res. Code section 21063; CEQA Guidelines section 15379).1[footnote] Although not identified as such in the Draft Environmental Impact Report (EIR),2 [footnote] TANC is properly considered to be a "Responsible Agency" under CEQA in relation to the proposed Project (Cal. Pub. Res. Code section 21069; CEQA Guidelines section 15381). This status derives from TANC's ownership of real property (the "TANC Property") that has been identified as the proposed site of the Bethany Reservoir Pumping Plant and Surge Basin under the Dual Conveyance Bethany Reservoir Alignment alternative (Draft EIR Section 3A.3.1.8), as well as TANC's ownership of rights-of-way (ROWs) for the California-Oregon Transmission Project (COTP) and transmission tower facilities that may also be affected by that alternative and others. If DWR approves the Dual Conveyance Bethany Reservoir Alignment alternative, it will need to acquire the fee title (or a long-term lease interest) from TANC with respect to the TANC Property, and TANC will exercise its discretion in determining whether to transfer title or another property interest to DWR to facilitate implementation of the DCP. Accordingly, TANC requests that it be identified as a "Responsible Agency" in the Final EIR, and	Some of the information in this comment describes the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text, which is not a comment on the EIR. Revisions to the table titled Summary of Potential Agencies and Review, Approval, or Other Responsibilities, in Addition to Those under CEQA in Chapter 1, Introduction, have been made in the Final EIR to identify Transmission Agency of Northern California (TANC) in this table. None of the revisions in this table described in the EIR resulted in a new significant environmental impact or substantial increase in the severity of an environmental impact or required additional mitigation measures to which DWR was unwilling to commit.

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	that DWR consider its comments on the Draft EIR appropriately. 1.The fifteen local agencies comprising TANC are: Alameda Municipal Power; City of Briggs; City of Gridley; City of Healdsburg; City of Lodi; City of Lompoc; City of Palo Alto; City of Redding; City of Roseville; City of Santa Clara/Silicon Valley Power; City of Ukiah; Modesto Irrigation District; Plumas-Sierra Rural Electric Cooperative; Sacramento Municipal Utility District; and Turlock Irrigation District. 2. Agency and responsibilities are described in Section 1.5 of the draft EIR.	
199-4	Att 1: Comment 2. Intended Use of the TANC Property TANC acquired the TANC Property for potential use as a transmission substation site. As is shown in the Draft EIR Figure 3-31, the TANC Property is located adjacent to the Tracy substation owned and operated by the Western Area Power Administration (WAPA). WAPA has recently communicated in writing to TANC its interest in expanding the Tracy substation onto the TANC Property "[t]o accommodate additional interconnections, integrate renewable resources and battery storage, or provide for load growth within the region." [Footnote 3: Letter from Sonja A. Anderson, Senior Vice President and Sierra Nevada Regional Manager, to John Roukema, Interim General Manager, TANC, dated June 13, 2022 (copy attached). [See attachment 2]] TANC will need to consider WAPA's potential competing need for the TANC Property in arriving at a decision as to whether to make the	DWR has been made aware of Western Area Power Administration's (WAPA) proposed expansion of the Tracy substation, which would expand into the TANC right-of-way. Based on meetings with WAPA, DWR has proposed slight modification of the Bethany Complex footprint to accommodate future expansion of the Tracy substation. Please refer to Chapter 3, Description of the Proposed Project and Alternatives, to see a description of the Bethany Complex and the revised mapbook referenced in that section. Common Response 3, Alternatives Development and Description, further describes refinements to the project description, including the Bethany Complex. None of the refinements in Chapter 3 resulted in a new significant environmental impact or substantial increase in the severity of an environmental impact or required additional mitigation measures to which DWR was unwilling to commit.

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	TANC Property available for the DCP. TANC calls this consideration to DWR's attention in connection with DWR's evaluation of the legal feasibility of the Dual Conveyance Bethany Reservoir Alignment alternative. TANC stands ready to consult with DWR regarding this consideration.	
199-5	Att 1: Comment 3. Consent to Common Use Agreement Required for All COTP Right of Way Crossings Tables 21-3 and 21-4 of the Draft EIR indicate that any temporary and permanent surface impacts of the Project crossing the COTP ROW from intakes, access roads, and other aboveground infrastructure could range from 0.016 to 0.284 miles, depending on the alternative ultimately selected. Notably, the Preferred Alternative 5 would have the greatest impact of 0.284 miles of disturbance to the COTP ROW. Regardless of the alternative ultimately selected for construction, DWR would need to obtain a Consent to Common Use Agreement from TANC for any temporary or permanent Project crossings of the portions of the COTP ROW held by TANC. Please note that the Consent to Common Use Agreement will likely include, but may not be limited to, the following conditions: * Access to the COTP facilities for inspection and maintenance, including access for heavy equipment, shall be required at all times during DCP transmission facilities planning, construction and operation. All COTP ROW access roads must be available at all times for emergency and routine operations and maintenance (O&M) activities. * TANC will require the development of a Compensation	As discussed in Chapter 21, Public Services and Utilities, DWR will continue to consult with appropriate public service and utility owners and operators, including WAPA and TANC, during the design phase regarding any proposed uses within WAPA or TANC's right-of-way to avoid service interruptions. DWR has previously requested and been provided with WAPA's line clearance requirements and encroachment permit process. DWR will observe all clearance requirements during construction and operations and follow WAPA's encroachment permit process when and if access to WAPA's transmission line easements is required. This consultation regarding access to WAPA's facilities would occur for any TANC-owned real property or COTP utilities. DWR will consult with WAPA during the design phase and is committed to maintaining the safety standards and conditions outlined in WAPA's "Consent to Common Use Agreement for temporary or permanent crossings of WAPA's right-of-way." This includes access to TANC facilities and roads, Safety Codes and OSHA requirements, and continued consultation with TANC. Specifically, DWR will work with WAPA to ensure continued access to WAPA facilities during project construction.

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	Agreement for the time needed for on-site representation of TANC's interests. * TANC will require that written notification be provided to itself and WAPA of all locations where temporary or permanent DCP transmission lines will be crossing the COTP ROW, to be provided no fewer than 180 days prior to the initiation of construction. WAPA is the operating agent under contract to TANC for O&M of the COTP. * TANC requires that a TANC representative be on site at times when construction work is conducted within or adjacent to the COTP ROW for any and all DCP construction activities. * TANC will require that all communications to TANC be transmitted in both electronic and hard copy formats to the following contacts: Regular Mail: Transmission Agency of Northern California P.O. Box 15129 Sacramento CA 95851-0129 Attention: General Manager Email: info@tanc.us jzimmerman@tanc.us * No transmission line crossings of the COTP ROW will be authorized to be sited in a manner that would place new transmission towers within the COTP ROW. * At all locations where Project transmission or distribution lines deliver power to the DCP cross the COTP ROW, they shall	

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	be required to cross under the COTP conductors. Further, these crossings shall be required to satisfy National Electricity Safety Code and/or California General Order 95 requirements (whichever is more restrictive) for the COTP line under its maximum sag conditions. * TANC will require an electronic copy of each draft version of any Project safety plan applicable to those construction activities within or adjacent to the COTP ROW be provided to itself and WAPA no fewer than 180 days prior to the approval of the plan for implementation. * TANC will require that DWR provide detailed, site-specific information regarding the construction practices that will be occurring within the COTP ROW, and within 500 feet of the COTP ROW that includes, but is not limited to: - Construction equipment; - Construction crew sizes; - The extent to which cranes will be used in installing the conveyance facilities; - Maintenance of clearance distances to COTP conductors; - The duration of all construction activities within the COTP ROW; - Excavation practices within or adjacent to the COTP ROW and transmission towers; and - Excavated materials transport and placement locations. * TANC will require that TANC and WAPA be consulted prior to and during the installation of temporary clearance markers to indicate the closest safe distances from the conductors. * Permanent markers indicating the proximity of energized	

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	high-voltage power line conductors shall be required to be furnished and installed on DCP electric transmission facilities before the completion of construction according to standard industry practices for such marker installations. * All temporary earthwork within or adjacent to the COTP ROW shall be required to be designed and implemented in a manner that results in drainage away from COTP transmission tower footings. * No cut or fill or cofferdam construction and/or dewatering activities will be authorized that could affect the stability of the COTP transmission tower footings consistent with all applicable government codes. Excavations will not be authorized within 100 feet of COTP transmission tower footings. * Residual Tunnel Material and any and all other excavated soil, spoils, or other materials will not be allowed to be placed within the COTP ROW.	
199-6	Att 2: Comment 4. DWR and DCP Responsibilities Associated with COTP Tower Relocations Draft EIR page 21-39, lines 10-13 states that: "At some locations, electrical distribution and transmission lines would require relocation to maintain utility service. DWR is consulting with SMUD, PG&E, and WAPA, and consultations with other utilities would occur during the design phase to avoid interruption to service." This statement is one of several in the Draft EIR -- either explicit or implied -- that transmission towers may need to be	DWR is committed to continuing to work with WAPA's transmission line planning department regarding the Delta Conveyance Project. DWR is aware of WAPA's concerns and is committed to continuing coordination with them to resolve outstanding concerns, as feasible. This coordination will continue as design develops. Should relocations/acquisitions be necessary, DWR will negotiate these terms, including compensation considerations, with WAPA before final design.

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	relocated when the alternative ultimately selected is designed and constructed. We understand that this statement may apply to COTP transmission towers as well as those owned and/or operated by SMUD, PG&E, and WAPA. If the alternative ultimately selected for construction requires COTP tower relocations, TANC will require that DWR and the DCP agencies be responsible for the following: * Acquiring all additional and/or replacement right of way (ROW) that may be needed to account for lands needed for relocation of the existing COTP towers with rights fully equivalent in all respects to the current rights. Full ownership and transmission entitlements associated with those rights would need to be vested completely in TANC on behalf of the COTP participants. * Incurring all costs for the design and construction of any new transmission towers that will be needed to maintain COTP service levels as the COTP is relocated to new ROW. * Fully funding all environmental studies, permit applications, and all other regulatory compliance requirements needed for relocating any portion of the COTP ROW. * Bearing all costs required for the design, construction and commissioning of the replacement 500-kV line of equal or greater capacity if needed. * Fully compensating for all lost revenues resulting from outages needed for relocation, replacement interconnection, and for all associated litigation costs.	

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199-7	Att 1: Comment 5. Easement Rights Held by WAPA Some easements comprising the portions of COTP ROW of concern are held by the United States and administered by WAPA, a federal agency under the Department of Energy, acting as TANC Operations and Maintenance Agent, for the benefit of all of the COTP participants (which include TANC, Western, the Pacific Gas and Electric Company (PG&E), the City of Redding, the Carmichael Water District and the San Juan Water District). Those easements also include provisions to protect against any additional uses affecting the COTP ROW that could interfere with the safe operation and maintenance of the COTP facilities.	The project will not interfere with the safe operation of COTP facilities. Regarding easement rights held by WAPA, these include provisions to protect easements for various agencies and companies. Please see response to comment 199-5 regarding DWR's commitment to continued consultation with utilities and utility owners prior to final design.
199-8	Att 1: Comment 6. No Authorization or Acquiescence TANC's comments herein are not intended, and shall not be construed, as authorization of, or acquiescence in, any particular uses of TANC-owned real property or the COTP ROW for the purposes of implementing the DCP.	The comment does not concern the proposed project or the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
199-9	[Attachment 2: Letter to the Transmission Agency of Northern California from Western Area Power Administration APA regarding expansion of the Tracy substation, dated June 13, 2022	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
205-1	MS. SCHANEL: Thank you for your comment. I'm going to read the names of the next several commenters, so you'll know when your turn is coming. The next commenters will be Tom Donnelly, David Glowsky and David Armstrong. Tom, you should be receiving a notice to come off mute now. MR. DONNELLY: Thank you. Hopefully, you can hear me well. MS. SCHANEL: Yes.	This information states that name and the background of the commenter. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	MR. DONNELLY: I'm Tom Donnelly. I'm the Chair of the Planning Commission of Rio Vista, which is on the western edge of the Delta.	
205-2	There's a number of concerns I have with this proposal. Probably the greatest one is that it really is not much different from what has been proposed previously.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general opposition to the project. Please refer to Chapter 1, Introduction, regarding prior Delta Conveyance planning efforts. The Delta Conveyance Project is an independent and separate project from these efforts. Please refer to the Efforts to Minimize Delta Community Effects technical memoranda in the Engineering Project Reports regarding the engineering and design modifications made to reduce Delta community effects (Delta Conveyance Design and Construction Authority 2022a, 2022b). The EIR also analyzes Alternative 5, on the Bethany Reservoir alignment, which eliminates the need for a forebay and significantly reduces the total acres affected by the project.
205-3	But to get specific, you know, about some of the parts of the Draft EIR -- one of my big concerns is during the construction period that, you know, there's a lot of discussion of how fragile the levee system is in the Delta area and that this is a bit motivation behind this project. My concern is that with these fragile levees how the impacts have been studied what boring under them would do during construction or whether there could be some kind of mitigation or reinforcements along the path that would happen as a result of this, because my understanding is that the operation of these boring devices can really kind of recreate an earthquake kind of a condition.	Please refer to Chapter 2, Purpose and Project Objectives, as well as Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the purpose of the project, including to minimize the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries, and potentially CVP water deliveries south of the Delta, as a result of a major earthquake that could cause breaching of Delta levees. Please see Chapter 10, Geology and Seismicity regarding potential impacts related to seismic activity which states the project would not increase the potential for earthquake shaking in the project area. Please also refer to the Engineering Project Reports containing design details and technical studies used to support the EIR. The EPRs are available on the Delta Conveyance Design and Construction Authority website at https://www.dcdca.org/.
205-4	And related to this is: Has there been this type of construction that's been done elsewhere under peat bogs, which is another condition that we're dealing with here.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all

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		comments in its decision-making process. Please refer to Chapter 11, Soils, for a discussion regarding peat soils and the analysis of potentially significant environmental impacts on soils resulting from construction and operation of the project.
205-5	So that really concludes my one specific statement here. Like I said, I'll be submitting others as part of the written process. Thank you. MS. SCHANEL: Thank you for your comment.	This information provides general closing information. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
219-1	My name is [Name], and I represent Local Agencies of the North Delta, and I've been working with various community groups and local agencies over the course of the last 14 years regarding proposals to divert Sacramento River water into two and now one tunnel. It really doesn't make a difference if it's one or two tunnels, and this isn't a compromise deal here, but rather than I think the main thing I want to comment on tonight, because we will be working on written comments for the various groups I work with, because I want to make clear that the format of this meeting is not a public meeting.	Please refer to Common Response 2, Public Outreach Activities, regarding the public meetings held during the public review period for the Draft EIR.
219-2	This [hearing format] does not substitute for public meetings regarding this project. Usually, we would have a public meeting in person where there would be materials and storyboards and information, or even in a charrette way. I've seen planners do it. People could actually find out about the project, and ask planners and consultants questions about it and have an interaction about it. And what's happening here is it's a Zoom meeting. I can't see who is here. I can't even see the name of the speaker. And, indeed, when I am looking at the screen right now, it just says "public comment," and doesn't even include my name, which I do believe I do have my name in my profile. And it doesn't make a public meeting when you have this type of format.	Please refer to response to comment 291-1 regarding the public meetings held during the public review period for the Draft EIR.

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	I understand that we've been in a challenge with the COVID situation, and we want to make sure that people are safe, but I think that we've turned a corner in that situation where there would be a way to have a public meeting that would actually allow people to learn about the details of the project, and also see who is interested and concerned. And when you block off all that information and you don't show the names, and you don't show the faces and then you don't even allow the chat, that's not a public meeting. I just want to be very clear that this does not substitute for having those public meetings.	
219-3	I think that some have asked that, especially with the fact that the comment period is now a little bit longer. We still don't think it's long enough to read all the documents, or even try to understand it, especially when there's no real public meetings where we can get information about this massive project that is larger than really anything that's probably been built in our lifetimes in California prior to the construction of the initial Statewater Project in the '60s and '50s.	Please see response to comment 219-1 regarding the public meetings held during the public review period for the Draft EIR. Please also refer to Chapter 35, Public Involvement, and Common Response 2, Public Outreach Activities, regarding the outreach activities conducted throughout the EIR process to provide public information and encourage public participation and comment. Please also refer to Common Response 2 regarding the duration of the comment period and the Department of Water Resources' (DWR) extension of the comment period. Please also refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the length and complexity of the EIR.
219-4	So, yeah, I'm very dissatisfied with this format, and I would say to anyone who is on the line or on the phone that I encourage you to submit your written comments and to reach out to all your elected officials, whether they be at the local, State or federal level, and let them know about your concerns because we need representation to make sure that this project never goes through.	Please refer to response to comment 291-1 regarding the public meetings held during the public review period for the Draft EIR.
252-1	Hi - Would you please provide a correct link for this reference? The one provided is no longer available and I was not able to find the document by "googling" it.	The Department of Water Resources (DWR) responded to all requests for weblinks within the comment period.

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	DEIR Appendix 3H-5 Footnote 4 https://water.ca.gov/-/media/DWR-Website/ Web-Pages/Programs/State-Water-Project/Management/Water-Transfers/Files/Draft_CarriageWaterOverview_ 20191101_ADA.pdf	
263-1	In Appendix 5C, the DEIR provides mean monthly flows for the "Sacramento River at Hood (Near the Proposed North Delta Intakes)" (DEIR, pp. 5C-37-43.) However, it is unclear from the DEIR's content where this point is exactly. This is important because Intakes A and B are just north of Hood, but Intake C is south of Hood. Therefore, it is unclear whether the mean monthly flows in Appendix 5C are being measured north or south of Intake C. Could you please provide the location of the "Sacramento River at Hood (Near the Proposed North Delta Intakes)"?	The mean monthly flows discussed in Appendix 5C, Simulated Monthly Flows, were measured downstream of Intake C.
270-1	I would like to know if there is a portal where I can download the daily output data of the CalSim3 simulations performed for the DEIR. The DEIR has monthly flow and export summary tables for various scenarios, but would be interested to see daily results since monthly timesteps are not quite sufficient to evaluate impacts especially in light of the more updated understanding on climate change with extremes.	In regard to the portion of the comment requesting additional information, DWR responded to all requests for detailed modeling information within a reasonable amount of time within the comment period. Please refer to Appendix 5A, Modeling Technical Appendix, and Common Response 9, Hydrologic Modeling and Approach, regarding the timestep used for CalSim3 and the appropriateness of the model for the purposes of the CEQA analysis. DWR's Data Exchange Center provides measured daily flow data at https://cdec.water.ca.gov/.
294-1	The City of Rio Vista's elected officials and residents ask and seek its esteemed County and State elected officials to oppose the Delta Conveyance Project and any form of Delta conveyance. To the California Department of Water Resources - Delta	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general opposition to the project. This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness

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	Conveyance Office, let this letter serve as the City of Rio Vista's formal declaration that its elected officials and residents oppose the Delta Conveyance Project and any form of Delta conveyance. The City of Rio Vista recognizes that water is a valuable and finite resource, especially since it is an agricultural community. Nicknamed the Gateway to the Delta, the City of Rio Vista knows that it must protect, enhance, and preserve the Delta's agricultural economic viability, historical significance, and the ongoing vitality of its communities. If these factors are not considered and upheld with utmost importance and greater urgency, the Delta's finite and already-endangered water resource will be depleted quicker with no chance of recovery.	of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
294-2	In recognizing the alarming and urgent state of our Delta, the Rio Vista City Council adopted City of Rio Vista Resolution No. 2022-086 on November 15, 2022 in support of ensuring the health and sustainability of the Sacramento-San Joaquin Delta and the greater Bay Delta Estuary. City of Rio Vista Resolution No. 2022-086, which passed via unanimous vote, is in alignment with the goals set forth by the Counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo (also known as the Delta Counties Coalition or DCC). One of the DCC's goals is the opposition of an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	This comment describes the passage of a resolution by the Rio Vista City Council. Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general opposition to the project. This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
294-3	If you have any questions, please contact the Interim City Manager's office at (707) 374-6451.	This is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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294-4	RESOLUTION NO. 2022-086 A RESOLUTION OF THE CITY COU[N]CIL OF THE CITY OF RIO VISTA IN SUPPORT OF ENSURING THE HEALTH AND SUSTAINABILITY OF THE SACRAMENTO-SAN JOAQUIN DELTA WHEREAS, the Sacramento-San Joaquin Delta is the largest estuary on the Pacific Coast of the United States and includes major eastside tributaries that account for nearly half the snowmelt and runoff of the entire state. Located east of the San Francisco Bay and Suisun Marsh at the confluence of the Sacramento-San Joaquin Rivers, the Delta stretches inland to encompass an area of over 730,000 acres with islands and tracts of rich fertile soil surrounded by miles of sloughs and winding channels protected by levees creating one of the country's most productive agricultural regions; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project.
294-5	WHEREAS, the Delta is also habitat for hundreds of plant and animal species providing crucial habitat for fish and wildlife. In addition, the Delta with its legacy Communities is a popular boating and recreation area, which supports a fishery for both recreational and commercial purposes. Eight percent of the State's commercial fishery species either live in or migrate through the Delta; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project. Potential significant environmental impacts of the project and proposed mitigation measures are evaluated in Chapters 7–32 of the EIR.

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	herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	
294-6	WHEREAS, the Delta is also the hub of California's State and Federal water storage and delivery system with water exports made to agricultural and urban users in the Bay Area, Silicon Valley, San Joaquin Valley, the Central Coast, and Southern California; two-thirds of California relies on the Delta for some portion of their drinking water. Additionally, over 7 million acres of farmland in the San Joaquin Valley are irrigated in part by water conveyed through the Delta, contributing to California's multi-billion dollar agriculture industry, which produces half the nation's fruits, nuts, and vegetables, and twenty percent of the nation's dairy products; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project.
294-7	WHEREAS, many people living in the California Delta depend on the Delta for drinking water, water for irrigation and livestock, industrial uses, and habitat, recreation. The Delta is also essential to the shipment of goods from inland ports over highways and railways crisscrossing the Delta. The Delta also contains natural gas fields, electrical transmission and conveyance facilities; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council. Potential significant environmental impacts of the project and proposed mitigation measures are evaluated in Chapters 7–32 of the EIR.

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	herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	
294-8	WHEREAS, the state has, among other things, proposed large-scale changes to the Delta's water conveyance system, water rights and water management statewide and many other aspects related to the Delta; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project. The assertion that the Delta Conveyance Project proposes large-scale change water rights and water management is incorrect. Please refer to Common Response 3, Alternatives Development and Description, regarding the Delta Conveyance Project's operations, which do not include changes to water rights or State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes.
294-9	WHEREAS, there are many parties making policy in and around the Delta, including the State of California and United States Federal Government, making the need for local voices in the Delta essential; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project.
294-10	WHEREAS, the Delta Counties Coalition (DCC) Counties and other local agencies in and around the Delta have raised significant concerns with large-scale isolated conveyance projects proposed by Federal and State entities that could have far reaching negative impacts to the Delta; and	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City council and comments that state opinions of general opposition to the project.

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	NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	
294-11	WHEREAS, Large portions of the Delta Primary Zone and portions of the Delta Secondary Zone (per the Delta Protection Act) are located in or are near City of Rio Vista; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City council and comments that state opinions of general opposition to the project.
294-12	WHEREAS, the Counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo have joined together in a coalition, identified as the Delta Counties Coalition (DCC), to collectively articulate their mutual interests on issues concerning the Sacramento-San Joaquin Delta from the perspective of the Delta region itself and from the people who call the Delta home, who best understand the tremendous resources the Delta represents; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project.

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294-13	WHEREAS, the DCC [Delta Counties Coalition] has identified a need for joint action and advocacy among local governments in the region in various areas of mutual interest on Delta related issues; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project.
294-14	WHEREAS, since 2008 the DCC [Delta Counties Coalition] has given a strong local voice to the Delta pursuing three goals: 1. Protect and enhance Delta Communities; 2. Improve water quality and Delta ecosystem; 3. Provide a more reliable water supply for the state to increase water through sustainable approaches and reduce reliance on the Delta; and WHEREAS, in pursuit of these three goals, the DCC [Delta Counties Coalition] and its partners advocate for statewide water solutions that includes water system operation improvements, increased regional self-reliance, adequate levee maintenance and improvements, increased water storage, water reuse and recycling, stormwater capture, and restoration that includes good neighbor policies in the Delta; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City council and comments that state opinions of general opposition to the project. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for a description of purpose and project objectives of the Delta Conveyance Project.

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	supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	
294-15	WHEREAS, The DCC [Delta Counties Coalition] has advocated for and advanced initiatives in pursuit of its goals including pursuing funding for commercial abandoned and derelict vessel removal, invasive species control, levee improvements, and water supply regional self-sufficiency, all of which are positive ways to spend limited resources; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project. The types of projects and programs mentioned in the statement provided by the commenter could be supported by the Delta Community Fund described in Appendix 3G, Community Benefits Program Framework. The Community Benefits Program is part of the proposed project and alternatives and would be implemented separately from, and in addition to, the mitigation required under CEQA and other environmental regulations. As described in Appendix 3G, the Community Benefits Program Framework identifies the goals, objectives, and potential components of the proposed Delta Conveyance Project Community Benefits Program. The Framework was informed by public input received from interested parties from within local Delta communities through interviews, workshops, and public comments. The Framework also details the steps DWR will undertake in development of the Community Benefits Program, including ensuring opportunities for meaningful community participation. For example, community input will be used to develop the criteria for potential actions to be financed and the development of performance measures, including schedules and milestones. While approval of the Community Benefits Program as described in the Framework would be included in CEQA approval, specifics regarding implementation of the program would continue to be developed and finalized, with community input, after that approval.

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294-16	WHEREAS, The State of California has been pursuing an isolated Delta conveyance since the 1940s under many titles including the Peripheral Canal, Bay Delta Conservation Plan, California WaterFix, and Delta Conveyance Project; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City Council and comments that state opinions of general opposition to the project.
294-17	WHEREAS, an isolated Delta conveyance (water conveyance that involves intakes on the Sacramento River and pipelines or canals to take that water to the South Delta or beyond), including the State's currently proposed Delta Conveyance Project, removes freshwater flow through the Delta that is needed to maintain the many beneficial uses of water within and near the Delta. Construction and operation of any isolated Delta conveyance project is not consistent with DCC principles; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City council and comments that state opinions of general opposition to the project. Please refer to Chapter 2, Purpose and Project Objectives, regarding the purpose of the project, including maintaining a reliable water supply and providing operational flexibility to improve aquatic conditions in the Delta. Please also refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives, including DWR's continuing commitment to operate the State Water Project (SWP) as modified to include the Delta Conveyance Project in compliance with all state and federal water quality and environmental laws.
294-18	WHEREAS, an isolated Delta conveyance has potential adverse impacts on the Delta and its legacy communities, without any offsetting benefits, including, but not limited to, construction related impacts (traffic, road degradation, noise, water availability, recreation and air quality) over an estimated 14-	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general opposition to the project. Please see Chapter 1, Introduction, for a description of the SWP and

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	year construction period, as well as permanent land use and agricultural impacts, economic impacts, water quality impacts, biological impacts and cultural and historical site impacts; and NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	background information regarding how water supply has been developed and managed in California. Please also refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives, including DWR's continuing commitment to operate the SWP as modified to include the Delta Conveyance Project in compliance with all state and federal water quality and environmental laws. The comment lists a series of potential impacts that are addressed in the EIR. For most resources, the EIR analysis concludes that impacts would be less than significant. Please refer to the Executive Summary table titled Summary of Delta Conveyance Project Impacts and Mitigation Measures, for a list of impacts and their impact conclusions before and after the application of mitigation measures. Where the EIR analysis concludes that impacts from the project could be significant, DWR has proposed mitigation measures to reduce potential impacts. Please also refer to Chapter 6, Water Supply; Chapter 9, Water Quality; Chapter 12, Fish and Aquatic Resources; Chapter 13, Terrestrial Biological Resources; Chapter 14, Land Use; Chapter 15, Agricultural Resources; Chapter 16, Recreation; Chapter 17, Socioeconomics; Chapter 19, Cultural Resources; Chapter 20, Transportation; Chapter 23, Air Quality and Greenhouse Gases; and Chapter 24, Noise and Vibration, for the analyses of the resource areas raised by the comment. As described in Appendix 3G, Community Benefits Program Framework, the Community Benefits Program would include the Delta Community Fund and Economic Development and Integrated Benefits to address local effects that may occur, beyond the mitigation requirements of CEQA.

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294-19	WHEREAS, an isolated Delta conveyance has a high cost compared to other available alternatives to improve statewide water supplies and would use limited resources that could be better spent on other projects that would improve levees, increase water storage, water reuse and recycling and stormwater capture and other means to increase regional water self-sufficiency, among other possible projects. An isolated Delta conveyance would cause negative impacts to users within and north of the Delta, while benefiting only those water users outside the Delta by increasing export pumping capacity. NOW, THEREFORE, BE IT RESOLVED that the City of Rio Vista supports the DCC [Delta Counties Coalition] goals as stated herein, to ensure the health and sustainability of the Sacramento-San Joaquin Delta; this includes opposing an isolated Delta conveyance in any form including under the current title of the Delta Conveyance Project.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general opposition to the project. Please see Common Response 3, Alternatives Development and Description, regarding the adequacy of the range of project alternatives chosen for the CEQA analysis. The Delta Conveyance Project is one component of the statewide portfolio approach needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including water conservation and storage, water recycling, and stormwater capture mentioned by the commenter. As presented in Chapter 6, Water Supply, in the introduction to the Methods for Analysis section, the project alternatives do not include any actions that would modify water deliveries for non-SWP or non-CVP water rights holders, including Delta water rights holders. In addition, the Delta Conveyance Project would be a part of the SWP, and Common Response 5, Public Water Agencies Water Management Practices, describes existing efforts and future actions to be undertaken by SWP users to ensure California's water resources are being used efficiently and sustainably.
294-20	Additionally, the City of Rio Vista supports the DCC [Delta Counties Coalition] position that the management of the Sacramento-San Joaquin River Delta and greater Bay Delta Estuary must: 1. Protect and improve water quality and water quantity in the Delta region and maintain appropriate Delta outflow for a healthy estuary; 2. Protect the existing water right priority system and legislative protections established for the Delta;	Please see response to comment 294-2 regarding the resolution passed by the Rio Vista City council and comments that state opinions of general opposition to the project. Please also see response to comment 294-19 about how the Delta Conveyance Project would be one component of the statewide portfolio approach and is not a substitute for other water supply solutions. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for a description of purpose and project objectives of the Delta Conveyance Project and water rights. All resources identified in the comment are evaluated in the EIR in Chapters 5 through 32. Please see Common Response 3, Alternatives Development and Description, regarding

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	3. Respect and safeguard Delta Counties' responsibilities related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection in any projects, policies, or operations; 4. Represent and include local government in any governance structures for the Delta; 5. Protect, enhance, and preserve the Delta's agricultural economic viability, the ongoing vitality of its communities, and its historical significance; 6. Support rehabilitation, improvement, and maintenance of levees throughout; 7. Support the Delta pool concept, in which the common resource provides quality freshwater supply to all Delta users, requiring mutual responsibility to maintain, restore, and protect the common resource; 8. Support immediate improvements to through-Delta conveyance; 9. Require that any water conveyance plan for the Delta is aligned with these principles and supported by clearly demonstrated improvement to the entire state's water management; 10. Protect and restore the Delta ecosystem and provide for a healthy estuary in perpetuity by ensuring adequate water	comment-suggested infrastructure and water management alternatives and the development of the reasonable range of feasible alternatives evaluated in the EIR. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the relationship between the Delta Conveyance Project and the Delta Reform Act. The Delta Conveyance Project would be a part of the SWP, and Common Response 5, Public Water Agencies Water Management Practices, describes existing efforts and future actions to be undertaken by SWP users to ensure California's water resources are being used efficiently and sustainably.

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	supply and quality, enhancing Delta fisheries, and managing or eradicating invasive species; 11. Include the study and implementation of storage options, sustainable groundwater management and conjunctive use, conservation, recycling, reuse, and regional self-sufficiency as part of an improved statewide flood management and water supply system, which will reduce reliance on the Delta as called for in the Sacramento-San Joaquin Delta Reform Act of 2009; 12. Support conservation actions aligned with these principles and the habitat plans and programs of each Delta County.	
297-1	On behalf of the Water Replenishment District (WRD), I am pleased to offer our comments on the Draft Environmental Impact Report for the Delta Conveyance Project (draft EIR). By area served, the Water Replenishment District (WRD) is the largest ground water management agency in southern California and, by population, the largest in the state. We manage and protect local groundwater resources for four million residents living in 43 cities in our 420-square-mile service area in southeast Los Angeles County. Groundwater provides nearly 50% of the water supply within our boundaries and has the potential to provide nearly all of the water needed in our region. Five member agencies of the Metropolitan Water District are among our groundwater pumpers. Those agencies also rely on imported water from the State Water Project and the Colorado River to meet the needs of their customers. At one time, WRD was one of the largest users of imported water in Southern California. In 1961-62, for example, we used 212,582 acre-feet of imported water to meet our groundwater replenishment needs. Thanks to our Water Independence Now	This information describes the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	(WIN) program implemented over the last 18 years featuring the greatly expanded use of recycled water, we no longer buy imported water for groundwater recharge and we have the capacity to use advanced treated recycled water in the three barrier systems that protect our aquifers from seawater intrusion along the coast. Even though we no longer use imported water to meet our groundwater replenishment needs at the spreading grounds, we have an abiding interest in the vulnerability of the imported water supply and its long-term availability to Southern California. We also appreciate the value of imported water for groundwater storage and conjunctive use management.	
297-2	Having considered the different project alignments and capacity options in the draft EIR, the Water Replenishment District respectfully recommends the 45-mile Eastern tunnel alignment from the Hood intake to the Bethany reservoir as the preferred alternative (Alternative 5). That alternative bypasses the central Delta, has relatively minor impacts on agricultural land and Delta communities, avoids the necessity of constructing new forebays and has a significantly smaller project footprint compared to the other alignment and intake options.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of support for the project.
297-3	Putting the benefits of that alternative aside, there are several realities cited in the draft EIR that are striking:	This comment provides general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
297-4	The adverse impacts of climate change on water supply are already evident and will only get worse over time. We can expect less snowpack of shorter duration, later and shorter runoff patterns and protracted periods of acute drought.	Please see Common Response 6, Climate Resilience and Adaptation, regarding how the project will provide climate change resilience to the State Water Project. Potential impacts of climate change to snowpack duration, runoff patterns, and acute droughts are assessed in the EIR. Please see Chapter 30, Climate Change, and Appendix 5B, Surface Water 2040 Analysis, for more information.

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297-5	The draft EIR assumes the current regulatory framework will continue through 2040, an assumption the staff of the Metropolitan Water District characterizes as "uncertain" at best. In fact, more stringent regulations "have reduced the expected capability of the State Water Project" over the past 20 years and the draft EIR takes a big leap of faith in assuming the current regulations will remain the same for the next 18 years.	The EIR has been prepared in compliance with CEQA and adequately evaluates and discloses potential impacts on environmental resources. Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the CEQA environmental baseline. Please also refer to Chapter 4, Framework for the Environmental Analysis, for a list of additional information provided that presents a longer-term analysis that incorporates changes that would be expected as a result of climate change and sea level rise by the year 2040, when the project would be operational. Please also refer to Chapter 4 for a list of additional analyses of potential future conditions that consider conditions at the year 2070 and a sensitivity analysis of an alternate regulatory scenario that considers changes in requirements to outflow. While these additional analyses are not required by CEQA, they are intended to provide additional information about how the project might operate in the future.
297-6	In the best-case scenario, assuming no regulatory constraints or judicial interventions, the project will not be in operation until 2040 at the earliest. What do we do in the meantime?	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process. As described in Chapter 2, Purpose and Project Objectives, DWR's fundamental purpose in proposing to develop new diversion and conveyance facilities in the Delta is to restore and protect the reliability of SWP water deliveries and, potentially, CVP water deliveries south of the Delta, consistent with the State's Water Resilience Portfolio in a cost-effective manner. Furthermore, the Delta Conveyance Project is one component of the statewide portfolio approach needed to meet California's overall water management needs. It is not a substitute for increased commitments to other water supply solutions, including water conservation and storage, water recycling, and stormwater capture.

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297-7	In the best-case scenario under any of the alternatives, less water will be delivered to State Water Project contractors than their contracted allocations.	Please refer to Chapter 2, Purpose and Project Objectives, as well as Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the purpose of the project. Under 2040 conditions, total deliveries are not shown to decrease. Please see Appendix 6A, Water Supply 2040 Analysis, for more information regarding SWP and CVP water exports, including this table: Water Supply Summary, Changes to Water Supply by the No Project Alternative and Project Alternatives, Geographic Area, and User, shown in Thousand Acre-Feet and Resulting Percentages, as Compared to No Project (2040) Conditions. Please refer to Common Response 3, Alternatives Development and Description, regarding project operations.
297-8	As indicated earlier, WRD supports the Bethany reservoir alternative for the conveyance project. However, we also support the courses of action outlined in the No Project Alternative inasmuch as they answer the question, “what do we do in the meantime?” They also address the stark realities documented in the draft EIR. The draft EIR says the No Project Alternative takes into account projects, plans, and programs that "would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services." Respectfully, we would argue that these are not options to be pursued “if the project were not approved.” These are imperatives that need to be undertaken with urgency now for the very reasons stated in the draft EIR whether or not the Delta Conveyance Project is approved or ever built. For the Southern Coastal region, the draft EIR identifies Desalination, Recycling, Water Conservation and Water Use Efficiency, Groundwater Recovery and Groundwater Management as	Please refer to Common Response 4, No Project Alternative Description and Analysis, for a description of the No Project Alternative and its purpose within a CEQA analysis. A lead agency uses the No Project Alternative to analyze the impacts of not implementing the project. The Delta Conveyance Project’s fundamental objective is to improve water reliability within the State Water Project. In its absence, other efforts would need to be implemented, such as desalination and recycling mentioned by the commenter. This does not negate the existing efforts currently being implemented by public water agencies and other organizations. Common Response 5, Public Water Agencies Water Management Practices, describes existing efforts and near-term future actions of State Water Project users to ensure California’s water resources are being used efficiently and sustainably. Additional detail on state-level planning efforts can be found in Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs.

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	general categories of projects and programs "expected to occur in the foreseeable future if the project were not approved." Fortunately, dozens of projects and programs in all of these categories have been underway in Southern California for some time. WRD, for example, has been using recycled water to replenish groundwater for 60 years and is currently expanding capacity and sources of supply. Given the existing challenges and vulnerabilities of imported water, many other programs and projects are on accelerated schedules by water agencies throughout the state. The Metropolitan Water District's 150 million gallons per day (mgd) Pure Water Southern California project and the City of Los Angeles' 170 mgd Operation Next are two significant examples of projects in our region scheduled to be operational in part before the conveyance facility is built under the most optimistic scenario. And many other No Project Alternative new water supply programs and projects are underway, under construction, or planned throughout Southern California and the state. This is not a criticism of the draft EIR; we understand that its preparation under California Environmental Quality Act guidelines necessarily focuses on impacts directly related to the project and project area. Still, a running inventory of the local water supply initiatives already in operation, under construction, or planned in areas of the state that use State Water Project water would make the No Project Alternative more understandable. It would quantify the state and local agency response to the climate-induced impacts adversely impacting the Delta and State Water Project contractors. If that is something that doesn't fit within the four corners of the	

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	draft EIR, the Department of Water Resources should do an inventory outside the draft EIR itself.	
298-1	The Los Angeles County Sanitation Districts (Sanitation Districts) appreciates the opportunity to comment on the Delta Conveyance Project (DCP) Draft Environmental Impact Report (EIR).	This information describes the background of the organization or individual commenter or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
298-2	By way of background, the [Los Angeles County] Sanitation Districts are a regional public agency consisting of 24 independent special districts serving over 5.5 million people in 78 cities and the unincorporated territory within Los Angeles County. Some of these areas are served by the State Water Project (SWP). The Sanitation Districts protect public health and the environment through innovative and cost-effective wastewater and solid waste management and, in doing so, convert waste into resources such as recycled water, energy, and recycled materials. As part of the recycled water program, the Sanitation Districts operate ten water reclamation plants (WRPs) that currently produce approximately 166,000 acre-feet per year of recycled water, of which approximately 115,000 acre-feet per year is supplied to over 854 sites for a variety of uses, including recharging groundwater supplies, landscape and agricultural irrigation, recreational impoundments, industrial processing, and environmental enhancement. This program is one of the largest wastewater recycling programs in the world and since its inception in 1962, the Sanitation Districts have delivered nearly 3.6 million acre-feet of recycled water for beneficial reuse.	This information describes the background of the organization or individual commenter or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
298-3	The [Los Angeles County] Sanitation Districts are also partnering with the Metropolitan Water District of Southern California (MWD) on a potential 150 million gallons per day recycling project, called the Pure Water Southern California (PWSC) program, at our Joint Water Pollution Control Plant.	This information describes the background of the organization or individual commenter or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	The PWSC program will provide a new local source of reliable, high quality, and climate-change resilient water that would benefit the region for years to come. The project will involve reverse osmosis treatment to remove salts and trace constituents to produce a purified recycled water suitable for potable reuse.	
298-4	The [Los Angeles County] Sanitation Districts are supportive of the DCP [Delta Conveyance Project] given that the SWP [State Water Project] has been an essential component of Southern California's water portfolio for half a century and will remain an essential part of the future portfolio. The SWP supplies have also provided important overall regional water quality benefits, including blending with saltier Colorado River supplies to meet groundwater basin standards. Salinity is an issue at our inland WRPs, where we strive for 100% reuse, but there are regulatory (groundwater basin limits) and customer concerns (irrigation) with salinity levels. For PWSC [Pure Water Southern California] and our Valencia WRP [Water Reclamation Plant] where we will be operating reverse osmosis, salinity is also a concern because high salinity levels increase the cost of treatment. Further, boron is not well removed by reverse osmosis treatment and is a concern for recharging local groundwater basins.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
298-5	While we [Los Angeles County Sanitation Districts] support the DCP, we had anticipated it would achieve greater salt reductions for SWP supplies than are currently contemplated in the DEIR. Based on our review, on average, only slightly lower levels of boron, electroconductivity, and chloride are anticipated for most of the alternatives.	Please refer to Chapter 2, Purpose and Project Objectives, and Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives. As described in Chapter 2 and Comment Response 1, the project's purpose and objectives include restoring and protecting water supply reliability of the State Water Project. As mentioned in the comment, there would be some minor improvements to water quality within the State Water Project service area but improving water quality is not specifically part of the project's purpose.

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298-6	The [Los Angeles County] Sanitation Districts recognize that the State has competing multiple interests to address, but ask that the Project alternative ultimately selected and future operations also consider controlling the salinity of exports to the maximum extent practical.	Please refer to response to comment 298-5 regarding the project's purpose and objectives. The Delta Conveyance Project would be operated consistent with regulatory requirements, specifically State Water Board Water Right Decision 1641 (D-1641).
303-1	Good Day, We have not heard anything so wanted to make sure that DWR received this request [See ATT 1] and will be acting upon it. Could you please provide a status update?	DWR responded to all requests for modeling files within the comment period.
303-2	The DEIR states that "A regional scale integrated groundwater and surface water model, called the Delta 16 Groundwater (DeltaGW) model (see Section 8.3, Groundwater Impacts), was used as the analytical tool for quantitative analysis of impacts on groundwater from project operations." (DEIR, p. 8-1; see also p. 8A-1.) In order to complete our review of the DEIR, we request that DWR provide: the DeltaGW model, associated files, and any metadata and model FAQs. Thank you,	Please see response to comment 303-1 regarding DWR's responses to requests for modeling files within the comment period.
308-1	Metropolitan Water District of Southern California Draft Environmental Impact Report Comment As general manager of the Metropolitan Water District of Southern California, I thank you for the opportunity to comment on this proposal to modernize State Water Project infrastructure in the Sacramento-San Joaquin Delta as contained in the Delta Conveyance Project Draft Environmental Impact Report (draft EIR). This process comes at a critical time for water management in Southern California and for the entire Southwest. We collectively must find the courage and the wisdom to take bold steps to address the impacts of climate change or we will suffer the consequences of inaction.	This information describes general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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308-2	My Board of Directors [of Metropolitan Water District of Southern California] has diverse perspectives, including on Delta conveyance. I see this diversity as one of our great strengths. It motivates us to work collaboratively to make progress. I firmly believe that all members of our Board share the values of securing water supply reliability in an environmentally responsible way. There is no better example than how the Board recently - and unanimously - voted to update our Bay-Delta policies, which are attached. [see ATT 1] The three primary policy objectives are: -Promote a Sustainable Bay-Delta within Metropolitan's One Water Approach to Water Management -Support Statewide and Regional Actions that Further the Coequal Goals Established in the Delta Reform Act -Address the Risks Associated with Climate Change Also attached [see ATT 2] is a staff analysis of the draft EIR that was distributed to our 26 Member Agencies to help them in their own processes to develop comments. I hope you find these insights useful as well.	This comment describes Metropolitan Water District of Southern California's updated Bay-Delta policy objectives adopted in 2022. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for a description of purpose and project objectives of the Delta Conveyance Project. The commenter provided two attachments for reference purposes in support of their comments.
308-3	For Southern California, the future of the Delta is interconnected with the future of our other imported supply, the Colorado River, which faces historic shortage conditions and additional reductions in water use that have yet to be identified. The State Water Project has experienced historically low deliveries during this drought, triggering various forms of mandatory conservation for more than 6 million Southern California residents. These conditions have also worsened ecosystem challenges throughout our river systems.	This comment describes the challenges the Metropolitan Water District of Southern California is facing in light ongoing dry conditions and climate change. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	Metropolitan [Metropolitan Water District of Southern California] is preparing for the prospect of another dry year and a water future increasingly shaped by the accelerating impacts of climate change. We are prepared to propose continued emergency conservation measures for the portions of our service area that are uniquely dependent on State Water Project supplies, but all of the service area may face mandatory conservation measures in the months ahead in order to help manage conditions on the Colorado River. The unfolding events provide a stark backdrop that reinforces the need to take numerous actions in the face of climate change through Metropolitan's emerging One Water approach to water management to secure a resilient portfolio in the decades ahead. Metropolitan faces the tremendous responsibility to advance resilient water supplies regionally as well as to look beyond our borders and consider statewide needs. This outward-looking ethic is reflected throughout our Bay-Delta policies.	
308-4	I would like to review the draft EIR as it relates to the Board's [Metropolitan Water District of Southern California] three Bay-Delta policy objectives: 1. Promote a Sustainable Delta within Metropolitan's [Metropolitan Water District of Southern California] One-Water Approach Our Board sent a powerful message about Delta sustainability by placing the protection of aquatic resources on equal policy footing as the protection of water supplies. We simply can't do one and not the other. The project's required compliance with	This comment describes the first of three updated Bay-Delta policy objectives adopted by the Metropolitan Water District of Southern California in 2022. The comment does not raise an environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. Please refer to Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the policies of the Delta Reform Act.

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	state and federal environmental laws can provide important environmental protections that will be of great interest to my Board as permit conditions are finalized in the future. We care about the future of the Delta for many reasons including our role as landowners of four vital Delta islands. Our Board is in the middle of a process to identify ways to ensure that these islands are sustainable and contributing to restoration goals in the decades ahead. Metropolitan's emerging One Water approach to water management embraces the Delta Reform Act policy of reduced reliance on the Delta through improved regional self-reliance. Metropolitan has spent $1.5 billion over many years to underwrite conservation, recycling and groundwater recovery. But more is needed, so Metropolitan is accelerating efforts at regional self-sufficiency. As examples, Metropolitan has launched the environmental review process for Pure Water Southern California, a partnership with the Los Angeles County Sanitation Districts and a number of other agencies to construct one of the largest recycling projects in the world. And the Board has recently adopted a model ordinance encouraging the removal of nonfunctional turf throughout our service area and continues to support conservation and other water use efficiency efforts throughout our service area. The drought and our changing climate have reinforced that storage is also critical. The construction of Diamond Valley Lake more than two decades ago has allowed Southern California to take advantage of wet moments in the Delta when the State Water Project can divert and convey supplies Metropolitan moved into storage for later use during dry years. The SWP must continue to be part of our solution.	

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	The attached staff review [see ATT 2] goes over many critical issues related to the project such as tribal engagement as well as the proposed alignment and how it avoids the central Delta and other design refinements to reduce impacts. These and other efforts to advance Metropolitan's policy objective of Delta sustainability should continue.	
308-5	I would like to review the draft EIR as it relates to the Board's [Metropolitan Water District of Southern California] three Bay-Delta policy objectives: 2. Support State and Regional Actions that Further the Coequal Goals Established in the Delta Reform Act As you know, the Delta Reform Act established two coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place. Community benefit programs are becoming increasingly common for projects of this scale and will likely be critical for the success of DCP. The proposed program holds the prospect of being part of a broader set of Delta actions so that nobody is left behind. Identifying meaningful, durable benefits for the Delta through the community benefits program is critical to meeting this Metropolitan policy objective. We look forward to working constructively with you and with interested stakeholders to make this program a success.	This comment describes the second of three updated Bay-Delta policy objectives adopted by the Metropolitan Water District of Southern California in 2022. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. Please refer to Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the coequal goals of the Delta Reform Act. Please also see Appendix 3G, Community Benefits Program Framework, and Common Response 7, Implementation Considerations, for information on community benefit programs.

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	The Board policies are designed to help inform deliberations on future decisions such as Delta Conveyance and not to pre-determine the outcome. The project's attributes to improve State Water Project reliability can help inform a discussion on achieving the coequal goals. Those improvements are detailed in the attached staff analysis [see ATT 2], including the project's ability to withstand seismic events, levee failures and the resulting salinity intrusion that would risk the loss of water supplies for 27 million Californians.	
308-6	I would like to review the draft EIR as it relates to the Board's [Metropolitan Water District of Southern California] three Bay-Delta policy objectives: 3. Address the Risks Associated with Climate Change The Board is in the middle of a multi-step process to address the water risks posed by climate change. Given the great uncertainties about our future climate, we have analyzed four different scenarios of varying supply and demand impacts. Next year, our discussions will focus on an Implementation Plan that will help shape our One Water portfolio of supply actions, system improvements and conservation efforts. We have presented the Board with the water supply analyses included in the draft EIR, which show two different futures facing California water depending on whether the proposed Delta Conveyance project moves forward or does not. We noted in particular how the project is designed for as much as 10 feet of sea level rise and how new intakes in the north Delta improve the project's future ability to capture water at the wettest moments in the Delta. Our Board will be considering a range of information as part of its deliberation process, and	This comment describes the third of three updated Bay-Delta policy objectives adopted by the Metropolitan Water District of Southern California in 2022. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. Please refer to Chapter 4, Framework for the Environmental Analysis, for an explanation regarding how climate change was incorporated into the EIR's analysis. Please see Common Response 6, Climate Resilience and Adaptation, regarding the project and climate change resilience provided to the State Water Project.

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	our staff seeks to provide additional analyses of the project to inform our Board's decision-making process.	
308-7	Metropolitan's Board [of Directors of Metropolitan Water District of Southern California] previously approved funding for the ongoing planning activities for the Delta Conveyance Project. Our Board has yet to decide on supporting and financing the project itself. That decision will be informed by the information contained in the final EIR, along with additional information to be developed in the months ahead outside of the EIR process, including various permit conditions and a project cost-benefit analysis.	This comment does not raise a significant environmental issue associated with the Delta Conveyance Project. Common Response 7, Implementation Considerations, includes a discussion regarding the preparation of a cost-benefit analysis of the project. The results of this analysis will be considered by DWR as part of its decision-making process for the project.
308-8	Separate from our [Metropolitan Water District of Southern California] comments on the draft EIR, I would like to request DWR's assistance with analysis that could help State Water Project Contractors in their respective long-term planning efforts. These analyses would look at the impact of climate change on the SWP at least fifty years from today and could consider a range of plausible operating conditions. As contractors consider continuing to invest in the current SWP infrastructure and future improvements, it is necessary to understand how the supply provided by this system may change under projected climate scenarios and given regulatory uncertainty that may play out over a full investment cycle. This analysis would also allow contractors to understand how improvements to the system, like DCP, might provide water supply resilience under the same climate scenarios. In closing, thank you for consideration of our thoughts and comments during this critical moment in the planning process. We hope to be constructive participants in the months ahead so we can provide our board with the necessary information to make an investment decision in light of both the	DWR appreciates Metropolitan's long-term planning and the need to consider future scenarios that go beyond what CEQA would require a lead agency to consider in an EIR. DWR attempted to anticipate these needs by preparing modeling analysis beyond the CEQA baseline of 2020 conditions. Please refer to Appendix 4A, Consideration of 2070 Conditions, for additional analysis regarding potential future conditions and the impacts of climate change. DWR compiled additional information that confirms the project would continue to provide water supply benefits under simulated hydrologic conditions of 2070 scenario(s) (California Department of Water Resources 2023). Note that this analysis was provided for informational purposes and is not used to support the CEQA conclusions provided in Chapters 7–32 of the EIR.

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	environmental impacts as well as the economic costs and water supply benefits.	
308-9	[Attachment 1: Revised Bay-Delta Policy Objectives and Framework of the Metropolitan Water District of Southern California]	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
308-10	[Attachment 2: Metropolitan Water District of Southern California Staff Analysis of the Delta Conveyance Project Draft EIR: Encouraging Member Agency [and] Public Comment]	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
312-1	The purpose of this letter is to provide the California Department of Water Resources (DWR) comments on behalf of the Solano County Water Agency (SCWA). SCWA provides wholesale water supply to cities, special districts and State agencies in Solano County. Our agency boundary encompasses all of Solano County including portions of the legal Delta. The North Bay Aqueduct (NBA) portion of the State Water Project (SWP) delivers source water directly from the Cache Slough Complex (CSC) of the Delta to over 500,000 residents in Napa and Solano Counties and includes the communities of American Canyon, Benicia, Calistoga, Fairfield, Napa, Travis Air Force Base, Vacaville, and Vallejo. While the NBA is owned and operated by DWR, SCWA has a longstanding interest in the Delta to ensure the NBA and other local water supplies can provide reliable and high-quality water to the agricultural and municipal water users in Solano County. It is also important to distinguish that the NBA SWP Contractors are not part of the Delta Conveyance Project and are not financing or receiving any benefits from the proposed project.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, or general introductory text. The Department of Water Resources (DWR) is committed to working with all interested parties. DWR has reviewed all comments and will consider all comments in its decision-making process.
312-2	In reviewing the Draft EIR (DEIR) for the Delta Conveyance Project, SCWA [Solano County Water Agency] has several concerns with regards to the Biological and Water Quality Impacts, particularly when looked at from a cumulative impact	The potentially significant impacts associated with the Compensatory Mitigation Plan (CMP) are evaluated throughout the resource chapters in the EIR. These impacts combined with potential cumulative projects that DWR or other agencies may pursue in the future are also evaluated in the

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	of other current and planned DWR projects. For Biological Impacts, the Tidal Habitat Mitigation Framework proposes up to 1,500-acres of Delta & Longfin Smelt Tidal Habitat using Site Selection Criteria that favor the North Delta Arc and CSC [Cache Slough Complex] region. Yet in 2021-2022, the NBA was actively curtailed due to Delta & Longfin Smelt for 92-days, the same species that DWR would like to enhance in the same region as the NBA [North Bay Aqueduct].	cumulative section of each resource chapter. As described in Appendix 3F, Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources, "the Tidal Habitat Mitigation Framework…focuses first on the suitable restoration areas identified in the Delta Plan, such as the tidally influenced regions of Cache Slough and lower Yolo Bypass. However, it is uncertain that all tidal wetland habitat needs can be feasibly met in this region." Therefore, site selection for tidal habitat restoration would be dependent on a number of criteria including focusing on benefits to special-status fish species and the location of existing water supply intakes, and as necessary, would include collaboration with fishery agency representatives. DWR may also coordinate with other agencies, including Solano County Water Agency once preliminary restoration site selection occurs. DWR acknowledges the exact location for tidal habitat restoration mitigation has not been determined at this time but is generally planned to occur in the North Delta Arc region. The results of the EIR's assessment would be reviewed once the exact location of the restoration action is determined. The review of the assessment would also take into consideration other restoration projects occurring within the Delta Conveyance Project study area. DWR, as lead agency, would determine if additional environmental review for CMP restoration projects is warranted once site-specific details are developed.
312-3	For Water Quality, DWR relies upon DSM2 to assess water quality impacts to the NBA [North Bay Aqueduct] region associated with Organic Carbon, Electrical Conductivity, and Bromide yet DWR's own internal reports (Pandey 2001) indicate that the model calibration results "are less than satisfactory at the NBA Aqueduct Intake at Barker Slough, an important urban intake." Furthermore, the DEIR analysis relies upon monthly water quality averaging, which as shown in Figure 3 [See Exhibit 7], can mask periods of almost	This comment is a summary of detailed comments presented in comments 312-11 through 312-27 regarding the suitability of DSM2 to model water quality in the North Bay Aqueduct intake region of the Delta and approach to averaging modeling output. The issues raised in this comment are addressed in responses to comments 312-11 through 312-27.

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	6-months/year, where EC values already exceed recommended containment levels.	
312-4	SCWA [Solano County Water Agency] is concerned that the cumulative impact of the Delta Conveyance Project in addition to other DWR tidal habitat wetland restoration projects within the CSC, will continue to decrease the reliability of the NBA [North Bay Aqueduct] facility. Below is a more detailed explanation of our concerns. Nevertheless, SCWA would like to work closely with DWR, to resolve and/or mitigate these fundamental concerns.	DWR is committed to working with all interested parties. Impacts on the NBA reliability are not environmental impacts, but DWR has reviewed this comment and it will be considered in the decision-making process. Please see response to comment 312-2 regarding the evaluation of the tidal habitat restoration proposed in the CMP, potential location of projects and the criteria that will be used to select tidal habitat locations, and the fact that additional CEQA review may be required depending on the location selected for tidal habitat. As described in Chapter 4, Framework for the Environmental Analysis, the EIR discloses the environmental impacts of constructing the CMP based on the currently available information and level of detail described for the CMP. The EIR discloses environmental impacts of both the Delta Conveyance Project and the CMP under each impact determination in a resource chapter. For example, as described in Chapter 9, Water Quality, impacts associated with implementation of tidal habitat restoration under the CMP would not result in significant water quality effects either prior to mitigation measures or after implementation of mitigation measures in the case of Impact WQ-6 and Mitigation Measure WQ-6. This evaluation included the restoration sites as described in the CMP (Appendix 3F, Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources). The cumulative assessment in the EIR (Chapter 9) also concluded that the project and CMP would not result in significant cumulative impacts on water quality.
312-5	Specific Concerns: Chapter 2 -- Purpose and Project Objectives In Section 2.3, DWR provides the following four key points as the fundamental purpose behind the Project. * To help address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and	This comment primarily quotes specific content from the EIR regarding the objectives, Delta Reform Act considerations, coequal goals of the Delta Plan, and core strategies for protecting and enhancing the unique values. Please refer to responses to comments 312-11 through 312-22 for responses to comments regarding project operations relative to Solano County's regional water supply reliability. As explained, the Delta Conveyance Project will not detrimentally affect Solano County's regional water supply resiliency.

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	extreme weather events. * To minimize the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries, and potentially CVP water deliveries, south of the Delta as a result of a major earthquake that could cause breaching of Delta levees and the inundation of brackish water into the areas where existing SWP and CVP pumping plants operate in the southern Delta. * To protect the ability of the SWP, and potentially the CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, consistent with the requirements of state and federal law, including the California and federal Endangered Species Acts and Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements. * To provide operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations. Chapter 3E -- Delta Reform Considerations In Section 3E.2.1, DWR summarizes a few key points from the Delta Reform Act and Legislature, which are summarized below (page 3E-2, bullets 1,3,4,5, lines 14-17)[.] * Manage the Delta's water and environmental resources and the water resources of the state over the long-term; * Promote statewide water conservation, water use efficiency, and sustainable water use;	

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	* Improve water quality to protect human health and the environment consistent with achieving water quality objects in the Delta; and * Improve the water conveyance system and expand statewide water storage ...to provide for the sustainable management of the Sacramento-San Joaquin Delta ecosystem, to provide for a more reliable water supply for the state, to protect and enhance the quality of water supply from the Delta, and to establish a governance structure that will direct efforts across state agencies to develop a legally enforceable Delta Plan. In Section 3E.5, DWR lists several objectives of the Delta Conveyance Project and how it relates to the Co-Equal Goals of the Delta Plan, which are listed below (page 3E-19, lines 16-28). * Help address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events. * Minimize the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries and, potentially, CVP water deliveries, south of the Delta as a result of a major earthquake that could cause breaching of Delta levees and the inundation of brackish water into the areas where existing SWP and CVP pumping plants operate in the southern Delta.	

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	* Protect the ability of the SWP and, potentially, the CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts, consistent with the requirements of State and federal law, including the California and federal Endangered Species Acts and Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements. * Provide operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations. Lastly, DWR summarizes the core strategies for protecting and enhancing the unique values that distinguish the Delta and make it a special region (page 3E-20, lines 10-19)[.] (A) Designate the Delta as a special place worthy of national and state attention; (B) Plan to protect the Delta's lands and communities; (C) Maintain Delta agriculture as a primary land use, a food source, a key economic sector, and a way of life; (D) Encourage recreation and tourism that allow visitors to enjoy and appreciate the Delta and that contribute to its economy; (E) Sustain a vital Delta economy that includes a mix of agriculture, tourism, recreation, related industries and business, and vital components of state and regional infrastructure; and (F) Reduce flood and other risks to people, property, and other interests in the Delta While the Delta Conveyance Project may achieve many of the	

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	points, objectives, and values of the Delta Reform Act, it does so at the expense and detriment of Solano County's regional water supply resiliency. As one of the five Delta Counties, the Delta is a critical part of Solano County's regional water supply for both our municipal and agricultural community and businesses in and adjacent to the Delta. Figure 1 [See Exhibit 5] is a map showing all of the local municipal and agricultural intakes for Solano County. The points below will illustrate that DWR's Delta Conveyance Project will actually decrease the reliability of Solano County's regional water supplies including the NBA, in direct conflict with the stated objectives of the Delta Reform Act, Legislature's Intent, Co-Equal Goals of the Delta Plan, and in protecting and enhancing the unique values that distinguish the Delta and make it a special region.	
312-6	Chapter 3F - Compensatory Mitigation Plan (CMP): In Section 3F.3, DWR provides a summary of the Compensatory Mitigation Plan for Special-Status species. DWR provides a summary of initial mitigation, all of which is outside of Solano County. However, in Section 3F.4.3 DWR provides a summary of the additional Tidal Habitat Mitigation Framework required, which has the following mitigation requirements: [See Exhibit 1 on next page of doc] Furthermore, Section 3F.4.4.2 provides a summary of the Site Selection Criteria and Tools that will be used to select the Tidal Habitat Mitigation sites, including Ownership, Geography, Elevation, and Water Quality, several of which specifically call out the North Delta Habitat Arc and the CSC [Cache Slough Complex]. While DWR's approach to Tidal Habitat Mitigation has merit, it	Please see responses to comments 312-2 and 312-4 regarding the selection of locations under the CMP and the evaluation of potential impacts associated with the CMP. The compensatory mitigation approach described in Appendix 3F is conceptual and based on anticipated mitigation needs. The final compensatory habitat mitigation needs for the project will be determined once all regulatory permits and approvals are secured. Although the mitigation approaches are described in sufficient detail to meet the requirements of CEQA, NEPA, and other laws, it is anticipated that additional design and management planning, including more detailed performance standards, monitoring methods, and adaptive management actions, may be needed prior to project approval and initiation. Because of the conceptual nature of the CMP potential effects on water supply at a specific location is premature and identification of impacts on water supply are not required under CEQA.

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	also places significant risk and uncertainty on the reliability of the NBA. [North Bay Aqueduct] The reason being, is Section 3F.4.4.2 and the Site Selection Criteria and Tools already indicate that the North Delta Habitat Arc and the CSC would make sense for Tidal Habitat Mitigation. Furthermore, much of the area is already in public ownership (or public-private partnership), the geography is well-suited, elevations are appropriate, and water quality well-suited for future tidal mitigation, all part of the Site Selection Criteria. DWR also has several in-progress and planned tidal habitat mitigation projects already occurring in the North Delta Habitat Arc and the CSC. However, the DEIR does not disclose any of these details or provide any risk assessment summary for Solano County's regional water supplies.	
312-7	[Exhibit 1: Additional Tidal Habitat Mitigation Framework required]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
312-8	Furthermore, as part of the existing SWP Incidental Take Permit (ITP), the NBA [North Bay Aqueduct] and Barker Slough Pumping Plant (BSPP) facilities have already experienced numerous curtailments in 2021 and 2022 as summarized below. It is also worth noting that the BSPP's compliance location is Station 716 located in the middle of the CSC [Cache Slough Complex], in close proximity to DWR's current, planned, and potential future tidal habitat restoration projects for listed species. The ITP can also limit NBA diversions from January -- June, a period of 6 months/year, which is unacceptable for a major urban water supply. Since the main purpose of the Tidal Marsh Habitat projects (including the DEIR Tidal Habitat Mitigation Framework) is to create habitat for listed species, the approach directly conflicts	Please see responses to comments 312-2 and 312-6, which describe how DWR will proceed once the exact location of restoration actions is determined. In addition, please refer to responses to comments 312-11 through 312-22 for responses to comments on the operation of the Delta Conveyance Project and Solano County's regional water supply reliability.

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	and impacts the reliability of Solano County's regional water supplies including the NBA, City of Vallejo, Maine Prairie Water District, Reclamation District 2068, and other local agricultural intakes. It is important to note that SCWA [Solano County Water Agency] has continued to convey this concern to DWR on various projects, as shown below [Exhibit 2]. A summary of existing NBA curtailments for 2021 and 2022 is shown below [Exhibit 3]. Figure 2 [Exhibit 6] is a map showing constructed and planned tidal wetland restoration projects in the CSC.	
312-9	[Exhibit 2: Table listing the date, type, and description of communications from Solano County Water Agency to DWR between 2/14/2013 through 7/16/21.]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
312-10	[Exhibit 3: Table titled "NBA Curtailments in 2021-2022 due to Delta [and] Longfin Smelt presence at Station 716".]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
312-11	Chapter 5A-C-1D - Modeling and Water Quality Modeling Results. In Section C.3, DWR provides a brief summary of the hydrodynamic and water quality modeling approach. As part of the discussion, DWR indicates that "DSM2 has a limited ability to simulate two-dimensional features, such as open water bodies (reservoir, flooded islands, tidal marshes, etc.)..." (page C-2, lines 14-15). In Section C.4, DWR summarizes "Simulation of Dissolved Organic Carbon (DOC) transport in DSM2 was validated in 2001 by DWR (Pandey 2001)." In reviewing the DWR reference (Pandey 2001), the report specifically states on page 3-6: "DSM2 results are less than satisfactory at the NBA [North Bay Aqueduct] Aqueduct intake at Barker Slough, an important urban intake. This location is strongly influenced by local hydrology (that is not modeled in DSM2) and agricultural	Local sources contribute a significant organic carbon load to the Barker Slough location. DSM2 does not fully account for these local sources. Nevertheless, operations and maintenance activities under the project alternatives would not substantially affect these local sources to Barker Slough, thus local contributions to organic carbon levels in the slough would occur under both the project and baseline conditions. Since modeling results are being used for comparative analysis, and not as a predictor, DSM2 is being appropriately used to assess impacts on organic carbon in Barker Slough. As shown in Appendix 9B, Source Water Fingerprinting, in the 10 figures showing assessment location Barker Slough at North Bay Aqueduct (all project alternatives), the change in source water present at the Barker Slough intake is less than 1% when the project alternatives were compared to the existing conditions, which indicates minimal effect of project operations on the hydrodynamics within the Cache Slough and in the vicinity of the Barker Slough intake. Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding averaging modeling output and use of these results in the impact

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	return flows (Hutton and Chung 1992); Barker Slough is less influenced by reservoir releases and south Delta pumping operations." The Section does not advocate the use of DSM2 to predict changes in water quality at this location. (Note: The last line is bolded and underlined, due to the important conclusion of the report). Based upon DWR's own assessment in the DEIR as well as supporting reference for DSM2 validation of Dissolved Organic Carbon (Pandey 2001), SCWA does not believe that the DSM2 model can be reliably and accurately used to predict water quality changes within the CSC [Cache Slough Complex] region including the NBA intake. Furthermore, the CSC contains several large-scale tidal wetland restoration projects and open water bodies, which the DEIR indicates that DSM2 has limited ability to simulate these features. Lastly, DWR's own report recommends against the use of DSM2 for predicting changes in water quality at the NBA intake, yet the DEIR relies on the DSM2 model results for several water quality sections, particularly Chapter 9D (Bromide), Chapter 9G (Electrical Conductivity), and Chapter 9I (Organic Carbon), of which SCWA does not have confidence in the model results and corresponding analysis within the CSC, based upon the significant model limitations discussed above. Chapter 9 - Water Quality Impact WQ-3 (Bromide) Impact WQ-5 (Electrical Conductivity) Impact WQ-8 (Organic Carbon) CEQA Conclusion & Mitigation Impacts - The DEIR concludes that the project alternatives and Compensatory Mitigation	assessment.

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	would not cause any water quality exceedances (or additional exceedances) to the NBA or adjacent waterbodies in regards to Bromide, Electrical Conductivity, and Organic Carbon. As discussed above and in more detail below, the DEIR relies on DSM2 to directly model Electrical Conductivity, Organic Carbon, and source water analysis for Bromide to the NBA. However, the DSM2 model is unable to accurately model tidal marsh habitat and open water bodies (both present within the CSC), has a less than satisfactory validation for Dissolved Organic Carbon for the NBA, and water quality data is compared on a monthly time step, which is too coarse of a resolution to accurately assess water quality impacts for both municipal and agricultural water supplies. As discussed below, water quality for the NBA can change on an hourly to daily basis, and comparisons on a monthly basis, as done for the Bromide, Electrical Conductivity, and Organic Carbon sections of the DEIR are unable to provide a meaningful comparison to evaluate water quality impacts associated with the Project including the corresponding Compensatory Mitigation.	
312-12	Chapter 9D – Bromide In Section 9D.2 DWR summarizes the assessment methodology, which for the NBA [North Bay Aqueduct] is based on a mass-balance (also called fingerprinting) approach. As part of the mass-balance methodology, flow fractions are summed from six primary source waters, which include the Sacramento River, San Joaquin River, Yolo Bypass, Eastside Tributaries, Bay, and Agriculture Return Water. In the analysis section, a series of monthly average bromide concentration and exceedance tables are then shown for the NBA in the Table 9D-1 series.	Regarding bromide, the alternatives would not affect the local water sources identified in the comment. The modeling of bromide for the EIR allows for assessing effects of changes in Delta inflows due to the alternatives, namely Sacramento River inflows and the resulting changing proportions in the other Delta primary source waters. Because the analysis is comparative, not predictive, the mass-balance approach utilizing the primary Delta source waters and their associated concentrations is appropriate to determining the direction and magnitude of change in bromide concentrations. The Bay-Delta Water Quality Control Plan (WQCP) establishes a chloride objective for specific locations in the Delta for protection of municipal and

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	For the CSC [Cache Slough Complex] and the NBA, local source water drainages such as the Ulatis Watershed (Upper Cache Slough), Dixon Drains (Hass Slough), Noonan Drain (Barker Slough), and Big Ditch (Lindsey Slough) are a critical component of a mass-balance approach, coupled with the Yolo Bypass, Sacramento River, and Agricultural Return Water. Furthermore, water quality reports like the 2006 SWP Watershed Sanitary Survey show seasonal patterns of low bromide concentrations during the winter months and peak concentrations in the spring with no apparent relationship to water year types (page 3-61) which is not accurately depicted in the DEIR Table 9D-1-1-2 for Existing Conditions. Furthermore, the DEIR does not provide data for any other Cache Slough Complex locations such as Cache Slough at Ryer Island (USGS Station 11455350), Cache Slough at South Liberty Island (USGS Station 11455315), or Cache Slough at the City of Vallejo Pumping Plant which would allow for a more accurate comparison of potential municipal water quality impacts within Solano County [See Exhibit 6]. The other Cache Slough stations would also provide a more accurate assessment of hydrodynamic changes associated with the Project due to flow changes on Miner Slough, Steamboat Slough, and the Sacramento River at Rio Vista, which greatly impact water quality within the CSC. Chapter 9G – Electrical Conductivity (EC) In Table 9G-1 [See Exhibit 4], DWR provides a list of 14 Delta Assessment locations, which are shown below. In Section 9G.3.2, DWR also lists water quality objectives for municipal supplies with a recommended containment level of 900	domestic supply, including the North Bay Aqueduct intake location. Modeling results, including a complete compliance assessment with the chloride objective, are provided in Chapter 9, Water Quality, and Appendix 9F, Chloride. Modeling results show little to no change in chloride and no exceedances of the Bay-Delta WQCP objective. The Bay-Delta WQCP does not establish an EC objective at the North Bay Aqueduct for protection of agricultural uses. Nevertheless, as a salinity parameter, chloride can inform EC, which therefore also would be expected to have little to no change as a result of the project alternatives. The 900 micromhos/cm drinking water threshold referenced in this comment regarding electrical conductivity is a "recommended" secondary maximum contaminant level (MCL) for consumer acceptance. Per Title 22 of the California Code of Regulations, Section 64449(c)(1), compliance is determined on a running annual average basis, not the hourly or daily basis suggested by the comment, further indicating the appropriateness of averaging modeling results for assessment purposes. The CEQA conclusion for organic carbon is not based solely on the conclusion that there are no adopted numeric water quality criteria/objectives for organic carbon. The CEQA conclusion also considered the small potential water quality degradation relative to current organic carbon concentrations, other relevant thresholds cited in this comment and current water treatment practices.

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	[micro]mhos/cm (page 9G-4, line 1) and the SFBRWQCB [San Francisco Bay Regional Water Quality Control Board] agricultural supply beneficial use limit of 200 - 3,000 [micro]mhos/cm (page 9G-4, lines 14-15). Section 9G.4 provides modeled monthly average EC levels at each Delta Assessment location. While the DEIR concludes that the project alternatives and Compensatory Mitigation would not cause any water quality exceedances (or additional exceedances) for Electrical Conductivity (Impact WQ-5), SCWA [Solano County Water Agency] finds that the analysis is deficient for municipal and agricultural water supplies in Solano County, specifically the NBA [North Bay Aqueduct], City of Vallejo Pump Station, and Reclamation District 2068. Furthermore, there are no Delta Assessment locations and corresponding model results for Barker Slough, Cache Slough, or Hass Slough, which are the primary intake locations for Solano County's water supplies. Additionally, the model results as shown in Section 9G.4 are monthly averages, which do not show hourly to daily water quality fluctuations for EC, which is of critical importance to both municipal and agricultural intakes. Figure 3 [See Exhibit 7] is a plot of hourly and monthly EC data at the Sacramento River at Rio Vista for WY 2022. If only monthly data is focused on, all of the data is completely within the recommended containment level of 900 [micro]mhos/cm. However, if the analysis is broadened to hourly data, it becomes readily apparent that there is a period of almost 6-months where EC values consistently exceed the recommended containment level. For the DEIR, a similar fine-scale temporal analysis should be done for key locations within the Cache Slough Complex, to more appropriately analyze water quality impacts to Solano	

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	County's municipal and agricultural water supplies. Chapter 9I – Organic Carbon In Section 9I.3, DWR summarizes the California Urban Water Agencies panel recommendations for total organic carbon ranging from 4 -7 mg/L and bromide concentrations ranging from 100 - 300 ug/L to give users flexibility in their choice of treatment method (page 9I-2). The Table 9I-1 Series, provides a set of Dissolved Organic Carbon concentrations and exceedance tables for the NBA, ranging from existing conditions to the various project alternatives. The organic carbon data is presented as monthly averages for the entire simulation period (Wys 1976 -- 1991). For organic carbon, the DEIR concludes that the project alternatives would not cause additional exceedance of applicable organic carbon water quality criteria/objectives because none exist for the study area (Impact WQ-8). The DEIR reaches a similar condition for the Compensated Mitigation Plan. SCWA strongly disagrees with DWR's arguments, as there is still an obligation under CEQA to protect existing uses, specifically Solano County's municipal water supplies which include the NBA and City of Vallejo Pumping Plant. Furthermore, as discussed in the DEIR, there are water quality objectives that could be used, such as the panel of experts from the California Urban Water Agencies that provided municipal recommendations for both bromide and total organic carbon, which should be applied to the DEIR.	
312-13	[Exhibit 4: DWR provided list of 14 Delta Assessment locations]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.

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312-14	In addition to the water quality criteria, the DEIR's water quality analysis and model results for organic carbon for the NBA is strongly deficient and unreliable. The reason being, is as discussed above, DWR's internal reports and organic carbon validation of DSM2, indicated that DSM2 should not be used for water quality comparisons for the NBA [North Bay Aqueduct]. In addition, the model output tables as shown in the Table 9I-1 Series, show significantly lower values of Dissolved Organic Carbon for the NBA, regardless of alternative or Existing Conditions, which does not correlate with actual conditions. Figure 4 [See Exhibit 8] is a plot of measured vs modeled monthly average DOC data for the NBA. The model data (shown in blue) does not accurately reflect existing conditions for the NBA, significantly missing the large winter spikes in organic carbon, as well as under reporting baseline DOC for the late spring, summer, and early fall months by almost half. Therefore, SCWA [Solano County Water Agency] finds the DEIR conclusion for Impact WQ-8 to be deficient, as the Proposed Project still has un-studied effects for NBA water quality, especially for Organic Carbon.	Please refer to response to comment 312-11 regarding use of DSM2 to model organic carbon at the North Bay Aqueduct intake location. Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding averaging modeling output and use of these results in the impact assessment. Please also refer to Common Response 9, Hydrologic Modeling and Approach, regarding application of hydrologic modeled conditions to the environmental assessment.
312-15	Chapter 30 – Climate Change In Section 30.4.2, under Impacts of the Project Alternatives with Climate Change, DWR concludes "…the mixing processes between saltwater and fresh water that may be exacerbated under sea level rise do not appear to progress above the confluence of Sacramento River, Cache Slough, and Steamboat Slough, 14 to 16 miles downstream from the proposed new intake locations." However, there is no further analysis of pre versus post project impacts to the CSC region including the NBA. It is also important to note the current location of X2 ranges from 55-90 km depending on water year type (Hutton 2016 | Figure 3 [Exhibit 7]) while the confluence of the	Please refer to Appendix 9L, Water Quality 2040 Analysis, regarding potential impacts associated with project operations at 2040 that includes assumptions about climate change effects. Appendix 9L evaluates whether the impact conclusions documented in Chapter 9 would change when considered compared to a future no project condition. The analysis in Appendix 9L directly addresses effects of project operations to bromide and chloride in Barker Slough at the North Bay Aqueduct and electrical conductivity at three north Delta locations, including Steamboat Slough at Sutter Slough, Sacramento River at Threemile Slough, and Sacramento River at Rio Vista. The assessment in Appendix 9L reports that, in general, the effects of project operations at 2040 conditions with climate change would be similar to those disclosed for 2020 conditions.

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	Sacramento River, Cache Slough, and Steamboat Slough is further upstream at 105 km. The DEIR does not provide any post-project coupled with climate change analysis, to determine if there are any impacts to the CSC region, including the NBA. The DEIR indicates that with climate change and the project, X2 may not progress above the confluence of the Sacramento River, Cache Slough, and Steamboat Slough, but this is directly within the CSC. Therefore, SCWA finds the DEIR analysis for Climate Change to be un-studied, and in need of analysis, specifically with regards to post-project and climate change impacts of salinity and bromide to the CSC region including the NBA. Reference [for Exhibit 7]: Hutton, Paul H., et al. "Nine decades of salinity observations in the San Francisco Bay and Delta: Modeling and trend evaluations." Journal of Water Resources Planning and Management 142.3 (2016): 04015069.	
312-16	As a wholesale water agency, SCWA [Solano County Water Agency] understands the importance of the Delta Conveyance Project to South of Delta SWP Contractors, to improve SWP reliability, operational flexibility, and to protect public health. As a North Delta SWP Contractor, SCWA is concerned that the Delta Conveyance project will have significant impacts to Solano County's regional water supply, negatively impacting our water quality and water reliability.	Chapters 5, Surface Water, and Chapter 6, Water Supply, acknowledge that the changes to surface water resources and water supply are evaluated and disclosed, but CEQA impact determinations are not made. CEQA impact determinations are not made because the impacts associated with changes to surface water and water supply are associated with other resources dependent on hydrology or water supply. Chapter 9, Water Quality, evaluates changes to water quality, using information presented in Chapters 5 and 6. The water quality analysis included Barker Slough at the NBA intake as an assessment location, along with additional locations throughout the Delta. Based on the assessment of the multiple locations and multiple constituents in Chapter 9 (Impacts WQ-1 through WQ-14) impacts would be less than significant on water quality.

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		Please also see response to comment 312-2 regarding potential impacts associated with the proposed compensatory mitigation.
312-17	Moving forward, SCWA [Solano County Water Agency] highly recommends that DWR consider the following measures, to help mitigate Project Impacts, develop regional collaboration, and move the Project forward in a way that minimizes impacts to North Delta SWP Contractors.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, or clarification on the submittal of the comment letter. DWR is committed to working with all interested parties. DWR has reviewed all comments and will consider all comments in its decision-making process.
312-18	A.) Water Quality Modeling, Temporal Resolution - A finer temporal resolution is needed to accurately assess potential water quality impacts to agricultural and municipal water supplies in Solano County. While the DEIR conducted monthly average analyses, hourly and daily average comparisons are required to truly assess water quality impacts. Figure 3 [See Exhibit 7] is a straightforward example of why monthly average results are not meaningful in assessing water quality impacts to municipal and agricultural water supplies. B.) Water Quality, Organic Carbon - As discussed in detail above, the DSM2 model is not well calibrated/validated for the NBA. DWR did not utilize extensive local boundary conditions (such as Ulatis Creek, Dixon Drains, Campbell Lake, Big Ditch, etc.) in the DSM2 model runs presented in the DEIR. Additionally, DSM2 is not well-suited for open water bodies or tidal wetland habitats, of which there are several "existing" and "cumulative" projects planned (also referenced in the DEIR) within the CSC. Therefore, SCWA [Solano County Water Agency] recommends either improved calibration/validation of the DSM2 model for the CSC or the coupling of other hydrodynamic models to improve water quality modeling and eliminate or reduce major deficiencies in the DSM2 model.	Please see response to comment 312-11 regarding use of DSM2 to model organic carbon at the North Bay Aqueduct intake location. Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding averaging modeling output and use of these results in the impact assessment. Please also refer to Common Response 9, Hydrologic Modeling and Approach, regarding application of hydrologic modeled conditions to the environmental assessment. The commenter neither provides the local boundary condition data referenced in the comment nor offers a different numerical model that is better calibrated and validated. As discussed in Common Response 10, DSM2 is the best available model that can be used to simulate Delta hydrodynamics and water quality.

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312-19	C.) Water Quality, Salinity (Electrical Conductivity) -- For the DEIR analyses for Salinity, there were no representative Delta Assessment locations for Solano County's municipal and agricultural water supplies. SCWA [Solano County Water Agency] recommends several Assessment Locations including Cache Slough at Ryer Island (USGS Station 11455350), Cache Slough at South Liberty Island (USGS Station 11455315), and Cache Slough at the City of Vallejo Pumping Plant. These additional Cache Slough stations would also provide a more accurate assessment of hydrodynamic changes associated with the Project due to flow changes in Miner Slough, Steamboat Slough, and the Sacramento River at Rio Vista, which greatly impact water quality and the risk of sea-water intrusion within the CSC [Cache Slough Complex]. D.) Water Quality, Bromide -- As discussed above, the DEIR used a mass-balance (fingerprinting) approach for estimating bromide for the NBA [North Bay Aqueduct]. Unfortunately, the mass-balance approach did not utilize any of the local watershed inputs for the CSC, which are an important part of the local hydrodynamics and water quality. Nevertheless, for the NBA the most significant risk associated with bromide would be from sea water intrusion, as local sources are low in bromide, as illustrated from the many SWP Watershed Sanitary Surveys (2006, 2011, 2016, 2021). E.) Climate Change, CSC Region – In addition to current water quality impacts, SCWA is concerned that the Project will have even larger impacts when coupled with climate change to the NBA and CSC region, especially with regards to Electrical Conductivity and Bromide. As	As described in response to comment 312-12, the EC assessment focused on Bay-Delta WQCP compliance locations, because these are the locations that have been established for protection of agricultural beneficial uses. Three Sacramento River locations were also assessed to inform how the project could affect EC in the north Delta area. This includes the Sacramento River at Steamboat Slough, to which Cache Slough is connected. As described in Chapter 9, Water Quality, Impact WQ-5 (EC), and shown in modeling results in Appendix 9G, Electrical Conductivity, project operations would have little to no effect on EC in the Sacramento River at Steamboat Slough, thus would not be expected to affect EC in Cache Slough. Furthermore, as the comment notes, seawater intrusion is the most significant risk associated with bromide at the North Bay Aqueduct and local sources of bromide are low. As such, it is unlikely that including local watershed inputs for the Cache Slough Complex would change the EIR conclusions. Because the analysis is comparative, not predictive, the mass-balance approach utilizing the primary Delta source waters, including the Bay, and their associated concentrations is appropriate to determining the direction and magnitude of change in bromide concentrations at the North Bay Aqueduct.

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	discussed above, the analysis should include several representative locations within the CSC, and at a fine enough time scale, to adequately assess water quality impacts to municipal and agricultural intakes within the CSC.	
312-20	Furthermore, as illustrated in Figure 3 [See Exhibit 7], the use of monthly average comparisons for Electrical Conductivity is not meaningful for municipal intakes, where water quality changes on an hourly basis. Therefore, SCWA [Solano County Water Agency] recommends Electrical Conductivity analyses at an hourly and/or daily average time scale. Furthermore, Existing vs Project water quality comparisons should be done, showing how many hours or days each intake location exceeds specific municipal or agricultural water quality objectives. For municipal intakes, daily averages would make sense, so long as there are no large hourly spikes in Electrical Conductivity associated with sea water intrusion, that could significantly alter water treatment processes. Lastly, calibration and validation of the DSM2 model should be verified for a few key locations within the Cache Slough Complex, to ensure confidence in the model results. [See Exhibit 7] As discussed in the Salinity section above, additional Cache Slough locations should be included in the DEIR, to better assess the risk of sea-water intrusion associated with the Project. The Electrical Conductivity analysis should also include hourly and daily comparisons. A regression analysis between Electrical Conductivity and Bromide should then be created for the CSC [Cache Slough Complex], to estimate potential	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding DSM2 calibration and verification and averaging modeling output and use of these results in the impact assessment. Chapter 6, Water Supply, summarizes potential changes to water supply. Potential indirect impacts associated with potential changes to water supply are evaluated in Chapters 7 through 32 of the EIR, as needed. For example, Chapter 9, Water Quality, evaluates EC in multiple locations throughout the Delta using quantitative evaluations that identify if exceedances of existing water quality standards for EC would occur (for example, see the Appendix 9F, Chloride, table titled Percent of Days in Calendar Years 1923–2014 That Chloride Concentrations Exceeded the Municipal and Industrial Uses Water Quality Objective, Existing Conditions, and the Project Alternatives, which evaluates State Water Board's municipal and industrial salinity requirement on a daily timestep). The existing water quality standards are those identified in the Bay-Delta WQCP, which are established to reasonably protect beneficial uses, including water used for municipal or agriculture beneficial uses. The mass-balance methodology for calculating bromide concentrations in Barker Slough is based on the best available information for that location. DSM2 stage, flow and salinity results were fully calibrated and validated at several locations in the Delta including at a few locations in the Cache Slough Complex.

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	Bromide levels within the Complex and near municipal intakes such as the NBA [North Bay Aqueduct] and City of Vallejo Pumping Plant.	As described in Appendix 5A, Modeling Technical Appendix, Section C, One Dimensional Delta Hydrodynamics and Water Quality Modeling Results, in the section titled Incorporating Sea Level Rise Effects in DSM2 Planning Simulations, DSM2 results were corroborated with SCHISM, a three-dimensional hydrodynamics and water quality model, to better parametrize the estuarine processes under sea level rise conditions and inclusion of additional open water areas. This provides confidence in DSM2 results to capture the potential sea level rise effects.
312-21	F.) Biological Impacts, Local Diversions - Besides water quality, SCWA [Solano County Water Agency] is very concerned about the Compensatory Mitigation Plan and Tidal Habitat Mitigation Framework, and the risk of additional curtailments to the NBA [North Bay Aqueduct]. While the DEIR does not provide any specific locations for the Tidal Marsh Habitat, it does provide the criteria of which it will be evaluated, and specifically indicates that the North Delta Arc and the CSC [Cache Slough Complex] are favored regions. While SCWA understands the technical merits, this approach places significant risk and uncertainty on the NBA by creating more tidal marsh habitat to increase listed species, all adjacent to the NBA's compliance location for listed species and risk of increased entrainment at the BSPP [Barker Slough Pumping Plant] facility.	Please refer to responses to comments 312-2, 312-4, and 312-6 regarding the selection of locations for the CMP and the level of detail currently included in the CMP.
312-22	G.) Biological Impacts, Regional Solutions - To remedy the Biological Impacts, SCWA [Solano County Water Agency] recommends that DWR as well as other State and Federal stakeholders, should help fund and commit tangible resources (including bond funds) to support regional multi-benefit projects such as the NBA [North Bay Aqueduct] Alternate Intake Project and others, to achieve and sustain co-equal goals for the entire Sacramento - San Joaquin Delta. The NBA Alternative Intake is also a listed project in the Delta Plan and should be part of a statewide solution to achieve	The CMP tidal wetland restoration framework proposed in the North Delta Arc is intended to compensate for impacts of the proposed Delta Conveyance construction and operational effects. The general location of restoration has been determined to meet habitat requirements and avoid potential water quality impacts in other areas of the Delta. Specific locations for restoration sites, including those that may be in the vicinity of the NBA Alternate Intake, will require further evaluation as indicated in Appendix 3F, Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources. The potential impacts of this mitigation measure are presented as appropriate in Chapters 7 through 32, as required by CEQA.

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	environmental and water supply resiliency.	DWR, as lead agency, would determine if additional environmental review for CMP restoration projects is warranted once site-specific details are developed. The comment provides a suggestion to address the commenter's concerns about biological impacts and water supply reliability. The NBA Alternate Intake is a potential project that may merit consideration, but the purpose is different than the purpose of the Delta Conveyance Project. Common Response 3, Alternatives Development and Description, provides an explanation of the alternatives screening process and how project objectives are used to identify potential alternatives to the proposed project. The section of Common Response 3 discussing alternatives suggested in comments, or considered but eliminated, explains how the screened-out alternatives do not meet most of the basic project objectives or are not potentially feasible alternatives to the proposed project. Please refer to Chapter 2, Purpose and Project Objectives, regarding the purpose and project objectives. As described in Appendix 3C, Defining Existing Conditions, No Project Alternative, and Cumulative Impact Conditions, the EIR includes the NBA Alternate Intake project as part of the No Project Alternative and the cumulative analysis. The cumulative impacts of the NBA combined with the impacts of the Delta Conveyance Project and other cumulative projects is evaluated for all of the applicable resources in Chapters 7 through 32.
312-23	Thank you for the opportunity to submit comments vital to the agricultural and municipal water users in Solano County. As mentioned above, SCWA [Solano County Water Agency] has a longstanding interest in the Delta to ensure the NBA [North Bay Aqueduct] and other local water supplies can provide reliable and high-quality water to the many agricultural and municipal water users in Solano County. SCWA looks forward	The comment describes the structure or organization of the comment letter, the background of the organization or individual commenter, or clarification on the submittal of the comment letter. DWR is committed to working with all interested parties.

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	to working closely with DWR, to eliminate these concerns, and to protect and sustain the Co-Equal Goals for the Sacramento – San Joaquin Delta, including the CSC [Cache Slough Complex] region.	
312-24	[Exhibit 5: Figure depicting municipal and agricultural diversions in the Cache Slough Complex.]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
312-25	[Exhibit 6: Figure depicting planned and constructed tidal wetland restoration projects in the Cache Slough Complex in proximity to the North Bay Aqueduct and Compliance Point 716.]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
312-26	[Exhibit 7: Graph of electrical conductivity at the Sacramento River at Rio Vista for WY 2022 (Source: CDEC)]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
312-27	[Exhibit 8: Comparison of Measured vs Modeled DOC data at the NBA Intake (Source: Water Data Library)]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
314-1	Kern-Tulare Water District (Kern-Tulare) is concerned with the future uncertainty of receiving a reliable water supply south of the delta due to sea level rise, threat of earthquakes, and other environmental concerns within the delta. Due to the uncertainty of future water supplies south of the delta and need for protection of the environment within the delta, Kem-Tulare is supportive of the Delta Conveyance Project.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.
314-2	Kern-Tulare [Water District] has the following specific comment: 1.The Executive Summary (and other places in the document) make the statement: "Sea level rise, earthquakes, oxidation of peat soils, which has let [sic] to island subsitence [sic] and weakening due to burrowing animals also put the Delta levees at risk". Although this statement is true, Kern-Tulare suggests	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the resilience of the project in the event of an earthquake. Please also refer to Chapter 1, Introduction regarding Delta levee risks. The likelihood of earthquakes and severity of their impact along with the potential significant environmental impacts of the project and proposed mitigation measures are evaluated in Chapter 10, Geology and Seismicity. Please also refer to the section

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	that earthquakes be removed from this sentence and an entire paragraph added describing the significant likelihood of earthquakes and the severity of their impact.	Regional and Local Seismicity and the section Geologic and Seismic Hazards. No changes have been made to the executive summary as the content requested by the commenter is found in other sections of the EIR.
314-3	Kern-Tulare appreciates the opportunity to provide these comments and would like to emphasize our support for the project.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.
320-1	Page ES-12 of the draft EIR regarding Proposed Project and Alternative Overview, states that the screening process considered the feasibility, logistics, cost, and function of each of the alternatives; however, estimated costs for project alternatives are not referenced in the Draft EIR. It is likely that costs will exceed those estimated in the previous rendition of the "single- tunnel" project, as inflation in the cost of materials, labor, fuel, and other aspects of construction are happening across the board throughout the nation. Comment: The EIR should update estimated costs for each option, or at a minimum, include the cost considerations used during the screening process of each alternative that was carried forward in the Draft EIR. Additionally, an economic study and benefit-cost analysis should be done, like those by Dr. David Sunding in 2013 and again in 2016. Both were done six months prior to approval of the BDCP and California Water Fix EIRs, respectively.	This comment does not raise a significant environmental issue associated with the Delta Conveyance Project or identifies issues beyond the scope of the EIR. Please see Common Response 3, Alternatives Development and Description, for information on the approach to alternatives screening for the Draft EIR, which focuses on meeting the basic objectives of the project identified in Chapter 2, Purpose and Project Objectives. An economic cost-benefit analysis is not required as part of the EIR. As described in Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, and Common Response 7, Implementation Considerations, if a statement of overriding considerations is required to be adopted for project approval, CEQA directs consideration of whether specific economic, legal, social, technological, or other benefits including region-wide or statewide environmental benefits outweigh the unavoidable, adverse environmental effects. In addition, a cost-benefit analysis is part of DWR's overall planning process and will be completed as part of that process before moving forward with the project. Additional information regarding the cost-benefit study is provided in Common Response 7. Chapter 17, Socioeconomics, provides the results of the socioeconomic effects analysis of constructing and operating the project. The primary focus of the socioeconomic assessment was on the effects occurring within the Delta study area.

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320-2	The Bethany Reservoir alignment, the proposed project, only considers a 6,000 cubic-feet per second (cfs) project, whereas the other Eastern alignments and Central Alignments consider a range of capacities, from 3,000 cfs to 7,500 cfs. Comment: The Bethany Reservoir alignment should include and consider the lower capacity alternatives of 3,000 and 4,500 cfs that could reduce the cost of the proposed project yet still provide increases in projected yield to the SWP similar to the other 3,000 and 4,500 cfs options evaluated under different alignments. In fact, the draft EIR states "Although the Bethany Reservoir alignment is being analyzed only at a 6,000 cfs capacity, that does not preclude DWR from approving it with another operational capacity, should DWR choose to do so. [Footnote 1: Draft EIR Appendix 3A, Page 46] Thus, to be timely and consistent with the other alignments analyzed in the EIR, lower capacities of 3,000 and 4,500 cfs for the Bethany alignment need to be included in the EIR. Further, since the 7,500 cfs level includes some capacity for CVP contractors and the Bethany Reservoir project may limit the CVP's involvement, a 7,500 cfs Bethany Reservoir option may not need to be analyzed.	DWR has fully described all alternatives within the EIR, fully evaluated all alternatives within the EIR in the analyses contained in Chapters 7 through 32 and the supporting appendices, disclosed potentially significant environmental effects in those chapters, and proposed mitigation to reduce, minimize, or avoid potentially significant environmental effects. Because the environmental impacts for the range of intake diversion capacities from 3,000 to 7,500 cfs are fully disclosed in the EIR, DWR as CEQA lead agency may decide, during the decision-making process, to approve a project with benefits and impacts that are within the range of impacts described in the EIR if DWR determines that no new significant environmental impacts that have not been disclosed would result from such an alternative. DWR will not make a decision on the project until after addressing public comments on the Draft EIR, certifying the Final EIR, making all necessary findings, and taking any other actions required to comply with CEQA.
320-3	From a water agency's perspective, the project purpose is to provide greater water supply reliability in an environmentally responsible manner. Reference and quantification of supply resulting from the project are contained in Appendix 6A of the Draft EIR. However, the Draft EIR is silent on the question how the Department of Water Resources characterizes the project, as a transportation project or as a conservation or supply project in the same manner as facilities historically have been defined in SWP contracts and DWR documents such as California SWP Bulletin 76-81 from November 1981.[Footnote	Please refer to Chapter 2, Purpose and Project Objectives, regarding the purpose of the project. As stated in this chapter, one of the project objectives is "To protect the ability of the SWP, and potentially the CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, consistent with the requirements of state and federal law, including the California and federal Endangered Species Acts and Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements." Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the scope of

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	2: California SWP Bulletin 76-81, Figure 7, Page 16: https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/comments102612/desjardins/bulletin 76-81.pd] Comment: The EIR should expressly state that the main purpose of the project for participating water agencies (i.e., the agencies that are funding the project) is to provide a water supply and reliability in an environmentally responsible manner, consistent with the original project concept and past practice identifying the project as a conservation or water supply project. This is necessary in order to align project benefits and costs, inform the public accordingly and avoid further delay.	the project purpose and objectives; the Delta Conveyance Project is DWR's project and CEQA does not require DWR to speculate on the objectives of the users of water (e.g., public water agencies) from the project, should it be approved and developed by DWR.
320-4	Screening Process • Appendix 3A provides detail on each of the twenty-one alternatives considered and how they did or did not measure up to the screening criteria. One alternative, the Portfolio-Based Proposal including Water Conveyance Facilities was one of the alternatives eliminated in the first screen. According to the Draft EIR [Footnote 3: Draft EIR Appendix 3A, Page 34],This alternative has the specific goal of reducing SWP exports, which is antithetical to the water supply reliability criteria (i.e., restoring and protecting the ability of the SWP to delivery water.)" It goes on to state that the Portfolio Based Proposal limits the north Delta diversion to 3,000 cfs and assumes reduced south Delta diversions during the summer months. Regarding seismic resiliency, the Draft EIR states that the levee reinforcement would "require extensive construction and result in substantial environmental impacts. It would be difficult and expansive to reconstruct all levees to meet water	Please see Common Response 3, Alternatives Development and Description, regarding the development of the reasonable range of potentially feasible alternatives evaluated in the EIR and for an explanation of why State Water Supply Resiliency Portfolio-type alternatives did not meet most of the basic project objectives, not exclusively because it proposed a 3,000 cfs capacity. The statement that the EIR does not recognize other agency actions to improve water use efficiency is not consistent with the contents of the EIR. Please refer to Appendix 3C, Defining Existing Conditions, No Project Alternative, and Cumulative Impact Conditions, which includes additional water conservation programs, water recycling projects, groundwater recovery projects, desalination of seawater or brackish groundwater, surface water storage, groundwater management, or water transfers and exchanges, that may be pursued by a variety of local, state, and federal agencies separately from, and complementary to, DWR and the proposed Delta Conveyance Project. Please also refer to the State Water Supply Resiliency Portfolio which outlines the variety of water infrastructure and management actions being pursued by local, regional, and state agencies.

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	supply reliability goals." The Draft EIR states other considerations such as DWR would have no control over water recycling, conservation, and other local projects. Comment: The rationale for why the "Portfolio Based Proposal including Water Conveyance Facilities" was eliminated is not clear. For example, the EIR states it was due, in part, to it being a 3,000 cfs conveyance facility. But yet, other 3,000 cfs options (without a portfolio approach) were carried forward and resulted in improved water supply reliability. Further, the EIR does not recognize that many agencies have and are continuing to improve water use efficiency practices, and are developing their own water supply portfolios, thus reduced demands are already occurring. The EIR should include more analysis and explanation as to why this 3,000 cfs conveyance option was eliminated while other options with the same capacity were carried forward. Similarly, more information should be provided describing the operational criteria that was assumed for all options in order to determine the extent to which operational criteria contributed to the alternatives' elimination in the screening process. Finally, since all dual conveyance options will still require use of existing in-delta facilities and conveyance, it is apparent that some delta levee restoration and improvement may still be necessary and should therefore be detailed in the Draft EIR.	Appendix 3A, Identification of Water Conveyance Alternatives, in the section titled Identification of Operations, explains how operational criteria were identified at the alternatives screening stage in consideration of achieving an appropriate balance between exports and ecological concerns, and how operations will be refined in the context of the latest regulations and the best available scientific information as described in Chapter 3, Description of the Proposed Project and Alternatives. Please refer to EIR Chapter 7, Flood Protection, regarding how the Delta Conveyance Project would include levee improvements around the north Delta intakes and Bouldin Island or Lower Roberts Island that will improve the level of flood protection compared to existing conditions and exceed USACE requirements. Many entities besides DWR are responsible for levee improvements throughout the Delta.
320-5	Project Yield Tables 6A-1, 6A-2, and 6A-3 of the Draft EIR estimates available 2040 water supplies to the Delta, SWP, and CVP resulting from each alternative, including existing 2020 conditions and a 2040 no project alternative. The Draft EIR presents two water year scenarios, a "Long Term Average"	As described in Chapter 2, Purpose and Project Objectives, the basic objective of the Delta Conveyance Project is to restore and protect the reliability of SWP water deliveries. The Delta Conveyance Project is not proposing changes to operations or amount of water supply, including storage, provided by upstream facilities. The Delta Conveyance Project also does not preclude future changes to the state's water supply either through modifications of the operation of existing facilities or increasing

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	yield and an average of "Dry" and "Critical" Water Year estimates. It does not present the individual "Dry" or "Critical" conditions or conditions such as the current drought the SWP is experiencing. Key findings from these tables with respect to the SWP are: With No Project, water supplies to the SWP will decline by around 200,000 to 300,000 AFY, depending on the water year type evaluated in the Draft EIR (long term average and average of dry/critical dry years): [Exhibit 1] Alternatives provide little additional water compared to existing yield in dry/critical years, but some additional water in average years: [Exhibit 2] But alternatives provide increased SWP yield, compared to No Project in year 2040: [Exhibit 3] Higher capacity tunnels provide diminishing additional yield. For example, under the average of dry/critical year, a 3,000 cfs tunnel would increase the SWP yield by 243,000 acre-feet in 2040 when compared with no project, and 370,000 acre-feet in an average year. But increasing the tunnel size to 4,000 cfs or 6,000 cfs would only increase the yields by 2% or 4%, respectively when compared against the 3,000 cfs tunnel. Also, because the dry/critical dry condition represents an average of the dry year and critically dry year yield, the yield from the project will be naturally less in the actual critical dry condition. Comment: DWR should do an incremental economic analysis for each Alternative in the Draft EIR, plus a 3,000 cfs and 4,500	water storage. While not required per CEQA, DWR is preparing an economic study that is expected to be completed within a time frame similar to that of the Final EIR. The economic study will compare the costs of the project to benefits including water supply, water quality, system resiliency, and seismic resiliency. The information contained in the economic study will be considered by DWR as part of the Delta Conveyance Project decision-making process. See also Common Response 5, Public Water Agencies Water Management Practices, regarding statewide water management efforts including information on strategies and activities to conserve water, manage demand and supply efficiently, and development of local sources of water. The range of alternatives described in Chapter 3, Description of the Proposed Project and Alternatives, included a range of project design capacities from 3,000 to 6,000 cfs. The beneficial and adverse effects were presented in Chapters 7 through 32 to provide a range of results based on different constructed features and operational regimes. The selection of Alternative 5 as the proposed project was based upon its reduced environmental effects, particularly on agricultural land, cultural resources, wetlands, and other waters of the United States, as described in Chapter 3.

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	cfs Bethany Reservoir option, to determine whether the water supply value of increasing the tunnel capacity from 3,000 to 4,500 cfs or 6,000 cfs is justified or whether development of increased local or other portfolio water supplies would be more cost effective. In addition, DWR should also perform a needs assessment to determine what SWP contractors need and are willing to pay for the increased water supply that would result from each water supply alternative in the Draft EIR, taking into account the anticipated timeline when the additional SWP supplies will actually be available.	
320-6	[Exhibit 1: Table showing Comparison of Existing Project SWP Yield (Jan to Dec) with No Project 2040 SWP Yield (AF/Yr.)]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
320-7	[Exhibit 2: Table showing Comparison of Existing SWP Conditions to Alternative Projects Yields in 2040 (AF/Yr.)]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
320-8	[Exhibit 3: Table showing Comparison of No Project 2040 SWP Annual Yield to Alternative Projects (AF/Yr.)]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
320-9	Water Authority Policy Principles To assist you in considering the above comments, and to understand how the Water Authority will evaluate when it takes a position on the proposed project, the Water Authority Board of Directors adopted a set of Bay Delta and Project Policy Principles in July 2019. I have attached a copy of these policy principles for your use and review.[See Attachment 1]	This comment from the San Diego County Water Quality Authority does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. The commenter provided an attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
320-10	[Attachment 1: San Diego County Water Authority, Bay Delta and Project Policy Principles - Adopted by the Board of Directors on July 25, 2019]	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.

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322-1	The City of Beverly Hills Water Bureau appreciates this opportunity to provide comments on the Delta Conveyance Project. The Beverly Hills City Council adopted a resolution on September 12, 2022 to support the Delta Conveyance Project, enclosed within this letter.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
322-2	WHEREAS, California faces a water policy decision regarding the Delta Conveyance Project that could help ensure a reliable supply of water for Californians for the coming decades; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of support for the project. This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
322-3	WHEREAS, 27 million people—1 in 12 Americans—depend on the State Water Project, California's primary water distribution system, which conveys water through the Sacramento-San Joaquin Delta to provide a cost effective source of high-quality, clean water for Californians from the Bay Area to San Diego; and, WHEREAS, The State Water Project infrastructure was built about 60 years ago and is at increasing risk from earthquakes and declining supplies due to climate change and sea level rise; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed	Please see response to comment 322-2 regarding opinions of support for the project.

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	Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	
322-4a	WHEREAS, The Metropolitan Water District of Southern California, which supplies about half of the water in its service area covering much of Southern California, has embraced a "One Water" approach to shift reliance away from imported water towards new local supplies and conservation, while recognizing supplies from Northern California remain an important component of the region's water resiliency; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	Please see response to comment 322-2 regarding opinions of support for the project.
322-4b	WHEREAS, The City of Beverly Hills supports water conservation and the development of local supplies, along with supplies imported through the State Water Project as a part of the City's current and future water supply strategy; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this	Please see response to comment 322-2 regarding opinions of support for the project.

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	Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	
322-5	WHEREAS, California faces a new climate reality with increasingly extreme weather events and climate trends producing unpredictable storms, extreme fire events, extended droughts, rising sea levels, increasing temperatures and an earlier spring runoff with less snowpack; and, WHEREAS, These climate change impacts threaten water supplies throughout the State creating greater pressures on water demands, making water management more challenging; and, WHEREAS, It is essential to adapt to climate change impacts by capturing and storing wet period and wet year runoff to sustain communities and the environment, and beneficially use stored water for when conditions are dry; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	Please see response to comment 322-2 regarding opinions of support for the project.
322-6	WHEREAS, The State of California has initiated an environmental review process, as part of the Water Resilience Portfolio, for the construction of a one-tunnel water delivery system that would transport water from the north Delta underground to the existing aqueduct systems south of the	Please see response to comment 322-2 regarding opinions of support for the project.

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	Delta; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	
322-7	WHEREAS, The purpose of this Delta Conveyance Project is to modernize the State water system and provide benefits for California by addressing water reliability issues in the Sacramento-San Joaquin Delta as part of a holistic response to climate change, sea level rise, and seismic risks; and, WHEREAS, While Southern Californians continue to call for increased water conservation and accelerated development of local water supplies, the Delta Conveyance Project would provide operational capability to safely capture Sierra stormwater when available and mitigate seismic and flood risks that could interrupt State Water Project operations in the south Delta; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	Please see response to comment 322-2 regarding opinions of support for the project.

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322-8	WHEREAS, The proposed project is very different from previous proposals incorporating an extensive amount of design refinements to help avoid or lessen local community impacts and includes a Community Benefits Program to ensure the communities most affected by construction of the project are provided the means and resources to achieve local benefits; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	Please see response to comment 322-2 regarding opinions of support for the project.
322-9	WHEREAS, The Department of Water Resources has released the Draft Environmental Impact Report for this project and announced it will be receiving public comment regarding the project for 90 days until October 27, 2022; and, NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	Please see response to comment 322-2 regarding opinions of support for the project. Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and DWR's extension of the comment period.
322-10	WHEREAS, Southern Californian ratepayers have previously invested billions of dollars since the early 1960's to build, maintain and operate the State Water Project along with	Please see response to comment 322-2 regarding opinions of support for the project.

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	groundwater banks along the State Water Project and regional facilities to treat, store and distribute those supplies; and, WHEREAS, As Southern Californians continue to invest in conservation and new regional and local supplies, it is prudent and responsible to modernize the State Water Project in anticipation of the growing threats of climate change, steadily increasing sea-level rise, and earthquake risks in the Delta to help protect California communities, help protect this investment and protect this critical water supply for years to come. NOW, THEREFORE, the Council of the City of Beverly Hills does hereby resolve as follows: Section 1. To support the State's environmental review and permitting process for the proposed Delta Conveyance Project; and to support the advancement of the State's proposed project. Section 2. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the Council of this City.	
331-1	On behalf of the City of Hawthorne, we support the Metropolitan Water District of Southern California continued funding of the state's environmental review for the Delta conveyance project. This Delta supplies water to Southern California and to our city and this project ensures that the region has access to pure water. Due to the effects of climate change, it is important that this project moves forward with the environmental review and planning process to prevent emergencies from occurring that may affect our water supply.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.
347-1	Bethel Island Municipal Improvement District (BIMID) appreciates the opportunity to review and comments on the Draft Environmental Impact Report (Draft EIR) and associated	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, or general introductory text. The Department of Water Resources is

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	appendices for construction and operation of the newly proposed State Water Project (SWP) water supply diversion and conveyance facilities in the Sacrament o- San Joaquin Delta (Delta). We appreciate the efforts to minimize the impact s of this projects on the Delta stakeholders, in particular the landowners, residents, and businesses on Bethel Island. BIMID and its professional team have conducted a high-level review of the documents and prepared the following comments. These comments are focused on BIMID day-to-day operation activities and areas that BIMID and its landowners and resident s could potentially be impacted. BIMID did not conduct any modeling, geotechnical, or other detailed technical studies and will rely on the work completed by project proponents.	committed to working with all interested parties. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-2	BIMID [Bethel Island Municipal Improvement District], like other local entities in the Delta, is dependent of the water flowing in the Delta waterways. BIMID is concerned about the impacts of the increased risk of flooding due to climate change and is interested to know more about the State contingency plans if there is a catastrophic event in the Delta. Has the project secured a sustainable budget for levee work and flood fighting?	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding DWR and State technical and financial activities in the Delta related to levee management and maintenance. As described in Chapter 3, Description of the Proposed Project and Alternatives, all alternatives evaluated would operate the new conveyance facilities in conjunction with SWP's existing south Delta export facilities, creating a dual conveyance system. Continued State investment in the Delta would be needed because the south Delta facilities would continue to be used. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for information related to the scope of objectives for the Delta Conveyance Project and protecting the SWP from sea level rise and addressing risk due to seismic events.

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347-3	BIMID [Bethel Island Municipal Improvement District] is concerned about the impacts of the climate change of water supply and quality and is interested to know more about the State contingency plans if there is a short water supply in the Delta. Has the project secured a sustainable budget to address issues local agencies may have to deal with?	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. Please see Common Response 6, Climate Resilience and Adaptation, for information regarding the project and climate change resilience and adaptation. Please see Appendix 6A, Water Supply 2040 Analysis, which describes water supplies expected under a 2040 climate change scenario and identifies anticipated long-term average annual SWP deliveries under dry and critical water year conditions. Please also see Appendix 9L, Water Quality 2040 Analysis, which describes water quality under a 2040 climate change scenario and identifies different constituents related to water quality. Please see response to comment 347-2 regarding State investment in the Delta.
347-4	We [Bethel Island Municipal Improvement District] are concerned that the State's technical and financial support of the local interests may lessen and/ or diminishes over time once the Delta Conveyance Project is complete.	Please see response to comment 347-2 regarding State technical and financial activities in the Delta related to levee management and maintenance that are separate and independent of the Delta Conveyance Project.
347-5	I. General Comments BIMID [Bethel Island Municipal Improvement District] did not provide in-depth analysis on Chapter 8 sections regarding surface water quality, sea level rise, and groundwater impacts of the project. However, BIMID is aware that neighboring water districts, including but not limited to Diablo Water District will submit extensive comments specifically addressing those issues. BIMID supports the Water District comments with the understanding that potential impacts on the Bethel Island beneficial uses, the residents, landowners and agricultural community are overlapping throughout our Districts.	Chapter 8, Groundwater, discloses the Delta Conveyance Project's construction and operational-related impacts on groundwater resources. Please refer to Volume 2, Chapter 2, Indices of Commenters and Index of Primary Forms, to locate the letter numbers of comments provided by other entities that are of interest. Responses to all comment letters are provided in Volume 2, Chapter 4, Response to Comments Tables.
347-6	Chapter 1 - Introduction: As stated, in-Delta water use is used for agricultural irrigation as well as small and large	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, or

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	communities throughout the Delta. Irrigation water is diverted directly from the waterways to agricultural lands. This water is an important to the landowners and residents of Bethel Island.	general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-7	Chapter 1 - Introduction: Is there a specific plan if/when we are facing increased "risk of degrading water supply", "reduced water quality, water supply reliability", and "increased risk of interruptions in the ability to convey water through the Delta and divert water'' for consumption by the residents and landowners?	Chapter 1, Introduction, provides a summary of the expected hydrologic conditions resulting from climate change. Vulnerability assessments and the adaptation of communities potentially affected by climate change is beyond the scope of the EIR. Please also refer to Chapter 4, Framework for the Environmental Analysis, for an explanation regarding how climate change was incorporated into the EIR's analysis. Please see Common Response 6, Climate Resilience and Adaptation, regarding how the project will provide climate change resilience to the State Water Project. The commenter should also refer to the 2020 California Water Resilience Portfolio, which was developed in response to the Executive Order N-10-19. The intent of the portfolio is to "prepare for disruptions, withstand and recover from climate-related shocks, and adapt into the future (California Natural Resources Agency et al. 2020).
347-8	Chapter 1 - Introduction: Is there a specific plan if/when we are facing increased the rising sea level resulting in "increased risk of overtopping" and potential levee failure, and "increased salinity intrusion and higher salinity levels in the Delta"?	Chapter 2, Purpose and Project Objectives, describes the objectives of the project, which include helping to address rising sea levels and other reasonably foreseeable consequences of climate change and minimize the potential for public health and safety impacts as a result of a major earthquake that could cause breaching of Delta levees related to the reliability of the State Water Project. Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for information regarding the project objectives and sea level rise. Plans for protecting the Delta from sea level rise and levee failure are outside of the scope of the Delta Conveyance Project. As noted in Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, DWR will continue its role and responsibility related to Delta levees. Sea level rise is addressed in the project design. Please see section titled Design for Climate Change and Sea Level Rise in Chapter 3, Description of the Proposed Project and Alternatives, for information

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		regarding how sea level rise was considered in the project design.
347-9	Chapter 2 - Purpose and Project Objectives: While BIMID [Bethel Island Municipal Improvement District] understands State obligations, we cannot fully endorse this project until it becomes clear to us that the impacts to the landowners, residents, and businesses on Bethel Island is fully mitigated. BIMID is concerned about water supply, quality, and flooding. We are concerned of the State's technical and financial support of the local interests diminishing over time once the Delta Conveyance Project is complete.	Please see response to comment 347-2 regarding the continuation of technical and financial programs related to the Delta and levee management. Please also see Chapter 6, Water Supply, Chapter 7, Flood Protection, and Chapter 9, Water Quality, for an analysis of potential impacts as a result of the project construction and operation.
347-10	Chapter 3 - Description of the Proposed Project and Alternatives: BIMID [Bethel Island Municipal Improvement District] and its residents heavily rely on the State Route 160 as this is the main artery connecting various local communities in the Delt a. We are concerned about interruption to local transportation. More information is needed to better understand how the reusable material is being disposed of what measures are considered to protect water quality.	The California Department of Water Resources has developed specific construction management requirements, discussed in the section titled Impacts of the Project Alternatives on Transportation in Chapter 20, Transportation, for the contractor to reduce potential impacts on the regional transportation system serving Bethel Island Municipal Improvement District (BIMID). One of the proposed construction management requirements to reduce effects on the community from construction-related traffic on Delta roadways states that "no construction traffic would be allowed on SR 160 between SR 12 and Cosumnes River Boulevard except for realignment of this highway at the intake locations, installation of SCADA cables, or individuals or vehicles traveling from homes or businesses along the affected routes." Refer to the Chapter 3, Description of the Proposed Project and Alternatives, section titled Reusable Tunnel Material for additional information regarding the handling of reusable tunnel material. DWR would implement construction-related environmental commitments and BMPs for water quality protection, as identified in Appendix 3B, Environmental Commitments and Best Management Practices.
347-11	Chapter 3 - Description of the Proposed Project and Alternatives: How would the temporary and long-term stockpile areas throughout the Delta be managed to minimize	Please see Chapter 3, Description of the Proposed Project and Alternatives, regarding temporary and long-term stockpile areas. DWR will coordinate with the interested agencies to determine appropriate use of material.

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	impacts on agricultural lands. Will the material be available to local agencies for levee repair and rehabilitation work?	
347-12	Chapter 3 - Description of the Proposed Project and Alternatives: Will the construction of the Reception and Maintenance Shaft along highway 12 require closure of the highway? This route connects to SR 160 which is the main roadway to come to Bethel Island.	The construction of the reception and maintenance shafts along SR 12 will not require full closure of the highway, but it may require short-term overnight lane closures. If short-term overnight lane closures are needed, traffic management plans, discussed in Mitigation Measure TRANS-1, will be developed in coordination with Caltrans to ensure that SR 12, an important regional highway in the Sacramento-San Joaquin Delta area remains open.
347-13	Chapter 3 - Description of the Proposed Project and Alternatives: Pile driving could impact the levee system as it generates ground vibrations . What are the mitigation measures to avoid and/or minimize impacts on local levees?	Pile driving causes soil displacement in the immediate vicinity of the interface between the pile and the ground. Pile driving is frequently used as a method to install sheet piles or other foundation features to reinforce levees. Soil has inherent damping properties, and vibration will generally propagate more efficiently through stiff clayey or rocky soils. However, there is no evidence that piles driven by impact or vibratory methods would cause soil liquefaction leading to degradation of levees. Displacement of soil is associated with seismic levels of vibration many magnitudes higher than vibration from pile driving. Due to the damping properties of soil, vibration from pile driving is not expected to damage levees. As such there is no mitigation necessary to protect levees from pile driving activities. Please see Impact GEO-5 in Chapter 10, Geology and Seismicity, for further information on the limited area in which pile driving would occur, the unlikeliness for pile-driving vibration to damage levees, and the restricted zone where impacts could occur.
347-14	Chapter 3 - Description of the Proposed Project and Alternatives: Expect the noise pollution to be discussed later in the EIR, but as to this chapter more details on mitigation measures to avoid and/or minimize noise pollution during construction is needed. Specific cross reference would be fine.	A detailed description of environmental commitments is included in Appendix 3B, Environmental Commitments and Best Management Practices, which includes measures related to noise reduction. Chapter 24, Noise and Vibration, describes Mitigation Measure NOI-1, which addresses construction noise. A cross-reference to Mitigation Measure NOI-1 is included in the table titled Summary of Delta Conveyance Project Impacts and Mitigation Measures in the Executive Summary.

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347-15	Chapter 4 - Framework for the Environmental Analysis: BIMID [Bethel Island Municipal Improvement District] reviewed this chapter and associated appendices and finds it satisfactory. This chapter follows the CEQA guidelines and provides an overview of the EIR and the organization it follows.	This comment does not raise a significant environmental issue associated with the Delta Conveyance Project. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-16	Chapter 5 - Surface Water: Please consider adding a column on Table 5-1 showing the total annual flows. The monthly variation is a great information to have, but annual flows provide a better understanding of impacts.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. The information provided, long-term average monthly flows, sufficiently describes anticipated changes in surface water under the project alternatives. As the commenter notes, inflow is dynamic and changes are based on monthly timing. The table titled Monthly Reservoir Inflows Under Existing Conditions and the No Project Alternative in Chapter 5, Surface Water, provides an understanding of the monthly changes in flow relative to project alternatives, and adding the annual averages would not provide a better understanding of these changes. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-17	Chapter 5 - Surface Water: Page 5-17 discusses the "Changes to Sacramento River Basin Flows", which is very informative. Shouldn't the EIR also discusses the changes to San Joaquin River Basin?	Surface water resources associated with the San Joaquin River are not expected to be affected by the project or its alternatives; therefore, changes to San Joaquin River flows and changes to storage for reservoirs south of the Delta on the tributaries of the San Joaquin River (e.g., Millerton Lake on the San Joaquin River and the New Melones Lake on the Stanislaus River) were not evaluated further. Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for further discussion regarding the selection of the study area.
347-18	Chapter 5 - Surface Water: Tables like 5-1 for other alternatives should be presented to assist the stakeholders to better understand potential impacts of those alternatives. We realize this information is mostly available in the appendices and recommend bringing it into the main document.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process. As mentioned within the comment, additional information related to alternatives analysis related to Table 5-1 is located within Appendix 5B,

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		Surface Water 2040 Analysis, specifically section 5B.2, Comparison of Project Alternatives with No Project Conditions.
347-19	Chapter 5 - Surface Water: BIMID [Bethel Island Municipal Improvement District] did not conduct detailed technical evaluation of the modeling results as such task will require resources beyond BIMID capabilities. However, quick review of the appendices revealed that the most impacts are clearly in dry and critical water years. BIMID is concerned about the impacts on the Bethel Island beneficial uses, the residents, landowners and agricultural community.	DWR reviewed and responded to all comments provided by the commenter in Letter 347 within this comment table, including those regarding impacts on beneficial uses, residents, landowners, and agricultural community. As the commenter notes, Appendix 5C, Simulated Monthly Flows, provides simulated monthly flows by month and water year type for potential changes in surface water based on all project alternatives. As Described in Chapter 5, Surface Water, differences in Sacramento River Basin flows vary by water year type and are sometimes more extreme and more concentrated in certain month and water year type combinations. Please refer to Chapter 5 for a description of these changes. Please also see Common Response 3, Alternatives Development and Description, regarding water diversions during dry and critical years.
347-20	Chapter 6 - Water Supply: Table 6-1 can be useful if the information presented covers a longer ra[n]ge of time to give a better understanding of how water allocation in California has changed over time. Suggest presenting this information since 1980's.	The information contained in the Chapter 6, Water Supply, table titled California Water—Precipitation and Applied Statewide Water Use, 2011–2015 demonstrates the state's highly variable water use and water supply in the face of annual hydrologic extremes and is not intended to provide a comprehensive accounting of hydrologic variables in the state.
347-21	Chapter 6 - Water Supply: BIMID [Bethel Island Municipal Improvement District] did not conduct detailed technical evaluation of the modeling results as such task will require resources beyond BIMID capabilities. BIMID concerns are focused on potential impacts on the Bethel Island beneficial uses, the residents, landowners and agricultural community.	DWR reviewed and responded to all comments provided by the commenter in Letter 347 within this comment table, including those regarding impacts on beneficial uses, residents, landowners, and agricultural community.
347-22	Chapter 7 - Flood Protection: The report states "the Delta's 100-year floodplain is generally considered the extent of the study area." Why not considering the 200-year floodplain for	FEMA refers to areas that are subject to inundation by the 1% annual exceedance probability (AEP) flood as Special Flood Hazard Areas (SFHAs). Encroachments within these flood zones are subject to federal, state, and

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	the study area?	local regulatory requirements. The federal regulatory requirements represent the minimum level of compliance needed, which is considered in the current study.
347-23	Chapter 7 - Flood Protection: Water Code relies on the 1993 Sacramento-San Joaquin Delta Atlas when defining "non project levee", which does not include interior levees (AKA "dry levees"). The "non-SPFC levees" introduced in the EIR appear to include all other levees and can create confusions when qualifying for various government programs.	As discussed in Flood Management Facilities in Delta section of Chapter 7, Flood Protection, the Non-State Plan of Flood Control levees also protect portions of the deep-water ship channels to the two major inland ports and are considered in the analysis of the Delta Conveyance Project. The section titled Study Area in Chapter 7 provides a description of the study area that was included in the analysis. It is defined as the area in which impacts may occur and primarily comprises the statutory Delta (or legal Delta) - as defined by Wat. Code Section 12220.
347-24	Chapter 7 - Flood Protection: The "non-SPFC levees", as defined in the EIR may qualify for grants if they are protecting the area from flooding. Again, interior levees are not eligible for grant funding. The "non-SPFC levees" introduced in the EIR appear to include the interior levees.	See response to comment 347-23 regarding information on Flood Protection.
347-25	Chapter 7 - Flood Protection: EIR makes a reference to CWC § 12987 and states " …Bulletin 192-82 was thus formalized to provide guidance for the Delta Levees Maintenance Subventions Program." We believe the reference is to levee improvement and not levee maintenance.	Changes have been made to the Levee Standards and Compliance section in Chapter 7, Flood Protection, to reference the appropriate California Water Code for the Delta Levees Maintenance Subventions Program. Local agencies' plans for improving non-project levees must be compatible with Bulletin 192-82 to be eligible for reimbursement through the Delta Levees Maintenance Subventions Program.
347-26	Chapter 7 - Flood Protection: Bethel Island is located in the vicinity of construction activities; however, it appears construction of the north Delta intakes would increase WSE up to 0.12 foot during the 200-year flood event. This is higher than the CVFPB criteria of a tent h of a foot.	Select Locations in the Sacramento River between the American River Confluence and Sutter Slough Relative to 2022 Conditions in Chapter 7, Flood Protection, provides modeled water surface elevation differences for each project alternative during a 100-year and 200-year flood relative to existing conditions. The figure in Chapter 7 titled Map of the Urban and Nonurban Levees Along the Sacramento River Between the American River Confluence and Sutter Slough shows the geographic extent of the HEC-RAS modeling, which extends from the mouth of the American River

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		downstream to Sutter Slough. Although construction of the north Delta intakes for Alternatives 2a and 4a, alternatives that propose construction of three intakes, would increase water surface elevations by up to 0.12 foot during the 200-year flood event, this increase would be reduced to 0.09 foot with Mitigation Measure FP-1 whereas the surface elevation increase attributable to Alternative 5 construction would be 0.08 foot. Bethel Island falls outside the HEC-RAS assessment area and flood protection afforded by its existing levee system would not be affected during the construction or operation of the Delta Conveyance Project intakes.
347-27	Chapter 7 - Flood Protection: BIMID [Bethel Island Municipal Improvement District] did not conduct detailed technical evaluation of the modeling results as such task will require resources beyond BIMID capabilities. BIMID concerns are focused on potential impacts on the Bethel Island beneficial uses, the residents, landowners and agricultural community.	Impact FP-1 in Chapter 7, Flood Protection, and the Delta Conveyance Design and Construction Authority Intake Flood Risk Management technical memorandum and Levee Vulnerability Assessment technical memorandum (Delta Conveyance Design and Construction Authority 2022a, 2022b) assessed impacts on urban and nonurban Delta levees during the construction and postconstruction phases of the project. The analysis in Chapter 7 concludes that the construction and operation of the Delta Conveyance Project would not result in reduction in flood protection provided by the existing levee system. The analysis in the Delta Conveyance Design and Construction Authority Intake Flood Risk Management technical memorandum and the Levee Vulnerability Assessment technical memorandum published design and maintenance conditions for numerous Delta islands and focused on the need for levee improvements to protect construction workers at larger sites without adversely affecting surrounding lands. Please also refer to the Final Draft Engineering Project Reports (Delta Conveyance Design and Construction Authority 2022c, 2022d). The reports address construction methods to be implemented that would protect existing levees and that coordination would occur with local reclamation districts during the design phase.

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347-28	Chapter 8 -Groundwater: BIMID [Bethel Island Municipal Improvement District] is within the East Contra Costa Subbasin. The groundwater quality in this area is generally good and should remain as such. Our review of this chapter did not find any reasons to be alarmed about degradation of the groundwater in quality, quantity, and reliability.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-29	Chapter 8 -Groundwater: BIMID [Bethel Island Municipal Improvement District] understands the need for dewatering during construction activities and has no reason to be concerned on the impacts on Bethel Island as we are not situated within the immediate proximity of construction work. BIMID also did not find any reasons to be alarmed about impacts of future operations on local ground water.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-30	Chapter 8 -Groundwater: BIMID [Bethel Island Municipal Improvement District] did not conduct detailed technical evaluation of the modeling results as such task will require resources beyond BIMID capabilities. BIMID concerns are focused on potential impacts on the Bethel Island beneficial uses, the residents, landowners and agricultural community. However, BIMID supports neighboring Diablo Water District concerns regarding Groundwater impacts discussions in the DEIR.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. Please refer to Volume 2, Chapter 2, Indices of Commenters and Index of Primary Forms, to locate the letter numbers of comments provided by other entities that are of interest. Responses to all comment letters are provided in Volume 2, Chapter 4, Response to Comments Tables.
347-31	Chapter 9 -Water Quality: BIMID [Bethel Island Municipal Improvement District] reviewed this chapter and related appendices and finds no apparent and significant impacts on water quality affecting the landowners and residents of Bethel Island. The analysis provided in this chapter addresses compensatory mitigation needed for impacts to minimize impacts. The impacts associated with construction and operation of the new facilities do not appear to be extended to the channels in proximity of Bethel Island.	This comment summarizes Draft EIR content and correctly states that there would be no significant impacts on water quality affecting Bethel Island and facilities would not extend into channels in the proximity of Bethel Island. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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347-32	Chapter 9 -Water Quality: BIMID [Bethel Island Municipal Improvement District] did not conduct detailed technical evaluation of the modeling results as such task will require resources beyond BIMID capabilities. BIMID concerns are focused on potential impacts on the Bethel Island beneficial uses, the residents, landowners and agricultural community. BIMID understands that neighboring Water Districts have conducted technical evaluations of water quality impacts and BIMID is sensitive and supports those comments submitted based on the technical evaluations.	DWR reviewed and responded to all comments provided by the commenter in Letter 347 within this comment table, including those regarding impacts on beneficial uses, residents, landowners, and agricultural community. Please refer to Volume 2, Chapter 2, Indices of Commenters and Index of Primary Forms, to locate the letter numbers of comments provided by other entities that are of interest. Responses to all comment letters are provided in Volume 2, Chapter 4, Response to Comments Tables.
347-33	Chapter 10 - Geology and Seismicity: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to offer generic information; there are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-34	Chapter 11 - Soils: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to offer generic information; there are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-35	Chapter 12 - Fish and Aquatic Resources: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific regulatory expertise and will rely on the project proponent's professional assessment. We anticipate no impacts on residents and landowners on Bethel Island . There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-36	Chapter 13 - Terrestrial Biological Resources: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific area of expertise and will rely on the project proponent's professional assessment. We anticipate no impacts on residents and landowners on Bethel Island. There are no comments on the	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. The comment indicates the commenter did not review the chapter, and the comment is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	contents of this chapter.	
347-37	Chapter 14 - Land Use: As stated in the EIR, the project study area covers eastern Contra Costa County and includes Bethel Island. Land use in this part of the county, and Bethel Island in particular, "is primarily agricultural, residential, commercial, light industrial, and open space." BIMID [Bethel Island Municipal Improvement District] is concerned about potential impacts, temporary and/or permanent, during the construction though limited.	As described in the discussion of Impact LU-2, several of the alternatives would result in both temporary and permanent effects on lands within Contra Costa County. However, the proposed project (Alternative 5) would have the fewest impacts on lands within Contra Costa County and would have no permanent effects on lands within Contra Costa County, including Bethel Island. None of the alternative alignments cross Bethel Island and none of the project facilities would be constructed on Bethel Island. Accordingly, no land use impacts on Bethel Island are anticipated.
347-38	Chapter 14 - Land Use: As stated in the EIR, the Contra Costa County has established a standard to maintain a "65/35 ratio of open space to urban uses" and "limits development outside of urban areas". This standard also applies to Bethel Island, as one of the urban communities in the delta. That said, it does not appear the standard will be in jeopardy in our area as the construction work will be on the north of Bethel Island; therefore, no impacts are anticipated on Bethel Island land use. We suggest DWR to communicate any changes in the project impacts to our district.	Please refer to response to comment 347-37, which states that no land use impacts on Bethel Island are anticipated. DWR is committed to continuing to work with interested parties and the public.
347-39	Chapter 14 - Land Use: Based on the information provided, it doesn't appear the temporary impacts during the construction will impact the landowners and residents of Bethel Island. Changes in land use during the 13 years of construction activities are likely happening in the northern portion of the Delta; therefore, no impacts are anticipated on Bethel Island land use. We suggest DWR to communicate any changes in the project impacts to our district.	Please refer to response to comment 347-37, which states that no land use impacts on Bethel Island are anticipated. DWR is committed to continuing to work with interested parties and the public.
347-40	Chapter 15 - Agricultural Resources: Temporary impacts in the delta may exist during the project implementation; however, based on the information provided, it doesn't appear the	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all

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	impacts will affect the landowners and residents of Bethel Island.	comments in its decision-making process.
347-41	Chapter 16 - Recreation: The EIR acknowledges recreational events taking place on Bethel Island throughout the year. It also discusses conversion of some lands that are predominantly designated for recreational use in the Contra Costa County General Plan in the proximity of the project area. However, based on the information provided, it doesn't appear the impacts will affect the landowners and residents of Bethel Island.	No specific recreation impacts on landowners and residents of Bethel Island were identified in the EIR. In addition, no project construction or operation activities would occur on Bethel Island. Please refer to Chapter 16, Recreation, section titled Impacts of the Project Alternatives on Recreation Resources, regarding impacts on recreation resources. Additionally, Chapter 17, Socioeconomics, Effects of the Project Alternatives on Recreational Economics in the Statutory Delta and Project Area, for further information on impacts on recreation.
347-42	Chapter 17 - Socioeconomics: As stated in the EIR, a portion of the Contra Costa County - the eastern and northeastern side - is within the Delta including the Bethel Island. Bethel Island population is mostly retired families and are owner-occupied. BIMID [Bethel Island Municipal Improvement District] concerns are the impacts on the way of life for the residents and landowners on Bethel Island, including impacts on employment, labor force, and overall health of economy in the area.	According to CEQA guidelines, economic or social effects of a project shall not be treated as significant effects on the environment. Nevertheless, this EIR includes analyses of social and economic conditions and effects to assist the reader and decision makers. The beginning of Chapter 17, Socioeconomics, explains the intended scope and purpose of the socioeconomic analysis. This is also discussed in Common Response 7, Implementation Considerations, in the discussion of the socioeconomic analysis approach used in the EIR. Bethel Island is included in the study area of the socioeconomics analysis. Demographic information is provided in Chapter 17, section titled Socioeconomic Conditions. ECON-1 analyzes employment and income effects. ECON-1 finds that project construction will result in a temporary, large increase in employment and labor income, and a permanent but smaller decrease in agricultural employment and labor income. ECON-1 also finds that there would be a small, permanent increase in employment and labor income related to project operations. These effects are expected to be spread out over the entire Delta region, including Bethel Island. ECON-3 analyzes effects on community character within the Delta, which

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		includes Bethel Island. Text has been added to ECON-3 regarding potential community effects to individual communities, such as Bethel Island. As identified in ECON-3, Bethel Island is one of the legacy communities in the Delta that historically has provided workforce housing for the agricultural industry. Therefore, there could be some small effects to the community character of Bethel Island related to changes in agricultural production, employment, and labor income. However, given the magnitude of these changes relative to the size of the local agricultural economy in the Delta, and given these effects would be spread over the entire Delta region and not just Bethel Island, this would not be a substantial adverse effect.
347-43	Chapter 17 - Socioeconomics: Based on the information provided, it doesn't appear there are significant and/or unavoidable impacts on Bethel Island way of life as relates to our landowners and residents.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. As explained at the beginning of Chapter 17, Socioeconomics, economic effects alone are not considered to be impacts on the physical environment under CEQA. Please refer to response to comment 347-42 regarding the potential community character effects identified in ECON-3.
347-44	Chapter 18 - Aesthetics and Visual Resources: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific construct ion related area of expertise and will rely on the project proponent's professional assessment. We anticipate no impacts on residents and landowners on Bethel Island. There are no comments on the contents of this chapter.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-45	Chapter 19 - Cultural Resources: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific impacts associated with construction activities. Bethel Island does not anticipate impacts on residents and landowners as the construction work is not on Bethel Island. There are no comments on the contents of this chapter.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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347-46	Chapter 20 - Transportation: BIMID [Bethel Island Municipal Improvement District] residents and landowners are highly dependent on Interstate S; State Routes 160, 99, 12 and 4; Twin Cities Road; Hood-Franklin Road.	DWR recognizes the regional and local importance of the transportation system serving BIMID, including Interstate 5, SR-160, SR-99, SR-12, and SR-4; Twin Cities Road and Hood-Franklin Road. Accordingly, the project was developed to incorporate traffic restrictions and road improvements to limit effects to local and regional roadways, discussed in the section titled Impacts of the Project Alternatives on Transportation.
347-47	Chapter 20 - Transportation: Based the information provided in EIR, it appears the local t ravel routes may be impacted during the construct ion period. There may also be some impacts resulting from the facility operation, maintenance, and implementation of mitigation after const ruction is completed.	During the construction of project components, including compensatory mitigation projects, DWR will require that provisions are included in construction contracts to reduce potential impacts on BIMID travel routes, discussed in the section Impacts of the Project Alternatives on Transportation of Chapter 20, Transportation. As described in Chapter 20, operations and maintenance traffic for the project alternatives (including implementation of mitigation measures) would be minor and would not create traffic issues to BIMID travel routes.
347-48	Chapter 20 - Transportation: BIMID [Bethel Island Municipal Improvement District] review concludes that there are no significant and/or unavoidable impacts on Bethel Island day-to -day transportation as relates to our land owners and residents.	The commenter's statement that there are no significant and/or unavoidable transportation impacts on Bethel Island is consistent with the results of the transportation analysis in the EIR.
347-49	Chapter 21 - Public Services and Utilities: BIMID [Bethel Island Municipal Improvement District] concerns are the impacts on the way of life for the residents and landowners on Bethel Island, including impacts on schools, utilities, hospitals, police, fire, and other essential services in the area.	Chapter 21, Public Services and Utilities, of the EIR provides an impact analysis of the environmental resources raised by the commenter within the study area evaluated for potential impacts on public services and utilities. Bethel Island is outside the Public Services and Utilities study area. Please refer to the section titled Study Area in Chapter 21 and Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the study area boundaries. As described in Chapter 21, in the section titled Impacts of the Project Alternatives on Public Services and Utilities, the project would not cause significant impacts on public services (e.g., fire, police) or utilities within the study area.

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347-50	Chapter 21 – Public Services and Utilities: BIMID [Bethel Island Municipal Improvement District] review concludes that there are no significant and/or unavoidable impacts on Bethel Island day-to-day transportation as relates to our landowners and residents.	Please refer to response to comment 347-48 regarding public services.
347-51	Chapter 22 - Energy: BIMID [Bethel Island Municipal Improvement District] review concludes that there are no significant and/or unavoidable impacts on Bethel Island day-to-day energy sources and requirements as needed by landowners and residents.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. The comment has concluded that the Delta Conveyance Project would not cause impacts on energy sources and the commenter's operations requirements. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-52	Chapter 23 - Air Quality and Greenhouse Gases: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific regulatory criteria and will rely on the project proponent's professional assessment. We anticipate no impacts on residents and landowners on Bethel Island. There are no comments on the contents of this chapter.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. The comment indicates the commenter did not review the chapter. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-53	Chapter 24 – Noise and Vibration: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific impacts associated with construction activities. Bethel Island is not included in the study area and does not anticipate impacts on residents and landowners as the construction work is not on Bethel Island. There are no comments on the contents of this chapter.	The comment is consistent with the analysis and findings of Chapter 24, Noise and Vibration. As shown on the figure titled Study Area for Noise and Vibration Effects, Bethel Island is outside the noise study area and noise and vibration impacts are not anticipated at this location due to the distance from construction activities.
347-54	Chapter 25 - Hazards, Hazardous: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific regulatory expertise and will rely on the project proponent's professional assessment.	This comment does not raise a significant environmental issue associated with the Delta Conveyance Project. DWR has reviewed all comments and will consider all comments in its decision-making process.

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347-55	Chapter 26 - Public Health: BIMID [Bethel Island Municipal Improvement District] review concludes that there is no public health related significant and/or unavoidable impacts concerning Bethel Island landowners and residents. There are no comments on the contents of this chapter.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-56	Chapter 27 - Mineral Resources: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific construction related impacts within the construction footprint. We anticipate no impacts on residents and landowners of Bethel Island. There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-57	Chapter 28 - Paleontological Resources: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to specific to construction activities. We anticipate no impacts on residents and landowners on Bethel Island. There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-58	Chapter 29 - Environmental Justice: BIMID [Bethel Island Municipal Improvement District] reviewed this chapter examining potential impacts on daily life of its constituency. Our area of focus related to EJ is change in demographics, labor market, utilities, transportation, etc. We believe most impacts are in the construction area, which is north of Bethel Island. We find no significant and/or unavoidable impacts concerning Bethel Island landowners and residents. There are no comments on the contents of this chapter.	This comment describes BIMID's area of focus related to environmental justice but does not raise any significant environmental issues related to the impact analysis on environmental justice communities in Chapter 29, Environmental Justice, of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-59	Chapter 30 - Climate Change: BIMID [Bethel Island Municipal Improvement District] did not review this chapter as the content appears to examine specific expertise and will rely on the project proponent's professional assessment. We anticipate no impacts on residents and landowners on Bethel Island. There are no comments on the contents of this chapter.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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347-60	Chapter 31 - Growth Inducement: There are no comments on the contents of this chapter.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-61	Chapter 32 - Tribal Cultural Resources: There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-62	Chapter 33 - Other CEQA-Required Analyses: There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue associated with the Delta Conveyance Project and is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-63	Chapter 34 - Community Benefits Program Analysis: There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-64	Chapter 35 - Public Involvement: There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-65	Chapter 36 - List of Preparers and Reviewers: There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-66	Chapter 37 - References Cited: There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
347-67	Chapter 38 - Glossary: There are no comments on the contents of this chapter.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all

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		comments in its decision-making process.
347-68	There are no comments on the contents of this chapter	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
351-1	On behalf of the City of Oakley, I am writing to submit comments on the draft Environmental Impact Report (DEIR) for the proposed Delta Conveyance Project (Delta Tunnel).	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, and general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
351-2	Oakley is located at the intersection of Highway 4 and 160, providing access to San Francisco, San Jose, Sacramento, and the Central Valley. Oakley is a Delta Community along with the cities of Pittsburg, Antioch, Brentwood, and the unincorporated areas of Bay Point, Bethel Island, Byron and Knightsen. Oakley has approximately 11 miles of Delta Shoreline and is home to three marinas. The land in Oakley is very flat with a gradual slope to the north toward the Delta. The undeveloped portions of Oakley are mostly utilized as agricultural lands for vineyards, orchards, and cattle grazing. The developed portions of Oakley are predominately residential. Like many people living in the California Delta, Oakley residents depend on the Delta for drinking water, water for irrigation and livestock, and habitat, as well as recreation.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, and general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
351-3	The City of Oakley seeks to ensure the health and sustainability of the Sacramento-San Joaquin Delta by opposing an isolated Delta Conveyance in any form, including under the current title of the Delta Conveyance Project.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general opposition to the project. This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR

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		has reviewed all comments and will consider all comments in its decision-making process.
351-4	In the 1980's and again starting in 2006, the Department of Water Resources (DWR) has been actively pursuing unsustainable isolated water conveyance that would remove freshwater flows from the Delta for the benefit of other parts of the state. The Delta Tunnel is the latest iteration, however, many of the impacts that plagued previous versions (the Bay Delta Conservation Plan and California WaterFix) are still present in the Delta Tunnel.	The Delta Conveyance Project is an independent and separate project from Bay Delta Conservation Plan/California WaterFix. Please refer to Chapter 2, Purpose and Project Objectives, regarding the purpose of the project.
351-5	The DEIR is inadequate and fails to inform the public of the true extent of the environmental impacts as required by the California Environmental Quality Act (CEQA). The City of Oakley understands that the state faces a difficult task in combating the current water crisis	The EIR has been developed to meet the requirements of CEQA and fully evaluates and discloses potential environmental impacts and proposes potential mitigation measures.
351-6	However, the Delta Tunnel would create a sacrifice zone in the Delta region from the social, economic, and environmental impacts of the project. Further, the cost of the Delta Tunnel is alarming and unaffordable. [Footnote 1: The latest cost estimate (not including finance costs) was approximately $16 billion; this estimate is sure to go up. https://calmatters.org/environment/2022/06/california-water-delta-tunnel/]	The EIR provides an impact analysis of environmental resources. Please see Chapters 7–32 regarding an analysis of environmental impacts and proposed mitigation measures for multiple environmental resources. Please see Chapter 17, Socioeconomics, regarding socioeconomic analysis in the Delta. Please see Common Response 7, Implementation Considerations, regarding project costs.
351-7	The DEIR's treatment of many impacts is misleading as it lowballs many impacts of the proposed project, precluding good faith review by the interested public. For instance, despite the project's massive disturbances from construction of a 45-mile long, 39-foot outer diameter tunnel around the Delta, the DEIR claims that all biological impacts would be mitigated to less than significant levels. This is at best questionable. The impacts from construction would span a	Careful consideration was taken to determine the potential impacts of this project. Please see Chapter 13, Terrestrial Biological Resources, section Methods for Analysis, for more information regarding methods used to determine potential significant impacts of the project on terrestrial biological resources. Please also see Chapter 15, Agricultural Resources, section Methods for Analysis, for more information regarding methods used to determine potential impacts of the project on agricultural resources.

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	decade-plus and span thousands of acres of farmland, grasslands, wetlands and riparian habitat, disturbing and displacing wildlife.	Please also see Common Response 11, Terrestrial Biological Resources and Compensatory Mitigation Plan, regarding the EIR's methodology and approach to evaluating potential impacts on terrestrial biological resources and adequacy of mitigation measures. Please also refer to Appendix 3F, Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources. The CMP identifies potential compensatory mitigation options to address impacts on habitat for special-status species and on jurisdictional wetlands and other waters (i.e., aquatic resources) that may result from project construction and operation.
351-8	The DEIR also fails to analyze the water quality, agricultural and other impacts associated with removing up to 6,000 cubic feet per second of water from the Sacramento River. Removing what is about one-third to one-half of the average flow of the river is sure to create increases in salinity as well as increase the incidence of harmful algal blooms (HABs). Yet the DEIR claims that these impacts will magically be less than significant and offering no mitigation measures for salinity or HABs.	As described in Chapter 3, Description of the Proposed Project and Alternatives, in the section titled Key Existing Delta Operations Criteria, the project would be operated consistent with regulatory requirements, specifically State Water Board Water Right Decision 1641 (D-1641). Please also refer to Chapter 9, Water Quality, which analyzes the effects on electrical conductivity resulting from facility operations and maintenance. Electrical conductivity is a measure of salinity. Chapter 9 also evaluates cyanobacteria harmful algal blooms (CHABs) and consistency with water quality control plans under Impact WQ-14 and WQ-17, respectively. As described in Chapter 9, the Draft EIR determined that there would be no significant impact regarding water quality and cyanobacterial harmful algal blooms, therefore no mitigation is necessary. Please see Chapter 9 and Chapter 15, Agricultural Resources, regarding more information on the analysis of potential impacts on water quality and agricultural resources, respectively.
351-9	Additionally, the DEIR does not adequately analyze and mitigate the impacts on Delta communities. A so-called "Community Benefits Program" would not even attempt to address the very real impacts to residents during and after construction. This is unacceptable given the extensive and lasting impacts the project would have in the region. For	The Community Benefits Program was developed in addition to environmental mitigation required through CEQA and other environmental regulatory compliance processes. For more information on the Community Benefits Program, please see Chapter 34, Community Program Benefits Analysis. Please also refer to Common Response 7, Implementation Considerations, regarding information about the Community Benefits

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	example, criteria and toxic air pollutants, including particulate matter, would increase, and at times double, across the region as a result of project construction, endangering the health of Delta residents.	Program and stakeholder participation. Additionally, please refer to Common Response 15, Air Quality and Greenhouse Gases, regarding information about feasibility or effectiveness of air quality environmental commitments and mitigation. The Draft EIR was written under CEQA guidelines and considers potential significant impacts on surrounding communities. The Draft EIR analyzes potential significant impacts on air quality and mitigation measures. Please see Chapter 23, Air Quality and Greenhouse Gases, regarding toxic air pollutants as well as mitigation proposed to reduce impacts. As described in Chapter 23, most of the potential impacts analyzed would result in less-than-significant impacts with mitigation. However, Impacts AQ-5 and AQ-6 may remain significant and unavoidable, even with mitigation.
351-10	The DEIR's alternatives analysis is also lacking. The DEIR's alternatives essentially provide various versions of the same tunnel project. There are no alternatives that describe other methods to meet the DWR's water supply reliability goals. The DEIR ignores other, more environmentally friendly ways to make California's water infrastructure more resilient without increasing reliance on Delta exports, which conflicts with the 2009 Delta Reform Act.	The Delta Conveyance EIR has been prepared in compliance with CEQA and evaluates the full range of potential alternatives. Please refer to Common Response 3, Alternatives Development and Description, regarding the development of the reasonable range of feasible alternatives evaluated in the EIR. Please refer to Common Response 4, No Project Alternative Description and Analysis, regarding reasonably foreseeable actions that are considered part of the No Project Alternative, including additional water conservation programs, water recycling projects, groundwater recovery projects, desalination of seawater or brackish groundwater, surface water storage, groundwater management, and water transfers and exchanges, which may be pursued by a variety of local, state, and federal agencies. Please also see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the project's relationship to other plans and policies, such as Delta Reform Act.
351-11	We have serious concerns that the proposed project has not adequately addressed the potentially irreversible economic impacts that the project could have on Delta communities and business that rely on the Delta. In the five Delta counties, Delta	While an economic cost benefit analysis is not a requirement of CEQA, the EIR addresses environmental costs and, generally, the benefits of the project. In addition, because it is a project with potentially significant and unavoidable impacts, DWR would need to adopt a statement of overriding

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	agriculture supports over 15,000 jobs, $1.3 billion in value added, and $2.7 billion in output. In the State of California, Delta agriculture supports over 23,000 jobs, over $2.17 billion in value added, and over $4.59 billion in output. [Footnote 2: Cost estimate from the State of Delta Agriculture: Economic Impact, Conservation and Trends prepared by Center for Business and Policy Research, University of the Pacific. The State of Delta Agriculture: Economic Impact, Conservation and Trends (ca.gov)]	considerations to approve the project. This statement of overriding considerations would include discussion of the balance of applicable economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the proposed project against its unavoidable environmental risks when determining whether to approve the project. Potential socioeconomic effects on Delta communities and businesses were evaluated and mitigation measures are proposed. Please see Chapter 17, Socioeconomics, regarding analysis of potential socioeconomic effects to the Delta communities, agriculture, and businesses. In addition, a Community Benefits Program was developed to address local effects that may occur. Please see Appendix 3G, Community Benefits Program Framework, for more details regarding the program.
351-12	Also, there will most certainly be disruption to marinas and recreational activities, specifically to recreational fishing and competitive sportfishing, where the local economy relies on daily accommodations, food expenditures, shopping, permits, ramp fees, fuel, rental equipment, and other miscellaneous costs. [Footnote 3: Information from Study for Recreation & Tourism in the Delta prepared by California State University, Sacramento Recreation & Tourism in the Delta (ca.gov)]	Please see Common Response 13, Recreation and Recreational Opportunities, regarding the evaluation of recreational opportunities. The EIR evaluates environmental impacts and proposed mitigation measures for multiple resources in the Delta. Please see Chapter 16, Recreation, regarding impacts on recreational fishing, and Chapter 17, Socioeconomics, regarding effects on local economies.
351-13	Overall, this project would create an environmental and socioeconomic disaster. Many of the environmental impacts, as well as the exorbitant cost, could be avoided by pursuing alternative, more sustainable, water projects. The City of Oakley urges DWR to abandon the Delta Tunnel and pursue more stormwater capture, groundwater recharge, recycling and reuse, and water conservation that would not create as many significant environmental and other impacts on the California Delta.	The assertion by the commenter is not consistent with the analysis contained in the EIR. The EIR evaluates environmental impacts and proposed mitigation measures regarding multiple resources in the Delta. Please see Common Response 3, Alternatives Development and Description, regarding comments about suggested infrastructure and water management alternatives. Please see Chapter 17, Socioeconomics, for more information regarding socioeconomic effects and proposed mitigation measures. Please also see Common Response 7, Implementation Considerations, regarding project costs.

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351-14	Thank you for the opportunity to provide comments on this project and please add the City of Oakley to the notice list.	The contact information provided by the commenter has been added to project email list as requested.
369-1	Zone 7 Water Agency (Zone 7, or Zone 7 of the Alameda County Flood Control and Water Conservation District) has reviewed the Draft EIR in the context of Zone 7's mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services" within the Livermore-Amador Valley. Zone 7 is a State Water Project (SWP) contractor and wholesale water supplier serving 265,000 people in the Bay Area living in the Cities of Livermore, Pleasanton, Dublin, and a portion of San Ramon. The SWP is the source of about 70% of the water supplies for this region and is therefore critical to the Livermore-Amador Valley's health and safety, and economic vitality.	This information describes the background of the organization and clarification on the submittal of the comment letter. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
369-2	The SWP 1960-era infrastructure is aging and needs to be upgraded to meet the challenges ahead. As seen in recent years, the state's precipitation is increasingly coming in the form of big storms between extended dry periods. The SWP infrastructure can be improved to be more resilient to climate change-related disruptions and more flexible in its ability to take advantage of big storms by moving water when it's available without harming threatened and endangered species. We support where the Delta Conveyance Project (DCP) stands today - it has been downsized, refined and redesigned to avoid and reduce local impacts on Delta communities and address environmental concerns. Delta conveyance is also threatened by various factors such as ecosystem considerations, seismic risk, and sea level rise. The DCP would add new conveyance facilities in the Delta, including two new intakes located farther north, away from sensitive fish habitat and 20 feet above sea level. The proposed	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.

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	DCP will likely increase SWP reliability and improve water quality, but a more reliable alternate conveyance system for the majority of Zone 7's water supply is the most significant benefit. To this end, we support investment in modern infrastructure in the Delta to ensure the SWP can capture, move and store water when it is available. It is prudent and responsible to pursue the DCP now. We cannot afford to delay modernizing the SWP's Delta infrastructure - the cost of doing nothing could disrupt our state's primary water supply. As noted above, the importance of this infrastructure for our 265,000 residents cannot be understated. California needs the SWP, and the SWP needs the DCP. The proposed DCP is the right project at the right time to help ensure the SWP can continue to meet California's water needs into the future. We encourage state certification of the Draft Environmental Impact Report and the advancement of this essential project.	
369-3	If you have any questions on this letter, please feel free to contact me at (925) 454-5005 or via email at erank@zone7water.com.	This information is general concluding text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
407-1	The Butte County Board of Supervisors (Board) understands the critical importance of achieving the co-equal goals of improving water supply reliability and restoring the Delta ecosystem for the entire State of California. Butte County and the northern Sacramento Valley region have an interest in the overall health and stewardship of the Delta. The northern Sacramento Valley region is the area-of-origin for much of the water that flows through the Delta, and the region is a major source for California's overall water supply. Local surface water resources in Butte County, include Lake Oroville and associated	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	facilities, as well as a network of creeks and rivers that either originate or flow through the County and are tributary to the Feather River and Sacramento River, which feed into the Delta. The region's water resources are more than just the water supply for the Delta and the state; they provide the life-blood for the local agricultural- based communities, economy, and environment. In addition, Butte County is also one of 29 State Water Project (SWP) Contractors, and therefore has a vested interest to assure that implementation and operation of the Delta Conveyance Project (DCP) does not adversely affect the local economy, communities, and environment.	
407-2	As part of the DCP Environmental Impact Report (EIR) public scoping process initiated by the California Department of Water Resources (DWR) in February/March 2020, the Butte County Board of Supervisors provided a scoping comment letter (April 16, 2020, attached) that identified the failings of the previous Bay Delta Conservation Plan and California WaterFix (BDCP/WaterFix) projects. The scoping letter recommended issues that the DCP EIR should address. Therefore, these comments focus on the concerns identified by the Board's previous letter and potential EIR deficiencies that may ultimately damage the northern Sacramento Valley and Butte County economy, environment, and communities.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process
407-3	The Board's [The Butte County Board of Supervisors] comments regarding the DCP include: 1) The DCP must honor the water right priority system and area of origin water rights and not redirect impacts to the northern Sacramento Valley.	DWR is required to, and will comply with, the State of California water rights priority system and area of origin laws.
407-4	The Board's [The Butte County Board of Supervisors] comments regarding the DCP include:	As described in Chapter 1, Introduction, DWR recognizes the concerns that the project could result in potential for increased exports and further reliance on water that moves through the Delta. Please refer to Common

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	2) The DCP should account for the Sustainable Groundwater Management Act (SGMA), emphasize the principle of regional self-reliance, and assess groundwater impacts upstream of the Delta.	Response 8, Relationship to Other Plans, Projects, Policies, and Programs, for additional discussion regarding Groundwater Sustainability Plans, including the pursuit of regional self-reliance, and the Delta Conveyance Project. Potential groundwater impacts upstream of the Delta region and in the South-of-Delta SWP Service areas are described in Chapter 8, Groundwater, sections Analysis of Groundwater Conditions Upstream of the Delta Region and Analysis of Groundwater Conditions in South-of-Delta Service Areas. Based on surface water analysis, upstream reservoir storage and river flows do not substantially change between the project alternatives and the existing conditions when operation of the project alternatives are simulated. Average annual SWP deliveries would increase from existing conditions under all project alternatives for the long-term average, dry water years, and critical water years. SWP Table A and Article 56 deliveries are expected to increase under the long-term average, dry years, and critical water years compared to deliveries under existing conditions. For Trinity Lake, Shasta Lake, Lake Oroville, and Folsom Lake, storage changes are extremely minimal. In some cases, there are very minor increases in end-of-September storage because of lower releases for exports (because of diversions at the proposed north Delta intakes) and carriage water savings. Additionally, as noted in Chapter 5, Surface Water, the long-term average of monthly flows and average monthly flows by water year type on the Sacramento River (a key interconnected surface water course in the Sacramento Valley) as simulated in CalSim 3 under all project alternatives would be similar when compared to existing conditions. As project impacts on upstream interconnected surface water courses are anticipated to be minimal, the resultant impacts on groundwater upgradient from the Delta are also anticipated to be minimal as a result of project operations.

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407-5	The Board's [The Butte County Board of Supervisors] comments regarding the DCP include: 3) The DCP EIR should fully disclose any plans to incorporate north of Delta groundwater basins into the State Water Project.	As described in Chapter 2, Purpose and Project Objectives, the purpose of the Delta Conveyance Project is to restore and protect the reliability of the State Water Project water deliveries and potentially, Central Valley Project water deliveries south of the Sacramento-San Joaquin Delta. Incorporating north of Delta groundwater basins is not the purpose or objective of the Delta Conveyance Project. Please see Chapter 1, Introduction, for a description of the State Water Project and background information regarding how water supply has been developed and managed in California.
407-6	The Board's [The Butte County Board of Supervisors] comments regarding the DCP include: 4) The DCP EIR must fully describe the project's socioeconomic impacts in every impacted area.	The purpose of the socioeconomic analysis in the EIR is to identify how social and/or economic effects relate to physical changes to the environment, which this analysis achieves. As explained at the beginning of Chapter 17, Socioeconomics, social or economic effects alone are not considered environmental impacts under CEQA. Common Response 7, Implementation Considerations, in the discussion of the economic analysis used in the EIR, provides an explanation of the scope of socioeconomic analysis in an EIR and the approach to conducting the assessment. The socioeconomic assessment presented in the EIR is an accurate estimate of changes in employment, income, and other measures of economic activity attributable to the project.
407-7	The Board's [The Butte County Board of Supervisors] comments regarding the DCP include: 5) The DCP EIR should consider non-conveyance alternatives.	Please see Common Response 3, Alternatives Development and Description, for a description of why a non-conveyance alternative does not meet the majority of the basic project objectives.
407-8	The Board's [The Butte County Board of Supervisors] comments regarding the DCP include: The DCP EIR should evaluate water supply reliability and other implications of climate change.	Chapter 6, Water Supply, discloses the water supply changes that would be expected as a result of the project construction, operations, and maintenance. In addition, Appendix 6A, Water Supply 2040 Analysis, discloses the potential water supply conditions under the 2040 scenario when the project is expected to be fully operational with the anticipated effects of climate change under a no project condition and with the proposed project. Appendix 4A, Consideration of 2070 Conditions, further evaluates potential water supply conditions with the anticipated effects of

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		climate change under a no project condition and with the proposed project. Please see Common Response 6, Climate Resilience and Adaptation, for additional information about climate change and water supply reliability.
407-9	The Board's [The Butte County Board of Supervisors] comments regarding the DCP include: 7) The DCP must clearly identify funding sources.	Please see Common Response 7, Implementation Considerations, for information on project costs and funding sources, as well as costs to water suppliers, users, and taxpayers.
407-10	It is the Board's [The Butte County Board of Supervisors] understanding that the fundamental purpose of the DCP is to develop new diversion and conveyance facilities in the Delta to restore and protect the reliability of SWP [State Water Project] water deliveries, and, potentially, Central Valley Project {CVP) water deliveries, south of the Delta. This project purpose gives rise to four related objectives identified in the EIR: 1)Climate Resiliency: To address rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events; 2)Seismic Resiliency: To minimize the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries south of the Delta resulting from a major earthquake; 3)Water Supply Reliability: To protect the ability of the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts of water; and 4)Operational Resiliency: To provide operational flexibility to improve aquatic conditions in the Delta and better manage	The comment quotes Chapter 2, Purpose and Project Objectives. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	risks of further regulatory constraints on project operations.	
407-11	Understanding of the Project The SWP [State Water Project] is a multipurpose project with major facilities, including Lake Oroville and Dam, North Bay Aqueduct, Banks Pumping Plant, San Luis Reservoir, South Bay Aqueduct, and California Aqueduct. DWR holds contracts with 29 public water agencies to supply up to a maximum amount of 4.17 million acre- feet (MAF) of water. Total SWP deliveries averaged about 1.96 MAF of water per year from 2009 to 2018 and 2.86 MAF/year during 199-2008 (EIR pg 1-7, lines 31-34). The SWP is managed in coordination with the CVP. The CVP exports averaged about 1.76 MAF per year between 2012 and 2021. During the 2002 to 2011 period, exports averaged about 2.53 MAF/year (EIR pg 1-8, lines 5-8). Among the SWP facilities in the southern Delta include the Banks Pumping Plant, which marks the beginning of the California Aqueduct. The Banks Pumping Plant lifts water into the California Aqueduct, which flows to Bethany Reservoir. From Bethany Reservoir, the South Bay Pumping Plant lifts water into the South Bay Aqueduct to supply portions of Alameda and Santa Clara Counties. Also from Bethany Reservoir, the 444-mile long California Aqueduct conveys water to the San Joaquin Valley, Southern California, and the Central Coast (EIR pg 6-14, lines 1-6). The nominal capacity of the Banks Pumping Plant is 10,300 cubic feet per second (cfs). However, there are numerous state and federal permitting and environmental requirements that limit the amount of water that can be diverted from the Delta for pumping at the Banks Pumping Plant. The diversion rate is normally restricted to 6,680 cfs as a 3-day average and 6,993 cfs as a 1-day average	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	(EIR pg 6-13, lines 36-40). The EIR included evaluation of five (5) alternative conveyance alignments, with Alternative 5, Bethany Reservoir Alignment, being the preferred alternative and the Proposed Project evaluated in the EIR. The Proposed Project consists of the construction, operation, and maintenance of new SWP water diversion and conveyance facilities in the north Delta that would be operated in coordination with the existing SWP facilities. The new facilities would divert water from two new intakes in the north Delta and convey the water via a single tunnel on an eastern alignment directly to a new pumping plant and aqueduct complex in the south Delta. This water would discharge to the Bethany Reservoir for delivery to existing SWP export facilities (EIR pg 3-6, lines 16-17). The project design capacity would be able to divert and convey 6,000 cfs to Bethany Reservoir. The EIR states that the Proposed Project is seeking a new point of diversion and is not seeking to expand water right quantity. The north Delta intakes would augment the ability to capture excess flows and improve the flexibility of the SWP operations. According to the EIR, the DCP would 1) not change operational criteria associated with upstream reservoirs, 2) will continue to be operated to meet regulatory, environmental, and contractual obligations consistent with existing operations, and 3) is not proposing to increase the total quantity of water permitted for diversion under existing DWR water rights (EIR pg 3-141, section 3.16). The EIR also includes the evaluation of a No Project Alternative	

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	under future conditions in 2040; the year 2040 serving as the basis for resource modeling in the EIR. Under the No Project Alternative, DWR would continue to operate the existing SWP facilities consistent with applicable laws, regulations, and permit conditions, and SWP contractual obligations for water deliveries. Under the No Project Alternative, DWR would not make any changes to the SWP facilities in the Delta to address water supply reliability and related Proposed Project objectives (EIR pg 3-68). For comparison purposes, the previously proposed California WaterFix project would have conveyed water from three new fish-screened intakes on the Sacramento River underground through two 35-mile long tunnels to a modified or new forebay and pump station facility. The California WaterFix would have been able to divert and convey a maximum of 9,000 cfs, with the resulting two-tunnel system diverting a long-term average yearly total of 4.7 to 5.6 million acre-feet (MAF), depending on hydrology and other factors, including regulatory constraints (EIR pg 1-27).	
407-12	Understanding of the Project Area and Study Areas The EIR identifies a project area and study areas. The project area consists of the construction footprint of the proposed project facilities. The study area consists of four geographic regions that are larger than the project facility footprint in and around the Delta because some of the effects of constructing and operating the project could extend beyond the physical project boundaries. Depending on the environmental resource analyzed in the EIR, the study area changed and evaluated impacts one or more of the geographic regions: upstream of the Delta region, Delta region, South-of-Delta/SWP [State	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. DWR has reviewed all comments and will consider all comments in its decision-making process. Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the study area for resources analyzed in Chapters 5–32 and areas upstream of the project.

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	Water Project] and CVP [Central Valley Project] service areas, and project area (EIR pg 1-29, lines 10-15). The upstream of the Delta region comprises those areas in the SWP and CVP system that are upstream of the Delta; with regard to Butte County this would include Lake Oroville, Thermalito Forebay and Afterbay facilities, and the Feather River. The Delta Region, which extends over portions of Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties. The south-of-Delta/SWP and CVP service areas includes those that are recipients of SWP water. The project area consists of the project construction footprint of proposed facilities.	
407-13	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 1.The DCP must honor the water right priority system, area of origin water rights, and not redirect impacts to the northern Sacramento Valley. The California Environmental Quality Act (CEQA) Guidelines, Section 15161requires that an EIR "examine all phases of the project including planning, construction, and operation." In addition, Section 15126.2 requires that the "direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involve, physical changes, and alterations to ecological systems."	Senior water rights holders cannot be affected by the Delta Conveyance Project based on the existing water right priority system of the State of California. DWR is required to, and will continue to comply with, the State of California water rights priority system and area of origin laws. Please refer to Common Response 3, Alternatives Development and Description, regarding Delta Conveyance Project's operations, which do not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes.

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	The EIR states that the proposed project (EIR pg 3-141, lines 20-26): -Is seeking a new point of diversion, and is not seeking to expand water right quantity. -Diversions at the proposed north Delta intakes would be governed by new operational criteria specific to these intakes. The stated purpose of the new criteria would be to "provide additional protections to fish species…" -The proposed intakes would augment the ability to capture excess flows and improve the flexibility of the SWP operations such as for meeting the State Water Board D-1641 salinity requirements. -Would not change operational criteria associated with upstream reservoirs. According to comparison of the Proposed Project with existing water supply conditions (EIR Table 6-5, pg 6-41), it shows that management of SWP deliveries increases south-of-Delta deliveries. It is the Board's concern is that this may be at the expense of the Feather River Service Area (FRSA) users, who include senior water right holders along the Feather River, many of whom are located in Butte County. The ability to store more water in Lake Oroville, albeit slight, suggests a potential alteration in current storage operations. It is unclear as to the source of the "excess flows" that would be delivered south-of-Delta. The EIR states that the basis for analysis of SWP exports and deliveries compares simulated water supply conditions to existing conditions, and reflects differences in surface water supply availability resulting from SWP operations.	

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407-14	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 1.The DCP must honor the water right priority system, area of origin water rights, and not redirect impacts to the northern Sacramento Valley. The EIR presents changes in reservoir storage, deliveries, and Delta outflow to provide a basis for understanding changes in SWP exports and deliveries; yet there are no specific water supply impact assessment results presented. The EIR states that the effects of these changes are not considered environmental impacts under CEQA (EIR pg 6-34, lines 6-9). However, the EIR clearly identifies increases in Lake Oroville storage and SWP [State Water Project] deliveries under all project alternatives. Therefore, moving more water from Lake Oroville is part of the Proposed Project. The EIR states that, "because of the effect that integration of the proposed north Delta intakes has on the overall system, their operation could lead to changes in river flows and upstream storages" (EIR pg 5-26, lines 27- 28). In addition, there are potential changes from long-term average monthly flows, including reduced flows in portions of the Sacramento River and Feather River downstream of the Thermalito Afterbav (EIR pg 5-27, lines 27-29). Although the changes in storage are relatively minimal, the increase in water supply retained in storage and available for delivery from Lake Oroville is likely the result in changes in operations. The EIR should consider what potential impacts could result from these changes in storage and delivery and	Please refer to Common Response 3, Alternatives Development and Description, for a discussion of Delta Conveyance Project operations (specifically related to north-of-Delta storage) and consistency with existing water rights. Minor changes to storage and river flows upstream of the Delta shown in Delta Conveyance Project CalSim 3 modeling results were determined to not substantively affect water quality, fish and aquatic resources, and other resources addressed in the EIR. Please also refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, which describes the selection of the study area(s) evaluated in the EIR, including a discussion of areas upstream of the north Delta intakes and supporting screening analyses explaining why upstream effects were not evaluated further in Chapter 12, Fish and Aquatic Resources.

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	identify mitigation to minimize potential impacts. Ultimately, the EIR should ensure that any changes in operation resulting from adaptive management and operational flexibility do not alter the water right priority system, area of origin water rights, and do not redirect impacts to the northern Sacramento Valley.	
407-15	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 2. The DCP should account for the Sustainable Groundwater Management Act (SGMA), emphasize the principle of regional self-reliance, and assess groundwater impacts upstream of the Delta. The study area for determining impacts to groundwater resources primarily consists of the Delta region. The EIR states that "impacts on groundwater basins upstream of the Delta region are not included in the groundwater chapter because flow changes in those areas resulting from project construction and operation are negligible and are unlikely to cause changes in groundwater" (EIR pg 8-3, lines 10-12). One of California's fundamental water policies mandates that "each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in water use efficiency, water recycling, advance water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts" (Water Code, Section 85021). The Sustainable	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the study area for resources analyzed in Chapters 5-32 and areas upstream of the project. The Delta Conveyance Project is not a groundwater management project, as noted in response to comment 407-5. The focus of the groundwater assessment in Chapter 8, Groundwater, is to disclose local construction- and operation-related impacts that could result from the project. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding California's Sustainable Groundwater Management Act (SGMA), including the pursuit of regional self-reliance. Please also see Common Response 5, Public Water Agencies Water Management Practices, regarding the practices that public water agencies are currently undertaking related to self-reliance. Please see response to comment 407-4 which addresses upstream hydrologic conditions and the operation of the project. Little to no groundwater-related impacts, resulting from the proposed project or alternatives, are anticipated in the Central Valley outside the DeltaGW Model domain, upstream of Delta or south of Delta. Average annual SWP deliveries would increase from existing conditions under all project alternatives for the long-term average, dry water years, and critical water years. SWP Table A and Article 56 deliveries are expected to increase under the long-term average, dry years, and critical water years compared to deliveries under existing conditions. Average annual SWP Article 21 deliveries would also increase under the long-term average and, depending on the alternative, would decrease or increase under dry and critical water

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	Groundwater Management Act (SGMA) emphasizes the principle of regional self-reliance by requiring local agencies to enact Groundwater Sustainability Plans (GSPs) to sustain their groundwater basins. Although most of the beneficiaries of the DCP are in basins subject to SGMA and the policy of regional self-reliance, SGMA also imposes constraints and regulations particularly for those in critically overdrafted basins requiring a decrease groundwater use. The EIR should evaluate the cumulative impacts from implementation of SGMA 1) upstream of the Delta region to determine the potential reduction in available supplies due to implementation of GSP projects and 2) south-of-Delta and the potential increase in dependence on SWP supplies over time given decreases in groundwater use.	years. The project is not expected to affect San Joaquin River flows nor the operations of reservoirs south of the Delta on the tributaries of the San Joaquin River (e.g., CVP Millerton Lake on the San Joaquin River and the New Melones Reservoir on the Stanislaus River); therefore, neither locations and reservoirs on the San Joaquin River (and tributaries) nor San Joaquin Valley groundwater subbasins were evaluated further.
407-16	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 2. The DCP should account for the Sustainable Groundwater Management Act (SGMA), emphasize the principle of regional self-reliance, and assess groundwater impacts upstream of the Delta. The cumulative impact analysis for groundwater resources for the project alternatives, including the Proposed Project, takes into consideration other past, present, and reasonably foreseeable future programs, projects, and policies on a broader scale, including SGMA (EIR Table 8-10). The EIR states that "Generally, these projects in the study area would have positive effects on the underlying groundwater basins on a long-term basis..." (EIR pg 8-68, lines 11-13). The EIR purports that the increased reliability of CVP [Central Valley Project] and SWP [State Water Project] supplies would allow Groundwater	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, for consideration of California's Sustainable Groundwater Management Act (SGMA) and groundwater sustainability plans (GSPs). As discussed in Chapter 5, Water Supply, operation of the proposed project or alternatives would not affect hydrological conditions upstream of the Delta. The project would not affect the ability of groundwater managers upstream of the Delta to comply with the provisions of SGMA. For further information regarding the selection of study area(s) for evaluation in the EIR, including a discussion of areas upstream of the north Delta intakes, please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues. In addition, as described in Common Response 3, Alternatives Development and Description, Delta Conveyance Project's operations, which do not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes. The No Project Alternative cumulative analysis recognizes the potential for additional strains on water resources to occur in the future. However, these strains will be addressed through the management of medium and

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	Sustainability Agencies (GSAs) charged with managing the long-term sustainability of groundwater basins, along with water agencies, to improve the use of their surface water and groundwater supplies and reduce stress on the underlying groundwater basins. The EIR states that "cumulative effects on groundwater supplies...are expected to be mostly positive..." (EIR pg 8 69, lines 27-28). However, under the No Project Alternative the cumulative analysis states that there may be additional strains on water resources and increased demand for groundwater to meet future water needs. This assertion seems contradictory given that 1) the projects in EIR Table 8-10 (EIR pg 8-61,) focus on the development of surface water supplies that would offset groundwater use and 2) GSAs would still be required to comply with SGMA under the No Project Alternative and thus would reduce stress on groundwater basins. The EIR must adequately account for the implementation of SGMA, including the No Project Alternative 2040 conditions, the timeline when critically over-drafted basins are required to reach sustainable groundwater management.	high priority basins under SGMA and projects considered in the No Project Alternative. It is anticipated that there would be no cumulative impact on groundwater resources under the No Project Alternative.
407-17	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 3. The DCP EIR should fully disclose any plans to incorporate north of Delta groundwater basins into the State Water Project. One of the Board's [The Butte County Board of Supervisors]	Part of this comment is regarding the Bay Delta Conservation Plan/California WaterFix Project. There is no plan to incorporate north of Delta groundwater basins into the State Water Project. As discussed below, comments related to increased groundwater use in the Sacramento Valley are not related to the Delta Conveyance Project Draft EIR, and DWR is not required to respond to comments on projects that are no longer being pursued. However, DWR has reviewed the comment's content to determine whether the comment may be applicable to the proposed Delta Conveyance Project and has responded to the parts of the comment regarding potential water transfers under the Delta Conveyance Project as applicable.

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	primary concerns of the BDCP/WaterFix project was the disclosure that there was an expected increase in groundwater use in the Sacramento Valley to make up for any shortfalls in surface water supply of CVP [Central Valley Project] contractors. Another concern of the BDCP/WaterFix included a goal of facilitating groundwater substitution transfer programs, which would have redirected impacts to the northern Sacramento Valley, including Butte County. The DCP will rely on the continued practice of water transfers that would include a combination of surface water resulting from crop idling, groundwater substitution transfers, and reservoir release transfers; although these transfers would be voluntary, they could have an impact on groundwater basins upstream of the Delta region. Appendix 3H, Non-Project Water Transfer Analysis for Delta Conveyance focuses on the capacity of the DCP and its ability to convey water not included in the SWP [State Water Project] and CVP supplies (aka non-project water). Although the analysis in Appendix 3H concludes that there is sufficient available export capacity for water transfers, it overlooks the potential of local or regional environmental impacts associated with ongoing water transfers. In addition, although short-term water transfers at the local level may not have a significant effect on the environment, they may be cumulatively considerable. If the DCP is going to rely on non-project water transfers as a source of water supply reliability, it must evaluate the potential environmental effects on the environment, including impacts to groundwater, and the human right to water and domestic water supplies, and agricultural and socioeconomic impacts.	The Delta Conveyance Project would not rely on non-project water for water supply reliability purposes. Water transfers are performed between willing buyers and sellers and DWR's role would be limited to conveying the water through the SWP if capacity is available as required by law. As described in Appendix 3H, Non-Project Water Transfer Analysis for Delta Conveyance, water transfers can occur within a year and between years and have done so between 1995 and 2020. These transfers went through appropriate environmental assessment and permitting before moving forward, and future transfers would similarly have separate analysis. These transfers are not related to the Delta Conveyance Project, and they would move forward (or not move forward) with or without the project. This EIR considers whether the project or alternatives could have the potential to change environmental effects by increasing transfers (by potentially removing a capacity constraint) or changing transfer pumping from the south Delta facilities to the proposed north Delta facilities. Potential changes to the system during a water transfer are described in Appendix 3H. As disclosed in the appendix, even though the Delta Conveyance Project may add additional export capacity, it is not reasonably foreseeable that it would increase the amount of water transfers, since the current available capacity is not fully utilized. The project would not exacerbate or worsen potential effects of water transfers because, in general, water transfers under operating conditions of the project would not change from those that occur under existing conditions. Furthermore, the responsibility of disclosing potential environmental effects of water transfers is that of the willing buyer and seller conducting the transfer and not DWR. All environmental effects would be taken into consideration during the time of the transfer by the willing buyer and seller. With the Delta Conveyance Project, some transfer water that is currently conveyed through the south Delta may be conveyed through the proposed

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		north Delta facilities. However, this change in diversion location would not affect the need to manage water quality conditions in the Delta. With either diversion location, the SWP would still release "carriage water" to manage water quality in the Delta. Carriage water is the amount of Sacramento River inflow required to maintain water quality conditions in the Delta in the absence of a water transfer, and it is typically a portion of the water made available by the seller. Carriage water would maintain similar water quality conditions in the Delta regardless of transfer diversion location. More information is included in Appendix 3H.
407-18	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 3. The DCP EIR should fully disclose any plans to incorporate north of Delta groundwater basins into the State Water Proiect. The Non-Project Water Transfer Analysis does not detail the sources of water for transfer, such as surface water resulting from crop idling, groundwater substitutions, and/or reservoir storage releases, but instead focuses on historic export amounts and practices. The DCP should not expect ongoing additional water from the northern Sacramento Valley. It must consider that some of the water supplies historically exported may not be available in the future due to decreases in the foregoing practices and increased demand in the areas from which the water originates. The likelihood that less water will be available for export is reasonably foreseeable and must be evaluated in the EIR.	There is no plan to incorporate north of Delta groundwater basins into the State Water Project. Water transfers are separate projects from the Delta Conveyance Project and undergo separate environmental review efforts. They are qualitatively included as part of existing conditions and the No Project Alternative, as described in Appendix 3C, Defining Existing Conditions, No Project Alternative, and Cumulative Impact Conditions. As described in response to comment 407-17, the Delta Conveyance Project EIR considers whether expanding available capacity for transfers or shifting transfer diversion locations could alter the environmental effects of transfers that are already a part of the existing conditions. As described in Appendix 3H, Non-Project Water Transfer Analysis for Delta Conveyance, the proposed project and alternatives would not cause changes from existing conditions related to transfers.

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407-19	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 4. The DCP EIR must fully describe the project's socioeconomic impacts in every impacted area. Similar to the BDCP/WaterFix, the DCP EIR limits it analysis of socioeconomic impacts to the project area, which are the counties in the Delta region including Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties. The EIR also discusses socioeconomic impacts to the south-of-Delta SWP [State Water Project] and CVP [Central Valley Project] export service areas because these areas could realize improved water supply reliability as a result of the project. However, the analysis does not extend to the areas that supply the water, upstream of the Delta region. The CEQA Guidelines Section 15382 states that an EIR evaluate if a project will have a potential significant effect on the environment …within the area affected by the project [emphasis added], including land, air water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Section 15360 describes the "area affected" as the area in which significant effects would occur either directly or indirectly as a result of the project. The "environment" includes both natural and man-made conditions. The SWP was planned and constructed with an emphasis on delivering water to support California's developing agricultural	The purpose of the socioeconomic analysis in the EIR is to identify how social and/or economic effects relate to physical changes to the environment, which this analysis achieves. As explained at the beginning of Chapter 17, Socioeconomics, social or economic effects alone are not considered environmental impacts under CEQA. See Common Response 7, Implementation Considerations, regarding the socioeconomic analysis approach used in the EIR, which provides an explanation of the scope of socioeconomic analysis in an EIR and the approach to conducting the assessment. Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the study area for resources analyzed in Chapters 5-32 and areas upstream of the project. Chapter 12, Fish and Aquatic Resources discusses effects on Spring-run Chinook salmon. Chapter 13, Terrestrial Biological Resources, discusses effects on migratory birds. Chapter 16, Recreation, and Chapter 17, Socioeconomics, discuss effects on recreation. For each of these resources, impacts would be less than significant under each project alternative with proposed mitigation measures.

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	economy and urban areas, while also providing benefits relating to flood control, power generation, recreation, and fish and wildlife habitat. Numerous laws, regulations, and regulatory processes determine how DWR manages and operates the SWP facilities, including the storage facilities upstream of the Delta region. Operations also include coordinated long-term operation of the CVP and SWP. Therefore, the effects of implementing the DCP extend beyond the Delta region. The SWP should continue to be managed in such a way to minimize impacts to local environmental resources, such as Spring-run Chinook salmon and ensuring water availability for migratory birds and the Pacific Flyway. The CDP EIR must assess the potential impacts for all environmental topic areas, including socioeconomic recreation, and biological resources upstream of the Delta region.	
407-20	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 5. The DCP EIR should consider non-conveyance alternatives. The EIR does identify the alternatives considered but eliminated from further review, including any previous alternatives evaluated in the Bay Delta Conservation Plan/California WaterFix EIR/EIS (EIR pg 3- 5). The result is that the EIR only evaluates five alternative tunnel conveyance alignments and the No Project Alternative. The DCP EIR should consider non-conveyance alternatives taking into consideration the goals and actions identified in the state's 2020 Water Resilience Portfolio and California's Water Supply Strategy,	Please see Common Response 3, Alternatives Development and Description, regarding the adequacy of the range of project alternatives chosen for the CEQA analysis. Common Response 3 also includes a description of why non-conveyance alternatives would not meet most of the basic project objectives. Please also refer to Appendix 3A, Identification of Water Conveyance Alternatives, for an overview of the alternatives considered and screened from further review in the EIR. The Delta Conveyance Project is one aspect of the California Water Resilience Portfolio, which includes numerous local and regional water management and conservation actions. These actions are occurring concurrently, recognizing that multiple actions are needed to improve California's water supply resilience. Please refer to Appendix 3C, Defining Existing Conditions, No Project Alternative, and Cumulative Impact Conditions, regarding actions that other entities may undertake if the Delta Conveyance Project is not approved.

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	Adapting to a Hotter, Drier Future. Given some of the vulnerabilities of the SWP [State Water Project] facilities and conveying water through the Delta including flood, subsidence, earthquake and climate change, the EIR should include a No Project 2040/Portfolio- Based Alternative that incorporates the state's 2020 Water Resilience Portfolio actions and California's Water Supply Strategy, Adapting to a Hotter, Drier Future strategies. The state's 2020 Water Resilience Portfolio prioritizes conservation, recycling, and groundwater management, thereby building resilience of local water systems throughout the state. In addition, the state's strategies for adapting to climate change include creating storage space for up to 4 million acre-feet of water, recycling and reuse of at least 800,000 acre-feet of water per year by 2030, increases in efficient water use and conservation, and capturing stormwater, and desalinating ocean water and salty water in groundwater basins. A No Project 2040/Portfolio-Based Alternative could consist of DWR 1) operating the existing SWP facilities consistent with applicable laws, regulations, permit conditions, and SWP contractual obligations for deliveries (consistent with the No Project Alternative described in the EIR), and 2) integrating actions and water supply strategies on the basis of new data and accelerating climate change. In addition, given Butte County's experience with natural disasters, the Board takes take the approach, "hope for the best, prepare for the worst." If the potential for a catastrophic seismic event exists that would prevent the conveyance of water through the Delta for 2-3 years, then consideration should be given to the potential that the Proposed Project and alignment alternatives could also be significantly impact by a similar event.	Please refer to Appendix 4A, Considerations of 2070 Conditions, for a discussion of potential effects under a 2070 climate change scenario, provided for informational purposes. In addition, the following appendices for key resource chapters evaluate impacts under a 2040 scenario that incorporates climate change and sea level rise. The 2040 appendices include the following. • Appendix 5B, Surface Water 2040 Analysis • Appendix 6A, Water Supply 2040 Analysis • Appendix 8C, Groundwater 2040 Analysis • Appendix 9L, Water Quality 2040 Analysis • Appendix 12C, Fish and Aquatic Resources 2040 Analysis • Appendix 13F, Terrestrial Biological Resources 2040 Analysis • Appendix 15C, Agricultural Resources 2040 Analysis • Appendix 16B, Recreation 2040 Analysis • Appendix 20C, Delta Conveyance 2040 Traffic Analysis • Appendix 22B, Energy 2040 Analysis • Appendix 23F, Air Quality and Greenhouse Gases 2040 Analysis • Appendix 24E, Noise and Vibration 2040 Analysis • Appendix 26A, Public Health 2040 Analysis • Appendix 30A, CalSim 3 Results Sensitivity to 2040 Climate Change and Sea Level Rise Projections The approach to addressing climate change in the EIR provides decisionmakers with detailed information regarding how potential climate change scenarios may affect the proposed project and project alternatives. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the Delta Conveyance Project's consistency with the Water Resilience Portfolio and California's Water Supply Strategy.

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	A No Project 2040/Portfolio-Based Alternative would be a non-conveyance alternative that would evaluate how localized projects would improve regional self-reliance as well as meet the Proposed Project's climate resiliency, water supply reliability, and seismic resiliency objectives.	The proposed project does not preclude potential water conservation or system resilience actions by DWR or other entities that would utilize nature-based solutions or other strategies. The assertion that the EIR does not adequately consider the impact of a catastrophic seismic event on the project is not supported by the EIR. Please refer to Appendix 3A regarding the screening criteria used to identify potentially feasible alternatives, which includes the seismic resiliency of the project. Refer to Chapter 4, Framework for the Analysis, section titled: Consideration of Seismic Risks and Climate Change on Project Alternatives regarding the approach to evaluating seismic risks. Further, please refer to Chapter 10, Geology and Seismicity, which describes that the project would have a less than significant impact on geology and seismicity. The important potential impacts that were considered include any differences in the potential for surface fault rupture, level of earthquake shaking, liquefaction susceptibility, ground failure, tunnel flotation, and likelihood for a seiche to occur.
407-21	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. Does the EIR evaluate water supply reliability and other implications of climate change? Some of the issues identified in the EIR associated with climate change and water supply reliability include: -Changes in the amount, timing, and intensity of precipitation; -More precipitation falling as rain instead of snow; -Changes in runoff patterns that restrict how much water can	Please see response to comment 407-20 for a list of locations in the EIR where water supply changes and climate change are considered and discussed. Please refer to Common Response 3, Alternatives Development and Description, regarding Delta Conveyance Project proposed operations, which do not include modifications to State Water Project reservoir operations upstream of the project. DWR would not increase storage withdrawal for exports, except flood releases, even though the proposed Delta Conveyance Project may provide additional diversion capacity. The project would not include modifications to Central Valley Project reservoir operations upstream of the project because Reclamation is not a participant in the project. As described in Common Response 3, the project would be operated to

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	be stored in upstream reservoir during the winter because of flood control requirements; -Release of greater volume of water from reservoirs before the irrigation season; and, -Reductions in carryover storage levels and water supply. In addition, climate change may result in an increased reliance on water stored in upstream reservoirs to satisfy Delta flow requirements to protect water quality. Lastly, the implementation of SGMA [Sustainable Groundwater Management Act] in the northern Sacramento Valley may, and likely will, result in less water available for south-of Delta users. These issues will likely alter SWP [State Water Project] and CVP [Central Valley Project] operations. The Climate Change analysis states, "DWR and the Delta Stewardship Council conducted comprehensive climate change studies to understand potential impacts on the overall SWP and CVP system…Based on these extensive analyses, climate change [emphasis added] is expected to significantly affect the overall SWP and CVP operations, upstream tributaries, and the Delta" (EIR pg 30-19, lines 12-17). The EIR states that the Proposed Project, primarily the north Delta intakes, would operate in conjunction with the existing SWP facilities and operations would remain consistent with existing regulatory requirements (EIR pg 3-145, lines 22-23). However, ta assume that the DCP will be operated in the same manner in the future, given the current issues facing the Delta, limits the scope of the environmental analysis and the alternatives that should be considered in the EIR. Potential changes in operations and the direct and indirect impacts associated with those changes must be analyzed in the EIR.	shift diversions from the south Delta to the north Delta (during the summer and fall) or divert water in the north Delta during excess flow conditions while meeting regulatory requirements (during the winter and spring). The analyses provided in Chapters 5 through 32 evaluate the potential impacts of the proposed operations for all alternatives. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the appropriate use of the CEQA baseline for the purposes of the CEQA analysis. Please also refer to response to comment 407-20 and Chapter 4, Framework for the Environmental Analysis, for a list of additional information provided that presents longer-term analysis that incorporate changes that would be expected as a result of climate change and sea level rise by the year 2040, when the project would be operational. Please also refer to Chapter 4 for a list of additional analyses of potential future conditions that consider conditions at the year 2070 as well as a sensitivity analysis of a scenario that prioritizes north Delta intakes during certain times of the year. While these additional analyses are not required by CEQA, they are intended to provide additional information about how the project might operate in the future.

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407-22	Comments on the Delta Conveyance Project (DCP) EIR The following are the Butte County Board of Supervisors' comments pertaining to the DCP EIR with respect to the previously identified topics of concern. 7. The DCP must clearly identify funding sources. As stated in the Board of Supervisors' April 2020 scoping comment letter, the state must clearly identify funding sources for the DCP. While an Agreement in Principle (AIP) drafted between DWR and public water agencies and/or SWP [State Water Project] contractors, this does not guarantee a commitment of funds for the construction and operation of new water facilities and the mitigation necessary to address impacts. Butte County, as a State Water Project Contractor, would derive no benefit from the implementation and operation of the DCP. The County opposes any financial obligation to its construction and operation.	Please see response to comment 407-9 regarding project costs and funding sources.
407-23	Conclusion In closing, while the EIR discusses many of the concerns presented in the scoping comment letter, given the limited analysis beyond the project area and Delta region, the EIR overlooks the potential direct and indirect operational impacts to the upstream-of-the-Delta region, specifically the northern Sacramento Valley.	Please refer to response to comment 407-14 and Common Response 3, Alternatives Development and Description, regarding the Delta Conveyance Project conveyance facility and other related SWP facility operations approach described the EIR, including potential upstream effects.
407-24	Based on the comments presented above, the Final EIR needs to address the following concerns: 1. Ensure that any changes in operation resulting from adaptive management and operational flexibility do not alter	Please see responses to comments 407-3 and 407-13 regarding the water rights priority system and upstream operations.

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	the water right priority system, area of origin water rights, and do not redirect impacts to the northern Sacramento Valley.	
407-25	Based on the comments presented above, the Final EIR needs to address the following concerns: 2. Adequately account for the implementation of SGMA, including the No Project Alternative 2040 conditions, the timeline when critically over-drafted basins are required to reach sustainable groundwater management.	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding California's Sustainable Groundwater Management Act (SGMA) and how Groundwater Sustainability Plans (GSPs) were considered.
407-26	Based on the comments presented above, the Final EIR needs to address the following concerns: 3. Consider that some of the water supplies historically exported may not be available in the future due to decreases in water transfers due to increased demand in the areas from which the water originates. The likelihood that less water will be available for export is reasonably foreseeable and must be evaluated in the EIR.	Chapter 6, Water Supply, provides a background discussion of water transfers and indicates that although the Delta Conveyance Project may be used as part of a cross Delta transfer, it concluded it is unlikely to affect the amount of water transferred because the current transfer capacity of the SWP is not fully utilized. Common Response 3, Alternatives Development and Description, provides additional information regarding how water transfers were treated in the EIR and that the Delta Conveyance Project would not affect future transfers. As noted in Appendix 5A, Modeling Technical Appendix, Section B, Hydrology and Systems Operations Modeling, water transfers included in the CalSim 3 modeling effort for existing conditions and the No Project 2040 were limited to those established in the Lower Yuba River Accord. The analysis in the EIR did not speculate on how water transfers may increase or decrease in the future and that an analysis of future transfers falls outside of the scope of the Delta Conveyance Project.
407-27	Based on the comments presented above, the Final EIR needs to address the following concerns: 4. Assess the potential impacts for all environmental topic areas, including socioeconomic, recreation, and biological resources upstream of the Delta region.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the scope of analysis, study area including upstream locations such as rivers and reservoirs, and discussion of impacts. The EIR provides an impact analysis based on the impact mechanisms and specific study area on all environmental resources raised by the comment. Please see Chapter 9, Water Quality; Chapter 12, Fish and Aquatic Resources; Chapter 13, Terrestrial Biological Resources; Chapter 16, Recreation and Chapter 17,

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		Socioeconomics. The Methods for Analysis sections of these chapters describe, as appropriate, why upstream environmental impacts would not occur. Furthermore, as described in Common Response 3, Alternatives Development and Description, proposed operations do not include modifications to State Water Project reservoir operations upstream of the project. DWR would not increase storage withdrawal for exports, except flood releases, even though the proposed Delta Conveyance Project may provide additional diversion capacity. The project would not include modifications to Central Valley Project reservoir operations upstream of the project because Reclamation is not a participant in the project.
407-28	Based on the comments presented above, the Final EIR needs to address the following concerns: 5. Include a broader analysis and integrate implementation of the State's Water Resilience Portfolio, Water Supply Strategy, and Sustainable Groundwater Management Act into water supply and reliability discussions and No Project Alternative analysis.	The plans and act cited by the comment are not part of the Delta Conveyance Project. Chapter 6, Water Supply, describes the different types of developed water supplies in the State of California, including surface water, groundwater, and alternative water sources. Please also see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the state-wide water resource management and water supply planning efforts, including the Water Supply Strategy, Water Resilience Portfolio, and the Sustainable Groundwater Act (SGMA). This Common Response describes these plans and Act and their relationship to the Delta Conveyance Project. As described in this Common Response the Delta Conveyance Project is not the sole project considered in the Water Supply Strategy and the Water Resilience Portfolio and it is not the sole responsibility of the Delta Conveyance Project or DWR to implement actions contained or described in these plans. Please also see Common Response 8 regarding the Sustainable Groundwater Management Act and associated consideration of groundwater sustainability plans in the analysis. Finally, please see Common Response 4, No Project Alternative Description and Analysis, regarding the description of the No Project Alternative,

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		including consideration of other water supply provider reasonably foreseeable actions in California, which may include actions or project developed under the Water Resilience Portfolio, Water Supply Strategy, or SGMA. As described in this Common Response, DWR did not speculate as to the reasonable foreseeable actions to include the No Project Alternative and relied on reasonable evidence for actions included.
407-29	Based on the comments presented above, the Final EIR needs to address the following concerns: 6. Evaluate potential changes in operations and the direct and indirect impacts associated with those changes.	Please refer to responses to comments 407-14 and 407-23 regarding operations. Please refer to Common Response 3, Alternatives Development and Description, regarding the Delta Conveyance Project conveyance facility and other related SWP facility operations approach described the EIR. The EIR does identify direct and indirect impacts associated with operations throughout the resource chapters.
407-30	Based on the comments presented above, the Final EIR needs to address the following concerns: 7. The State must clearly identify funding sources for the DCP. Because the County would derive no benefit from the implementation and operation of the DCP, the County opposes any financial obligation to its construction and operation.	Please see Common Response 7, Implementation Considerations, for information on project costs and funding sources.
407-31	Without knowing the potential impacts associated with the County's concerns addressed in this letter, it is unclear as to whether or not the DCP would result in damage to Butte County and the northern Sacramento Valley's economy, environment, and communities -- if that is the case, the Butte County Board of Supervisors would oppose the Proposed Project.	The proposed project does not include changes to operational criteria associated with upstream reservoirs. As described in Chapter 5, Surface Water, long-term average monthly flows for the project alternatives are similar to existing conditions, with some minor differences. Therefore, it is not anticipated that the proposed project will have any effects on the Butte County and northern Sacramento Valley's economy, environment, and communities. Please refer to Common Response 9, Hydrologic Modeling and Approach, regarding the appropriate use of modeling tools for the CEQA analysis. Potential economic effects are addressed in Chapter 17, Socioeconomics. Please refer to Common Response 1, CEQA Process, General Approach to

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		Analysis, and Other Environmental Review Issues, regarding the study area upstream of the proposed intake locations. Please also see Common Response 1 regarding comments that state opinions of general opposition to the project.
407-32	The County looks forward to you addressing its concerns in the Final EIR and remains hopeful that the DCP truly benefits water supply reliability and ecosystem restoration in the Delta while avoiding impacts to Butte County and the northern Sacramento Valley.	This information describes general closing text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
407-33	[ATT 1:] The Butte County Board of Supervisors understands the critical importance of achieving the co-equal goals of improving water supply reliability and restoring the Delta ecosystem for the entire State of California. Butte County and the northern Sacramento Valley region have an interest in the overall health and stewardship of the Delta. The northern Sacramento Valley region is the area of origin for much of the water that flows through the Delta, and the region is a major source for California's overall water supply. Local surface water resources include Lake Oroville, as well as a network of creeks and rivers that are tributary to the Sacramento River which feeds into the Delta. The resources in the region are more than just the water supply for the Delta and the State, they provide the life blood for the local agricultural-based communities, economy and environment. Much of the local water supply comes from various groundwater basins throughout the region that are recharged through these creeks and rivers. Therefore, Butte County has a vested interest that the Delta Conveyance Project (DCP) will not adversely affect the local economy, communities and environment.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
407-34	[ATT 1:] Butte County hopes that the DCP will not follow the failed attempts of the Bay Delta Conservation Plan (BDCP) and California WaterFix. Butte County actively engaged in the BDCP	This comment was originally submitted during the scoping period for the Delta Conveyance Project. Part of this comment discusses certain aspects of the Bay Delta Conservation Plan and California WaterFix and does not

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	and WaterFix processes and offered constructive recommendations over the course of its development. The Butte County Board of Supervisors submitted comments on the BDCP Scoping Document (May 14, 2009), requested the formation of a Local Issues Group (March 30, 2010) and commented on the BDCP Public Release Draft (December 14, 2010). On July 25, 2012, the state and federal agencies released documents describing their preferred plan for BDCP. The preferred plan did not address the concerns previously submitted by Butte County. On August 14, 2012, the Butte County Board of Supervisors adopted a Resolution in Opposition to the BDCP. Butte County's list of concerns with the BDCP/WaterFix is more than legal technicalities; the failures would have led to actions that would have ultimately damaged the region's economy, environment and communities. Unfortunately, the previous Administration ignored every suggestion offered by Butte County and intended to move forward with little regard to legal requirements or mitigating impacts. We applaud Governor Newsom for putting an end to the WaterFix project. As the Department of Water Resources (DWR) begins the new Delta Conveyance Project process, we implore DWR to avoid the flawed path of the BDCP/WaterFix.	directly address the Delta Conveyance Project Draft EIR. The Delta Conveyance Project is an independent and separate project from Bay Delta Conservation Plan/California WaterFix and DWR is not required to respond to comments on projects that are no longer being pursued. However, DWR has reviewed the comment's content to determine whether the comment may be applicable to the proposed Delta Conveyance Project. The following response is provided for those elements of the comment that are applicable to the Delta Conveyance Project Draft EIR. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives, including DWR's continuing commitment to operate the State Water Project as modified to include the Delta Conveyance Project in compliance with all state and federal water quality and environmental laws. Please refer to Common Response 3, Alternatives Development and Description, regarding Delta Conveyance Project's operations, which do not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes.
407-35	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. First, contrary to stated commitments of state and federal agencies, implementation of BDCP/WaterFix would have redirected impacts and imposed obligations on communities, water users and the environment in the northern Sacramento Valley. These impacts and obligations would have occurred despite the fact that the northern Sacramento Valley region	Please refer to Chapter 2, Purpose and Project Objectives, and Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives, including DWR's continuing commitment to operate the State Water Project as modified to include the Delta Conveyance Project in compliance with all state and federal water quality and environmental laws. Please refer to Common Response 3, Alternatives Development and

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	was not a party to, or a direct beneficiary of, BDCP/WaterFix. As proposed, the BDCP/WaterFix ignored fundamental state water policies, disregards area of origin water rights, violated the water right priority system and redirects impacts to the northern Sacramento Valley without fully assessing or mitigating those impacts. The DCP must honor the water right priority system, area of origin water rights and not redirect impacts to northern Sacramento Valley.	Description, regarding how the project would be operated to shift diversions from the south Delta to the north Delta (during the summer and fall) or divert water in the north Delta during excess flow conditions while meeting regulatory requirements (during the winter and spring). The analyses provided in the Chapters 5–32 evaluate the potential impacts of the proposed operations for all alternatives. This comment was submitted on the Bay Delta Conservation Plan/California WaterFix project. Thus, the comment does not directly address the Delta Conveyance Project Draft EIR, and DWR is not required to respond to comments on projects that are no longer being pursued. However, DWR has reviewed the comment's content to determine whether the comment may be applicable to the proposed Delta Conveyance Project. The following response is provided for those elements of the comment that are applicable to the Delta Conveyance Project Draft EIR. Potential significant environmental impacts of the project and proposed mitigation measures are evaluated in Chapters 7-32 of the EIR. Regarding potential impacts on upstream water users and the environment, please refer to Common Response 3, Alternatives Development and Description, regarding Delta Conveyance Project proposed operations, which do not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes. DWR would not increase storage withdrawal for exports, except flood releases, even though the proposed Delta Conveyance Project may provide additional diversion capacity. Please also refer to Common Response 3 regarding water rights and contracts. DWR is required to, and will continue to comply with, the State of California water rights priority system and area of origin laws. Please also refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's

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		purpose, objectives, and agencies involved, including DWR's continuing commitment to operate the State Water Project as modified to include the Delta Conveyance Project in compliance with all state and federal water quality and environmental laws.
407-36	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. One of California's fundamental water policies mandates that "each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts" (Water Code, § 85021). Additionally, the Sustainable Groundwater Management Act of 2014 (SGMA) emphasizes the principle of regional self-reliance by requiring local agencies enact long-term plans to sustain their groundwater basins. Most of the beneficiaries of the DCP are in basins subject to SGMA and the policy of regional self-reliance. The BDCP/WaterFix ignored the cumulative impacts from implementation of SGMA by various groundwater sustainability agencies without any documentation or data. The DCP must account for SGMA and, again, avoid redirecting impacts to the northern Sacramento Valley.	Please see response to comment 407-35 regarding comments submitted on the Bay Delta Conservation Plan/California WaterFix project. Please refer to Appendix 3A, Identification of Water Conveyance Alternatives, and Common Response 3, Alternatives Development and Description, regarding the alternatives development process and the range and scope of alternatives considered. The Delta Conveyance Project would be a part of the State Water Project, and Common Response 5, Public Water Agencies Water Management Practices, describes existing efforts and future actions to be undertaken by State Water Project users to ensure California's water resources are being used efficiently and sustainably. The EIR addresses the Sustainable Groundwater Management Act (SGMA) implementation in Chapter 8, Groundwater. As described in this chapter, cumulative effects on groundwater supplies are anticipated to have less-than-significant impacts in the region. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding SGMA.
407-37	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. The BDCP/WaterFix would have jeopardized the regional self-reliance of the northern Sacramento Valley. The health, vitality and sustainability of northern Sacramento Valley depends upon the exercise of water rights and honoring area-of-origin rights. The Legislature expressly recognized that water rights	Please see response to comment 407-35 regarding comments submitted on the Bay Delta Conservation Plan/California WaterFix project. Additionally, please see response to comment 407-35 regarding water rights, compliance with the State of California water rights priority system and area of origin laws, and proposed Delta Conveyance Project operations.

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	and area-of-origin rights shall not be impaired or diminished as a result of any program or project in the Bay-Delta (Water Code, § 85031). Specifically, the BDCP/WaterFix called for extracting more water from the northern Sacramento Valley. The BDCP/WaterFix would deplete and, in some instances, draw down upstream reservoirs to dead pool conditions. The result would have created conditions that prevent other water users from obtaining supplies that they are entitled to under contract or water rights. In doing so, the BDCP/WaterFix would have violated long-standing principles of California water law by causing upstream senior diverters to forego diversions, thereby allowing the continued export of water by junior appropriators. The approach to subvert the area-of-origin statutes is a clear violation of those statutes intended to protect areas of origin, including the protection of northern Sacramento Valley water supplies from injury by export projects.	
407-38	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. A more direct impact from the BDCP/WaterFix came from the disclosure that there is an expected increase in groundwater use in the Sacramento Valley to make up for any shortfalls in surface water supply of Central Valley Project (CVP) contractors. The EIR/EIS discussed the potential for the BDCP to result in "minor decreases in water supply availability to CVP water users in the Sacramento Valley …."(See Analysis of Groundwater Conditions in Areas that Use SWP/CVP Water Supplies, EIR/EIS, p. 7-32, lines 30-40). The estimated decrease in supply is 50,000 acre-feet/year. The section concludes, "[a] 2% increase in groundwater use in the Sacramento Valley to make up for any shortfalls in surface water supply is not	Please see response to comment 407-35 regarding comments submitted on the Bay Delta Conservation Plan/California WaterFix project. Please also refer to response to comment 407-35 regarding Delta Conveyance Project proposed operations. Please refer to Chapter 8, Groundwater, for the analysis of potential groundwater impacts associated with the construction, operation and maintenance of the project and its alternatives. As described in Chapter 8, impacts on groundwater basins upstream of the Delta region are not included in this chapter because flow changes in those areas resulting from project construction and operation are negligible and are unlikely to cause changes in groundwater.

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	anticipated to substantially impact the groundwater resources as long as the additional pumping is not concentrated in a particular area of the valley". No information is provided as to where additional pumping will take place, whether it will it interfere with existing water supplies, or whether it will exacerbate existing groundwater overdraft or cause groundwater overdraft in locations where that condition does not presently exist. Despite the acknowledgement that the BDCP/WaterFix would affect Sacramento Valley groundwater, analysis of the impact to the region's groundwater was specifically eliminated. In the EIR/EIS, Chapter 7, Groundwater states that for the "purposes of this analysis, the groundwater study area (the area in which impacts may occur) consists of the Delta Region, … the Upstream of the Delta Region and …". On page 7-13 the description of the Sacramento Valley points out that portions of the region are showing early signs of declining groundwater elevations. On page 7-37 the EIR/EIS states, "The CVHM domain was reduced by eliminating most of the Sacramento Valley and San Joaquin Valley from the domain when developing CVHM-D. This modification allowed for greater precision in model output in the Delta Region." The decision to eliminate the Sacramento Valley from hydrologic modeling demonstrated the disregard of the region and creates an inconsistency within the EIS/EIR. The sensitivity of groundwater basins in the region necessitates that the DCP fully disclose and assess groundwater impacts upstream of the Delta.	
407-39	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. The BDCP/WaterFix included a goal of facilitating groundwater substitution transfer programs which is a blatant attempt to	Please see response to comment 407-35 regarding comments submitted on the Bay Delta Conservation Plan/California WaterFix project and Delta Conveyance Project operations. Please see response to comment 407-38 regarding the groundwater analysis for the Delta Conveyance Project.

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	redirect impacts. The EIR/EIS Section SC.10 Potential Sources of Upstream-of-Delta Water Transfers and Potential Impact indicated that the BDCP expected additional water from upstream of the Delta without identifying the source of the water. The EIR/EIS ignored any environmental consequence from groundwater substitution programs and failed to acknowledge that groundwater substitution programs must comply with applicable County ordinances. In Butte County, groundwater substitution transfer programs are governed by the Groundwater Conservation Ordinance (Chapter 33 of the Butte County Code). The DCP must fully disclose, assess and mitigate the impacts of the plans to incorporate north of Delta groundwater basins into the state water project.	
407-40	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. The DCP should not expect additional water from the northern Sacramento Valley. It must consider that some of the water supplies currently being exported may not be available in the future due to increased demand in the areas in which the water currently being exported originates. California law expressly recognizes the prior right of communities in those areas to water currently being exported, to the extent that water will be needed to adequately supply the beneficial needs of those areas (Water Code, §§ 10505, 10505.5, 11460, 11463 and 11128; also id.,§§ 12200-12220). That demand for water and the need to sustain groundwater basins, as required through the implementation of the SGMA [Sustainable Groundwater Management Act], will increase in the Delta and areas north as population grows. The likelihood that less water will be available for export uses is reasonably foreseeable and must be evaluated in the EIR/EIS. The DCP must follow the	As described in Chapter 2, Purpose and Project Objectives, the basic objective of the Delta Conveyance Project is to restore and protect the reliability of SWP water deliveries. The Delta Conveyance Project is not proposing changes to operations or amount of water supply, including storage, provided by upstream facilities. The Delta Conveyance Project also does not preclude future changes to the state's water supply either through modifications of the operation of existing facilities or increasing water storage.

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	principle of regional self-reliance.	
407-41	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. The DCP and the EIR must fully describe the project's socioeconomic impacts in every impacted area. The BDCP/WaterFix limited the analysis of socioeconomic impacts to Delta counties (Sacramento, San Joaquin, Yolo, Solano, and Contra Costa Counties). However, as noted elsewhere in the EIR/EIS, the BDCP/WaterFix would have impacted a much larger area. For example, the operational changes to Lake Oroville that were acknowledged in the BDCP/WaterFix. Appendix 5.C (page SC 1.1) of the BDCP document states that "No substantial changes in reservoir operations are expected as a result of the BDCP, with the potential exception of Lake Oroville, where the BDCP could shift substantial releases from summer months to spring months under high outflow scenario to contribute to spring outflow criteria". Actions through the BDCP/WaterFix would have further eroded the region's economic, recreation and ecosystem benefit. For example, the BDCP document, Chapter 1 (page 1-21) stated, "Because the SWP and CVP water infrastructure is operated as an integrated system, the effects of implementing the BDCP may extend to aquatic systems beyond the Delta, both upstream and downstream, and will implicate water operations parameters as well as species and their habitats located in those areas. As such, the BDCP effects analysis (Chapter 5, Effects Analysis) takes into account these upstream and downstream aquatic effects, both positive and negative, and describes, analyzes, and addresses the overall effects of the BDCP. Areas potentially affected by the implementation of	Please see response to comment 407-35 regarding comments submitted on the Bay Delta Conservation Plan/California WaterFix project. Please also refer to response to comment 407-35 regarding proposed operations, which do not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes. Please refer to Chapter 4, Framework for the Environmental Analysis, regarding the study area identified for each resources area. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for additional information regarding the study area for resources analyzed in Chapters 5-32 and areas upstream of the project. Descriptions of how study areas were scaled for each resource and the mechanisms that could result in impacts therein are included in the Methods for Analysis sections of the respective resource chapters (i.e., Chapters 7 through 32). Each resource chapter begins with a summary comparison of alternatives and a description of the study area. The EIR evaluates socioeconomic impacts resulting from implementation of the project alternatives in Chapter 17, Socioeconomics. As described in Chapter 17, the socioeconomics study area includes communities and counties within or overlapping the statutory Delta and project area, because these areas would be most likely to experience socioeconomic effects as a result of project construction and ongoing operation. Common Response 7, Implementation Considerations, in the discussion of the economic analysis used in the EIR, provides an explanation of the scope of socioeconomic analysis in an EIR and the approach to conducting the assessment.

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	the BDCP located outside of the Plan Area. have been included in the analysis of effects to ensure that all of the potential effects within the action area (all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action/. as defined by Section 7 of the ESA. have been adequately assessed." Although the BDCP made this statement, the EIS/EIR failed to assess the direct and indirect impacts from the BDCP outside of the Delta. The DCP must assess the impacts to the region north of the Delta consistent with State and Federal law. The DCP must analyze the socioeconomic impacts of the entire affected environmental setting of the proposed project and alternatives.	
407-42	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. As part of the alternatives evaluation, DWR should consider non-conveyance alte rnatives. Many of the proposed DCP objectives could be met through actions other than a new Delta conveyance. The alternatives analysis of the DCP EIR should not be limited to alternative conveyance options. For example, the proposed Improvement of levees and establishing setback levees could meet the objectives of the DCP. The objective to protect water supply reliability can be met through actions other than a through Delta conveyance. As previously stated, south of Delta water exporters must follow state policy by reducing their reliance on the Delta and manage the water available. The intended objective to provide operational flexibility to improve aquatic conditions has previously been shown to result in more harm to aquatic species that provide protection. An objective and robust	Please see Common Response 3, Alternatives Development and Description, for a description of why a non-conveyance alternative and water management alternatives involving levees, such as the ones mentioned by the commenter, would not meet the majority of the basic project objectives. CEQA requires an analysis of environmental impacts but is not a cost-benefit statute.

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	cost/benefit analysis in the DCP EIR should be conducted.	
407-43	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. The impacts from climate change must be fully addressed in the DCP EIR. Specifically, the DCP EIR must consider the most recent version of the California Climate Assessment. As noted in the March 5, 2020 comments from Restore the Delta, DWR has failed to incorporate the latest scientific findings from the Forth California Climate Assessment. Avoiding the reality of water supply reliability from climate change will negate a credible EIR. We call upon DWR to fully evaluate the water supply reliability and other implications from climate change.	Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the use of best available science in the EIR and used at the time of preparation of the EIR. Chapter 30, Climate Change, presents the latest climate change science established by recent scientific and peer-reviewed publications, including California's Fourth Climate Change Assessment (2018) and the Fourth National Climate Assessment (2018). Information provided by California's Fourth Climate Change Assessment is incorporated and cited throughout Chapter 30. The analysis in Chapter 30 describes how projected changes in precipitation and temperature as a result of climate change will affect water supply reliability in the Delta. Please refer to Common Response 6, Climate Resilience and Adaptation, regarding how the project alternatives are expected to make California's water system more resilient to climate change. Please see Appendix 5B, Surface Water 2040 Analysis, for more information regarding future changes to surface water resources. Additionally, please see Chapter 5, Surface Water, and Chapter 6, Water Supply, for more information regarding potential changes to water availability in the study area. Please see Chapter 30, and Common Response 6 for more information regarding observed trends and projected impacts of climate change.
407-44	[ATT 1:] The following summarizes the failings of the BDCP/WaterFix and the recommendations for the DCP. Finally, the DCP must clearly identify funding sources that are	This comment identifies issues beyond the scope of the EIR. As mentioned in response to comment 407-9, please see Common Response 7, Implementation Considerations, for information on project

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	not based on speculation or assumptions. The funding of the DCP must clearly identify the increased cost to ratepayers. The DCP cannot assume that State Water Project Contractors have committed to providing funds for the construction and operation of new water facilities, as well as for mitigation necessary to address impacts to terrestrial and aquatic impacts associated with construction and operation. The State Water Project Contractors are continuing negotiations with the Department of Water Resources on financing of the DCP. Despite the extensive negotiations agreement remains out of reach. As a State Water Project Contractor, Butte County would derive no benefit from the DCP and has gone on record opposing any financial obligation. Additionally, if the DCP assumes that other funding sources (e.g., federal government, state bond funds) would provide funding commitments for the DCP, those funding sources must be substantiated.	costs and funding sources, as well as costs to water suppliers, users, and tax payers. The long-term water supply contract process is also described in Chapter 3, Description of the Proposed Project and Alternatives, in the section titled Contract Amendments.
407-45	[ATT 1:] In closing, DWR must avoid the flaws, inconsistency and violations of state and federal law of the BDCP/WaterFix The EIR for the DCP must comply with State water law and fully assess the environmental and socioeconomic impacts, including those in the northern Sacramento Valley.	Please see Chapter 1, Introduction, for a description of the State Water Project, Bay Delta Conservation Plan (BDCP), California WaterFix, and background information regarding how water supply has been developed and managed in California. As described in Chapter 1, DWR is no longer pursuing BDCP/California WaterFix. DWR will comply with State water law and has complied with CEQA to fully evaluate potentially significant impacts on multiple resources throughout the EIR. Please refer to Responses 407-27 (and Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues) regarding the scope of the analysis and the selection of study area(s) evaluated in the EIR and a discussion of areas upstream of the north Delta Intakes (e.g., northern Sacramento Valley). In addition, as described in Common Response 3, Alternatives Development and Description, the Delta Conveyance Project's operations do not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes. DWR has complied with, and will continue to comply

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		with, all State water law, including the water rights priority system of the State of California when operating the SWP, with or without the Delta Conveyance Project. Finally, Chapter 17, Socioeconomics, evaluates the potential socioeconomic effects of the project alternatives.
407-46	[ATT 1:] Further, if the actions of the DCP would result in damage to the region's economy, environment and communities, the Butte County Board of Supervisors would vehemently opposed the DCP and will consider taking appropriate measures to protect the County's economy, environment and communities. However, we remain hopeful that the DCP represents a new approach to address water supply reliability and ecosystem restoration in the Delta.	Please see response to comment 407-31, which addresses effects on Butte County. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project objectives and the consideration of other project objectives such as ecosystem restoration.
415-1	Hello, We have a few letters we are submitting for clients that may have attachments that exceed email limits. If we provide the dropbox link to the materials, will DWR download them for inclusion in the record? Alternatively, we could bring a thumb drive containing these materials over in person on Friday if that is necessary. Please let me know as soon as possible so that we may plan accordingly. Thanks, [Commenter]	Regarding the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for additional information within the comment period. The comment does not concern the proposed project or the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
423-1	The Sacramento Central Groundwater Authority (SCGA) provides the following comments on the August 2022 Draft Environmental Impact Report (DEIR) for the Delta Conveyance Project ('Project' or 'DCP') prepared by the California Department of Water Resources (DWR). The SCGA is a Joint Powers Agency (JPA) comprised of the Cities of Elk Grove, Folsom, Rancho Cordova, and Sacramento and the County of Sacramento, formed in 2006 to manage groundwater in Sacramento County south of the American River. SCGA became a Groundwater Sustainability Agency to manage a portion of the South American Subbasin under the	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	2014 Sustainable Groundwater Management Act (SGMA). (Wat. Code, 10720 et seq.). The JPA members appoint 14 members to a Board of Directors that represents the interests of municipal water suppliers, self-supplied industrial groundwater users, agricultural users, private domestic well owners and others. The SCGA adopted the 2022 South American Subbasin Groundwater Sustainability Plan (GSP), which was cooperatively developed to cover the entire subbasin by five participating groundwater sustainability agencies (GSA).	
423-2	[Sacramento Central Groundwater Authority] has several concerns regarding the DEIR's analysis of the Project's potential impacts on local groundwater resources and the ability of the SCGA to achieve sustainability. SCGA provides these comments in the spirit of improving the DEIR to ensure it evaluates the environmental impacts of the Project and the ability of the GSAs to achieve sustainability pursuant to SGMA.	This information describes the structure or organization of the comment letter section on groundwater resources, the background of the organization or individual commenter, clarification on the submittal of the comment letter or general introductory text. It is not a comment on the specific contents of the EIR. Please refer to comment response 423-3 below for a discussion of local construction- and operation-related impacts that could result from the project.
423-3	The DEIR Fails to Identify the Project's Impacts on Groundwater and the Achievement of SGMAs [Sacramento Central Groundwater Authority] Sustainability Requirements The purpose of GSPs is to provide GSAs with a toolkit for ensuring their respective groundwater basins will reach long-term sustainability. These plans are submitted to DWR, and DWR determines whether a GSP complies with SGMA and is likely to achieve the sustainability goal for the basin. (See Wat. Code 10733-10735). The DEIR provides some background information regarding GSPs in the project area. (DEIR, pp. 8-7 to 9). Ironically, however, the DEIR fails to analyze the Project's impacts on achieving sustainability under the region's GSPs.	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding California's Sustainable Groundwater Management Act (SGMA) and how Groundwater Sustainability Plans (GSPs) were considered. The impact of the project on water quality is evaluated in the context of the water quality standards under the Clean Water Act. If portions of the dewatering flows and stormwater runoff are not needed on-site and storage units are full, the flows would be treated prior to discharge to adjacent waterbodies. Impact GW-2 evaluates the changes groundwater elevations across the region and Impact GW-7 assesses changes to groundwater gradient and

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	Under the No Project Alternative analysis, the DEIR also determines that "Implementation of the GSPs and the resulting achievement of groundwater sustainability by 2040 or 2042 would result in stable groundwater levels and the active management of groundwater extractions within predetermined operating ranges." (DEIR, p. 8-21) However, the DEIR does not adequately consider the sustainability indicators and impact criteria identified in the GSP. The CEQA Guidelines (Appendix G) thresholds for evaluating impacts to water resources include, among others, whether the proposed project would: 1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. 2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. 3. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan	their corresponding impacts on water quality. Neither Impact GW-2 nor Impact GW-7 found any changes to groundwater flow gradients to the neighboring subbasins. The impact of reduced recharge to underlying groundwater basins is addressed under Impact GW-4. As described under Impact GW-4, under all project alternatives, the region would see an increase in groundwater storage due to increased surface water supplies, as simulated in the surface water analysis. Any potential reductions in recharge from reduced surface water flows would be offset by greater net recharge as a result of more reliable surface water supplies. The surface water analysis simulates that under project operations, the region would see changes in both project and non-project surface water deliveries. The groundwater analysis reflects the changes in surface water deliveries and resulting increase in groundwater storage. Appendix 5A, Modeling Technical Appendix, Section B, Hydrology and Systems Operations Modeling, includes reservoir storage results, changes in streamflow, and changes in water supply as a result of project operations. Consistency with the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary is detailed in Chapter 9, Water Quality.
423-4	The DEIR lacks a quantitative analysis of groundwater impacts during construction of the project. DWR states that this approach was chosen because there is a "lack of an available analytical tool at the spatial scale required for the site-specific quantitative analysis." (DEIR, p. 8-13) The lack of available tools is not a sufficient defense to failing to evaluate Project Impacts required by CEQA. In addition, as one of the two State agencies overseeing the implementation of SGMA, DWR should be well suited to develop technical information that quantifies	DWR fully evaluated the construction-related groundwater impacts of the Delta Conveyance Project in the EIR. Common Response 10, Surface Water Quality and Groundwater Resources, provides additional clarifying information regarding the methodology and information used to adequately and appropriately evaluate construction-related impacts described in Chapter 8, Groundwater. As described in Common Response 10 and Chapter 8 (in the section titled Methods for Analysis), the Delta Conveyance Project construction-related impacts are evaluated using existing groundwater conditions and hydrogeology, standard design and

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	potential construction impacts. This type of analysis is needed in part because, as the DEIR recognizes, high salinity has been "attributed to poor quality groundwater intrusion from the Delta caused by the decline of groundwater levels and worsened by sea level rise." (DEIR, p. 8-10)	construction methods (Delta Conveyance Design and Construction Authority 2022b, 2022c), and anticipated changes in groundwater elevations, storage, and quality during construction. Cutoff walls would be designed to applicable standards depending on the unique site-specific conditions and the location of the facility being constructed. Cutoff walls are designed and used to minimize the need for dewatering and the movement of groundwater outside of the cutoff walls. Given this, and clarifications provided in Common Response 10, construction would not result in substantial changes to groundwater levels or groundwater water quality. Furthermore, the analysis in Impact GW-1 and Impact GW-2 shows that during construction groundwater levels would generally be maintained at the level of existing conditions during dewatering. As the proposed project and project alternatives would not result in a substantial change in groundwater levels, they would also not result in a substantial change in groundwater salinity associated with a decline in groundwater levels. And, if unanticipated changes to groundwater levels occurred during construction, the changes would be localized and in the immediate area of the construction. The EIR also includes Mitigation Measure GW-1, which requires monitoring during construction and adjustments to construction activities as needed, depending on the groundwater level monitoring results. Although it is determined that the project would not impact groundwater quality, Mitigation Measure GW-1 has been revised to include monitoring of electroconductivity at select locations during construction to provide data confirming the conclusions in the EIR. Impact GW-1 and Impact GW-2 remain less than significant prior to the implementation of the revised mitigation measure, as described in Chapter 8. The revision does not result in a new significant environmental impact, substantial increase in the severity of an environmental impact, or require additional mitigation measures to which DWR was unwilling to commit.
423-5	The DEIR states that there is potential for "temporary localized changes" due to dewatering at construction sites. (DEIR, p. 8-1) The DEIR later states that dewatering events could temporarily	DWR fully evaluates the construction-related groundwater impacts of the Delta Conveyance Project in the EIR. Impact GW-1 evaluates the changes in stream gains and losses during construction based on known construction

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	reduce stream gains or increase stream losses, but that DWR would use slurry cutoff walls to reduce the amount of groundwater entering the construction site. (DEIR, p. 8-30) This analysis discloses two different Project Impacts (stream losses and slurry cutoff walls) but fails to properly evaluate either. The DEIR must be revised to evaluate the impacts of dewatering and the use of slurry cutoff walls, each of which are different impacts of the Project on interconnected surface waters.	methods and design of facilities. Construction methods evaluated may be related, and thus considered in the analysis together, to fully evaluate impacts. Since cutoff walls are designed and used to minimize need for dewatering and the movement of groundwater outside of the cutoff walls, dewatering and cutoff walls are evaluated in Impact GW-1. Please see response to comment 423-4 regarding additional clarifying information related to the methodology and information used to adequately and appropriately evaluate construction-related impacts described in Chapter 8, Groundwater, and Common Response 10, Surface Water Quality and Groundwater Resources. Construction including dewatering and the use of cutoff walls would not result in substantial changes to streams gains or losses.
423-6	The DEIR concludes that "the impacts of these dewatering events on the interconnected surface waters would occur during the construction period and would be short term in nature, and would be minimized through construction practices, including Mitigation Measure GW-1[.]" (DEIR, p. 8-30) However, the failure to identify, disclose, and evaluate quantified construction impacts create significant uncertainty regarding the extent of dewatering events that would occur during construction, and where that water would go. The DEIR vaguely asserts that these impacts would be "short term in nature," and would be minimized through mitigation, therefore the impacts would be less than significant. These conclusions are not supported by the DEIR and therefore must be revised	Please see responses to comments 423-4 and 423-5 regarding the appropriate and adequate evaluation of construction-related impacts on groundwater including dewatering and the use of cutoff walls and implementation of mitigation measure GW-1. As described in these responses, Common Response 10, Surface Water Quality and Groundwater Resources, provides additional discussion regarding how the cutoff walls, which will be installed around the perimeter or each intake site, will be used so that construction-related dewatering activities would not substantially affect groundwater levels adjacent to the construction site. As described in the Engineering Project Reports, at the intakes, tunnel shafts, and Southern Complex, all water from dewatering activities and stormwater runoff on the construction site would be collected, treated, and stored on-site to reduce the need for off-site water sources and to avoid increased peak runoff flow rates from the construction sites (Delta Conveyance Design and Construction Authority 2022b, 2022c). The dewatering flows and stormwater runoff flows would be treated in self-contained on-site trailers (similar to freight trailers used for tractor-trailer rigs). Similar trailers would be used for on-site storage of the treated dewatering flows and stormwater runoff for future use. Based upon the size of the site and types of on-site activities, 20 to 50 trailers would be

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		located on the construction site. If portions of the dewatering flows and stormwater runoff are not needed on-site and storage units are full, the flows would be treated prior to discharge to adjacent waterbodies when capacity exists in the drainage channels.
423-7	By its own estimate, the Project would take up to 13 years to construct, including over four years for intake. (DEIR, p. 3-131 to 133.) This is not a short period of time but is the majority of the time for which GSAs have to achieve sustainability under SGMA. Without quantification of the amount of groundwater that may be dewatered during this period, it is impossible for the public to understand the potential impacts to groundwater or the surrounding surface water bodies (e.g., Sacramento River, Snodgrass Slough complex, levee drains, local agricultural and stormwater infrastructure, and septic fields) that would receive dewatering, stormwater runoff, and decant water during this period or whose flows and capacities would be sustainability altered as a result of the project. (DEIR, p.9-44.)	Please see responses to comments 423-4, 423-5 and 423-6 for a discussion of dewatering activities and stormwater runoff collection, storage, and use on-site. Construction-related dewatering activities would not substantially affect groundwater levels adjacent to the construction site.
423-8	With respect to project impacts during construction, the DEIR references a “lack of an available analytical tool at the spatial scale required for the site-specific quantitative analysis.” (DEIR, p. 8-13) A qualitative assessment, however, is inappropriate for a project of this scale and does not excuse a violation of CEQA requirements. The site-specific local aquifer characteristics, seasonal gradients, and other elements, using a locally calibrated, site-scale model, with project physical features such as cutoff walls, dewatering pumping, “recharge” drainage networks, and all other expected project activities must be developed and analyzed in the DEIR. The absence of any local quantification of impact effectively renders the DEIR’s analysis inadequate.	Please see responses to comments 423-4 and 423-5 regarding the appropriate and adequate evaluation of construction-related impacts on groundwater, including dewatering and the use of cutoff walls and implementation of mitigation measure GW-1. As described in these responses, Common Response 10, Surface Water Quality and Groundwater Resources, provides additional discussion regarding how the cutoff walls, which will be installed around the perimeter or each intake site, will be used so that construction-related dewatering activities would not substantially affect groundwater levels adjacent to construction activities.

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423-9	For instance, as mentioned above, cutoff walls planned during project construction (see DEIR, p. 8-29) would directly disconnect portions of one or more aquifers from the South American subbasin. These aquifers are a major source of groundwater to the subbasin, and the groundwater modelling prepared for the South American GSP included this inflow as water that supports the ongoing sustainability of this subbasin. The effects of creating a permanent lateral barrier through the implementation of a lateral "deep cutoff wall" (DEIR, p. 8-29) does not appear to be analyzed. In addition to that impact, dewatering would remove the remaining groundwater, intentionally creating a cone of depression, and potentially creating a hydraulic barrier that exacerbates the impacts of the cutoff wall. No assumptions for the estimated area of these Impacts, annual and total volume of dewatering, impacts to the subbasin groundwater monitoring network and its sustainability indicators, or any other matter of substance to groundwater sustainability are provided In the DEIR. There is a proposed monitoring network, GW-1: Maintain Groundwater Supplies in Affected Areas, but this does not appear to contemplate the assessment and mitigation of impacts to inflows of the subbasin. Instead, GW-1 provides some form of undefined monitoring, with no thresholds of significance or relationship to impacts on the GSAs monitoring network and GSP sustainability criteria. This measure fails to meet basic mitigation requirements of CEQA. (See CEQA Guidelines, 15126.5) In contrast, under the current regulations, a single new agricultural production well proposed in the subbasin requires more analysis in order the meet GSP consistency requirements than the DEIR provides for the massive tunnel	Please see responses to comments 423-4 and 423-5 regarding the appropriate and adequate evaluation of construction-related impacts on groundwater, including dewatering and the use of cutoff walls and implementation of mitigation measure GW-1. As described in these responses, Common Response 10, Surface Water Quality and Groundwater Resources, provides additional discussion regarding how the cutoff walls, which will be installed around the perimeter or each intake site, will be used so that construction-related dewatering activities would not substantially affect groundwater levels adjacent to construction activities. In addition, please refer to Chapter 3, Description of the Proposed Project and Alternatives for a discussion regarding construction and dewatering timeframes. Additional details can be found in the Engineering Project Reports associated with the project. Dewatering estimates are available in the Dewatering Estimates for Intake Facilities and Southern Forebay Emergency Spillway technical memorandum (Delta Conveyance Design and Construction Authority 2022a). The walls would not disconnect the South American subbasin from aquifers because they would only surround the intake facilities. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding mitigation requirements and performance standards for mitigation measures. The assertion that the mitigation approach presented in the EIR for groundwater impacts is inadequate and does not meet CEQA requirements is not consistent with the contents of the EIR. Mitigation Measure GW-1 has been revised in the Final EIR to clarify that monitoring wells will be selected or installed based on location, type, and depth to ensure monitoring is appropriate for the area. The revisions to Mitigation Measure GW-1 do not result in a change to an impact determination or require additional mitigation measures to which DWR is unwilling to commit. Mitigation Measure GW-1 meets the CEQA requirement for mitigation because it first describes the outcome expected to be avoided by

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	project. (See Governor's Drought Executive Order N-7-22, Action 9 [March 28, 2022].)	groundwater monitoring (i.e., if the results of groundwater monitoring described above indicate that the difference between average groundwater elevation declines in monitoring wells inside the area of influence of dewatering and control (background) monitoring well outside the area of influence is more than 10% of the depth of the shallowest known well inside the area, which approximates the natural variability that can occur across an area) and then it describes the type of actions that would be required if that outcome to be avoided occurs (i.e., reinjecting groundwater; deepen or modify wells; secure temporary water supply). The monitoring frequency described in the mitigation measure was selected based on common groundwater level monitoring frequencies and to be sufficient to detect appreciable changes in groundwater levels in a manner that is timely enough to implement the mitigation measure. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding California's Sustainable Groundwater Management Act (SGMA) and how Groundwater Sustainability Plans (GSPs) were considered, which states that there are no conflicts with the GSPs related to SGMA-related thresholds or undesirable groundwater effects. Please also see Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW model for analysis of local impacts. The spatial scale for the evaluation of interconnected surface waters is discussed in Common Response 10. Operational impacts on groundwater resources in the Delta and adjacent groundwater basins are evaluated using the DeltaGW model. The DeltaGW Model includes the simulation of project features including the cutoff walls associated with the tunnel and intakes, described in Chapter 8, Section titled Use of the DeltaGW Model for Evaluation of Impacts of Project Operations. Impact GW-2 evaluates the changes groundwater elevations across the region and Impact GW-7 assesses changes to groundwater gradient and their corresponding impacts on water quality. Neither Impact GW-2 nor Impact GW-7 found any changes to groundwater flow gradients

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		to the neighboring subbasins. .
423-10	The DEIR fails to Evaluate the Project's Construction Impacts on Wells The Draft EIR states, "localized impacts [during project construction and maintenance] could affect water wells near the project sites, "but fails to quantitatively assess these water level and quality impacts and points to post-impact mitigation measures as a solution rather than identifying water wells of concern and preventative measures (Draft EIR Ch. 8, P. 8-1, lines 26-31). The failure to identify localized well impacts is a result of the DEIR's failure to identify accurate location and screened depth of dewatering wells for intake construction or tunnel shaft construction. The Draft EIR notes "dewatering could result in short-term lowered groundwater levels locally at neighboring supply wells," but does not provide the necessary simulation results to demonstrate there would not be significant impacts. (Draft EIR Ch. 8, P. 8-42, lines 25-27). It is unclear how the DEIR included or evaluated dewatering in the model when assessing impacts.	Please see responses to comments 423-4 and 423-5 regarding the appropriate and adequate evaluation of construction-related impacts on groundwater, including dewatering and the use of cutoff walls and implementation of mitigation measure GW-1. As described under Impact GW-1, piezometers would be installed outside the slurry wall and/or sheet pile walls to allow monitoring of potential groundwater level impacts affecting neighboring supply wells during construction.
423-11	Accurate municipal well locations and construction information (e.g., pump depth) were not used in the DEIR and the impact of the project on shallow domestic wells was not directly quantified (Draft EIR Ch. 8, P. 8-40, lines 6-11) The Delta GW model used to evaluate potential impacts of the Project on shallow groundwater users such as GDEs and shallow wells may be too coarse spatially to determine local impacts accurately. (Draft EIR 8.3.1.1 p. 8-14, lines 15-17) The model	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the model for analysis of local impacts and the inclusion of local wells in the modeling analysis. Please also see responses to comments 23-4, 423-5, and 423-6 and Common Response 10 regarding the adequacy of the analysis related to construction impacts. As described in Appendix 8A, Delta Groundwater Model: Development and

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	should be spatially refined near areas of concern from construction impacts	Calibration, the section titled Well Perforation, well construction information from the State's Online System of Well Completion Reports (OSWCR) was used to determine the depth of pumping simulated in the model. The production wells used in the analysis include all wells that produce water (domestic, irrigation, public supply, and industrial), and excludes monitoring wells and wells identified as "other" in the OSWCR database. As described in Chapter 8, Groundwater, the exact location of wells in the OSWCR database are not known and only the Public Land Survey System (PLSS) section number of wells is included. As a result, DeltaGW Model results were evaluated at the centroid of each PLSS section to determine the total number of supply wells that could be affected by project operations due to a decline in groundwater elevations when comparing the simulated groundwater levels of alternatives with the existing conditions. The Chapter 8 figure titled PLSS Sections with Supply Wells Within 3 Miles of the Delta Region shows the spatial coverage of supply wells considered in the impact analysis. Potential impacts on wells in the project area are described under Impact GW-3 and summarized in the table titled Number of Supply Wells with Decline in Groundwater Elevations Relative to Existing Conditions in Chapter 8. Appendix 8B, Impact Analysis: Groundwater Model Results, section titled Impact Analysis: Groundwater Model Results, subsection titled Alternatives Impacts, details the groundwater changes expected at supply wells under each alternative. As described in Impact GW-3, the greatest decline in groundwater elevations relative to existing conditions is 2–3 feet at any well in the region.
423-12	The DEIR Fails to Analyze Long-Term Operational Impacts to Groundwater Levels and Project Impacts on Meeting Sustainable Levels Pursuant to SGMA As explained above, the DEIR is deficient for failing to adequately recognize the importance of SGMA, the legal requirements of SGMA, and the well-documents challenges of	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding California's Sustainable Groundwater Management Act (SGMA) and how Groundwater Sustainability Plans (GSPs) were considered. Chapter 8, Groundwater, does provide an operations-based assessment of impacts on groundwater and the relationship to meeting SGMA goals.

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	maintaining sustainability in the South American subbasin if inflows were significantly altered, all of which are under the purview of DWR. To the extent program-scale groundwater modelling was undertaken for the project, it appears to be inadequate for the purposes of impact analysis, and as a result, the DEIR purports to rely on qualitative assessments	The DeltaGW Model was developed to assess the impacts of the Delta Conveyance Project on the Delta and neighboring groundwater basins. The Regional Calibration Performance of DeltaGW Model and the Local Calibration Performance of the DeltaGW Model sections of Appendix 8A, Delta Groundwater Model: Development and Calibration, describe the model performance at a regional scale and compared to local groundwater models developed by local agencies as part of the Groundwater Sustainability Plan development process. The DeltaGW Model is considered suitable for developing regional and subregional water budgets, regional groundwater levels and trends, and for comparative analysis of alternatives with and without the project. Operations impacts on groundwater resources in the Delta and adjacent groundwater basins are evaluated using the DeltaGW Model. The DeltaGW Model includes the simulation of project features including the cutoff walls associated with the tunnel and intakes, described in Chapter 8 in the Approach for Analysis section, subsection titled Use of the DeltaGW Model for Evaluation of Impacts of Project Operations. Impact GW-2 evaluates the changes in groundwater elevations across the region and Impact GW-7 assesses changes to groundwater gradient and their corresponding impacts on water quality. Neither Impact GW-2 nor Impact GW-7 found any changes to groundwater flow gradients to the neighboring subbasins. The DeltaGW Model represents the best available planning-level analytical tool for the Delta region and is an improved and expanded version of C2VSimFG, which has been the standard planning model for the Central Valley since 2012. Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, which provides additional information regarding the suitability of the DeltaGW model for analysis of local impacts.
423-13	The DEIR's qualitative analysis fails to consider the project's operations impacts on groundwater recharge. As was described in expert testimony in the State Water Resources	The comment assertions regarding the groundwater streamflow interaction impacts are assertions about the California WaterFix project and are being inappropriately applied to the Delta Conveyance Project. The

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	Control Board's California WaterFix water rights hearings, "Lowering the flow volume by diverting water through the proposed intakes would cause a corresponding lowering of the surface water elevation." (Written Testimony of John Lambie, P.E., P.G., C.E.G., p. 5) [See written testimony of John Lambie, P.E., P.G., C.E.G. from Hearing in the Matter of California Department of Water Resources and United States Bureau of Reclamation Request for a Change in Point of Diversion for California WaterFix, attached here as Exhibit A [Lambie], available at: https://www.waterboars.ca.gov.waterrights/water_issues/programs/bay_delta/california_waterfix/exhibit/docs/COSJ%20et%20al/part2/SJC_223.pdf] The lowering of surface water elevation is caused by the lowering of flow volume, which is a result of increased diversions (Ibid). These lower flows create changes in the river stage, which impacts surface water exfiltration and results in less groundwater recharge, as depicted in the conceptual figure below [Exhibit A: Conceptual Model Depicting Surface Water and Groundwater Interaction, available at: https://www.weaterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california _waterfix/exhibits/docs/COSJ%20et%20al/part2/SJC_227.pdf] Based on the proposed operations of California WaterFix, Mr. Lambie concluded that the decrease in water recharge would be substantial "over both the 20-year implementation horizon and a 50-year planning horizon described [in] SGMA" (Ibid.) Similar impacts would occur during the occupation of the DCP. The DEIR to identify and evaluate these impacts. Instead, the DEIR finds the impact less than significant because "Under all project alternative, annual changes in simulated stream gains	Delta Conveyance Project EIR includes a quantitative (not qualitative) analysis of these impacts and reaches different findings from those described in the comment. The comment assertion that the EIR does not adequately analyze impacts on groundwater recharge is not consistent with the contents of the EIR. The DeltaGW Model uses simulated stream stage to calculate stream gains and losses to the aquifer. Chapter 8, Groundwater, Impact GW-1, was assessed using the simulated volumes of stream gains and losses under project alternatives. Recharge from the rivers to the neighboring subbasins is assessed under Impact GW-1. On average, the difference in stream-aquifer interaction between existing conditions and project alternatives is 0.62% or less. The greatest difference is 1.69%. Furthermore, change in groundwater storage for the Delta and neighboring basins is considered under Impact GW-4. The groundwater analysis reflects the changes in surface water deliveries and results in a slight modeled increase in groundwater storage. The surface water analysis simulates that under project operations, the region would see changes in both project and non-project surface water deliveries. Appendix 5A, Modeling Technical Appendix, Section B, Hydrology and Systems Operations Modeling, includes reservoir storage results, changes in streamflow, and changes in water supply as a result of project operations.

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	or losses in the Delta region as a percentage of total annual stream-aquifer interaction from the corresponding stream reach are less than 5%." (DEIR, p.8-32) Reliance on a 5% change from existing conditions, however. Is arbitrary and unsupported. The DEIR states that it is "reasonable" because a 5% change is small compared to some historic variations in stream gains and losses. But as describe in Mr. Lambie's testimony, the "[l]owering of a river's stage by even a small amount can significantly reduce the surface area of the river over which surface water can exfiltrate to groundwater." (Lambie Testimony, p.6.) The data in the DEIR provides inadequate information to determine the project's long-term impacts to groundwater and whether those impacts would negatively impact the South American Subbasin's ability to meet SGMA requirements.	
423-14	The DEIR fails to identify and evaluate groundwater quality impacts. Instead, the DEIR uses groundwater levels as a proxy to evaluate groundwater quality. (Draft EIR 8B4.7.1 – p. 29) However, groundwater levels can change gradients influencing vertical and horizontal flow path directions over time and space. The DEIR explains its failure for directly evaluating groundwater quality impacts by pointing to the lack of transport model capability in IWFM. (Draft EIR Figures 8B3 – 8.B.11) However, this is not a sufficient reason for the failure and the DEIR must analyze potential contaminant migration or other project impacts on groundwater quality. The DEIR could rely on locally refined models and, in some cases, analytical models with simplifying assumptions, to estimate and analyze potential groundwater quality impacts. The DEIR should be revised to include a direct evaluation or Project Impacts on groundwater quality issues.	The assertion that the EIR does not adequately analyze potential impacts on groundwater quality is not consistent with the contents of the EIR. The groundwater analysis conducted and reported in the EIR adequately discloses the project's impacts on groundwater quality for CEQA compliance purposes. Hydraulic gradients are calculated using groundwater levels and therefore the numerical flow model indirectly calculates changes in hydraulic gradient. In evaluating contaminant movement, advection is the primary process by which plume migration occurs (with dispersion and diffusion being secondary processes). As advection is the movement of contaminants driven by hydraulic gradients, and hydraulic gradients are calculated from groundwater levels, the use of groundwater levels as a proxy is an appropriate methodology. Hydraulic gradients and groundwater levels are sufficient for assessing groundwater quality. Common Response 10, Surface Water Quality and Groundwater Resources,

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		provides additional clarifying information regarding the methodology and information used to adequately and appropriately evaluate construction-related impacts described in Chapter 8, Groundwater. As described in Common Response 10 and Chapter 8 (in the section titled Methods for Analysis), the Delta Conveyance Project construction-related impacts are evaluated using existing groundwater conditions and hydrogeology, standard design and construction methods (Delta Conveyance Design and Construction Authority 2022b, 2022c), and anticipated changes in groundwater elevations, storage, and quality during construction. As described in Common Response 10, cutoff walls would be designed to applicable standards depending on the unique site-specific conditions and the location of the facility being constructed. Cutoff walls are designed and used to minimize need for dewatering and the movement of groundwater outside of the cutoff walls. Given this, and the other information provided in Common Response 10, construction would not result in substantial changes to groundwater levels or groundwater water quality. Furthermore, the analysis in Impact GW-1 and Impact GW-2 shows that under construction groundwater levels would generally be maintained at the level of existing conditions during the use of cutoff walls or dewatering. As the proposed project and project alternatives would not result in a substantial change in groundwater levels, they would also not result in a substantial change in groundwater salinity associated with a decline in groundwater levels. And, if unanticipated changes to groundwater levels occurred during construction, the changes would be localized and in the immediate area of the construction. The EIR also includes Mitigation Measure GW-1, which requires monitoring during construction and adjustments to construction activities as needed, depending on the groundwater level monitoring results. Although it is determined that the project would not impact groundwater quality, Mitigation Measure GW-1 has been revised to include monitoring of electroconductivity at select locations during construction to provide data confirming the conclusions in the EIR. Impact GW-1 and Impact GW-2 remain less than significant prior to the implementation of

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		the revised mitigation measure, as described in Chapter 8. The revision does not result in a new significant environmental impact, substantial increase in the severity of an environmental impact, or require additional mitigation measures to which DWR was unwilling to commit. Operational impacts on groundwater quality would be plume migration and/or introduction of saline waters, both of which can be evaluated using hydraulic gradients and groundwater levels. Please refer to Common Response 10 regarding the use of the DeltaGW model for assessment of groundwater quality. Please see Chapter 8, which uses modeled groundwater elevation change results to inform qualitative analysis of potential impacts of degradation of groundwater quality in Impact GW-7. The results are summarized in the summary table titled Comparison of Impacts of Project Operations on Groundwater by Alternative. Refer to the Chapter 8 section titled Impacts of the Project Alternatives on Groundwater for the results of the impact analysis, specifically the section under Impact GW-7. As described in Impact GW-7, modeled groundwater elevation changes near identified groundwater plumes in the study area (see the figure titled Location of Identified Groundwater Plumes in the Study Area) are limited to 1 to 2 feet between the baseline and alternatives, which is unlikely to cause a change in groundwater flow paths. Finally, construction impacts on water quality for surface water are evaluated in Chapter 9, Water Quality.
423-15	The DEIR fails to analyze the Project's consistency with, or effects on, implementation of the 2021 draft or the January 2022 Final South American Subbasin GSP during both construction and operation of the proposed tunnel project. The DEIR does not reference applicable SGSMA considerations, and instead creates its own novel standards of significance while	The Delta Conveyance Project EIR has been prepared in compliance with CEQA and evaluates the full range of potential impacts that may result from construction and operation of the proposed project and its alternatives. Please refer to the response to comment 423-5 regarding the adequacy of the groundwater analysis. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding

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	relying on undisclosed models that do not provide quantitative data. The DEIR must be revised to identify and evaluate Project Impacts on construction impacts [sic], groundwater impacts and groundwater quality. Finally, the organization of groundwater information and impacts is scattered in a manner that obfuscates the Project's potential impacts. As a result, the DEIR fails to adequately identify and evaluate Project Impacts on groundwater and SGMA compliance. These are critical deficiencies and the SCGA looks forward to working with DWR to correct these deficiencies prior to finalizing the DEIR.	consideration of California's Sustainable Groundwater Management Act (SGMA) and Groundwater Sustainability Plans (GSPs). Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the length and complexity of the EIR.
424-1	The Mojave Water Agency (MWA) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Delta Conveyance Project (DCP). The MWA is a State Water Project (SWP) contractor that relies on imported water supplies from the SWP to support the arid high desert region in San Bernardino County and mitigate groundwater overdraft. The MWA has made significant investments in the SWP and continues to make investments to support this important water supply for the region.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.
424-2	I am writing on behalf of the MWA [Mojave Water Agency] to support the Delta Conveyance Project (DCP) - a project that is an essential to modernizing California's water transport infrastructure. California's new reality represents extreme weather events and climate trends - including intense and unpredictable storms, extended and more frequent droughts, rising sea levels, increasing temperatures, and an earlier spring runoff - making water management in California much more challenging. We must invest in modern infrastructure in the Delta to ensure the SWP [State Water Project] can capture, move, and store water when it is available. The SWP is California's primary water distribution system. It	Please see response to comment 424-1 regarding comments that state opinions of general support for the project.

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	captures and transports water to communities throughout the state - providing an affordable source of high-quality, clean water for more than 27 million Californians from the Bay Area to San Diego. But the infrastructure that protects, collects, and moves water through the Delta to California homes, farms, and businesses was constructed more than 50 years ago and is at increasing risk of failure from climate change and sea level rise. The proposed DCP is the right project at the right time to help ensure the SWP can continue to meet California's water needs into the future. The DCP also addresses impacts to Delta communities. Having worked hard to avoid and reduce environmental and community impacts, today's proposed project is very different from the State's previous proposals. An extensive amount of design refinements has helped avoid or minimize local impacts, and the project includes a Community Benefits Program to ensure the communities most affected by construction of the project are provided the means and resources to also achieve local benefits. The Agency appreciates the State's careful and thorough analysis of impacts related to the project and its construction and its consequent identification of efforts to mitigate those impacts to Delta communities. It is prudent and responsible to pursue the DCP now. We cannot afford to delay modernizing the SWP's Delta infrastructure - the cost of doing nothing could disrupt our state's primary water supply. For the MWA, the DCP is critical to protecting the Agency's access to water, which serves both disadvantaged and severely disadvantaged communities within the high desert.	

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	California needs the SWP and the SWP needs the DCP. We encourage state certification of the DEIR and the advancement of this essential project.	
425-1	Thank you for the opportunity to submit comments under the California Environmental Quality Act (CEQA) on the Delta Conveyance Project Draft Environmental Impact Report (DCP DEIR). Diablo Water District (District) has a vested interest in the health of the Delta and the associated water quality (surface and groundwater), as the District serves water for residential, commercial, industrial, public, and irrigation use for the City of Oakley, Bethel Island, Knightsen, and other unincorporated areas of east Contra Costa County (pop. 45,000). In addition to being the water purveyor, the District also serves as the Groundwater Sustainability Agency within its service area.	This information describes the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
425-2	The following pages contain comments that highlight focused areas where the DCP DEIR are legally deficient and require substantial research to address the concerns brought forth. A summary of these items includes but is not limited to: • DCP DEIR's fatal flaw is not properly evaluating No Project Alternatives o Inadequate analysis of local agency projects in lieu of massive infrastructure projects that manipulate Delta water flows. o Ignores the quality and quantity of water that can be created from Forecast Informed Reservoir Operations. Intentional omission of the requirement that the DCP DEIR is	The comment assertions are not consistent with the analyses in the EIR. This comment introduces the detailed comments that follow in the comment letter. Those comments are addressed in the following responses. • Response to comment 425-5 regarding the No Project Alternative. • Response to comments 425-6 and 425-8 regarding local agency projects. • Response to comment 425-11 regarding Forecast Informed Reservoir Operations. • Response to comment 425-9 regarding alternatives not directly controlled by DWR.

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	required to look at alternatives that are not directly controlled by DWR.	
425-3	The following pages contain comments that highlight focused areas where the DCP DEIR are legally deficient and require substantial research to address the concerns brought forth. A summary of these items includes but is not limited to: • Impacts of the DCP on groundwater is grossly generalized and factually inaccurate for the District's East Contra Costa (ECC) Subbasin. Investigation and analysis were provided by the District's hydrogeologists Luhdorff & Scalmanini, Consulting Engineers. o There is no indication that sea level rise was simulated in the DeltaGW model. o The DEIR erroneously states that groundwater storage would experience an overall increase under the Project. Intentional failure to monitor impacts to aquifers that are adjacent to the Delta rather than just adjacent to the project. Absence of required analysis on the cumulative impact on groundwater resources in the ECC Subbasin.	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW Model for analysis of local impacts on groundwater. While sea level rise is expected to occur under climate change conditions, the changes to groundwater elevations caused by the project are not expected to affect the potential effects of sea level rise that would otherwise occur without the project. Chapter 8, Groundwater, Impact GW-4 has been updated to clarify statements regarding changes in groundwater storage under project operations. As discussed in Impact GW-4, modeling indicates a slight increase in groundwater storage compared to existing conditions. These modeled changes are so small that they would have no noticeable effect on East Contra Costa County Subbasin. Therefore, model simulation supports the understanding that the project will not affect surface water deliveries within the region. None of the revisions to Chapter 8, Groundwater described in the EIR resulted in a new significant environmental impact or substantial increase in the severity of an environmental impact or required additional mitigation measures to which DWR was unwilling to commit. The Delta GW Model domain covers the Delta region and adjacent groundwater basins, as shown in the Chapter 8 figure titled DeltaGW Model Domain and Model Subregions. Changes in storage impacts outside the Delta region are documented in Appendix 8B, Impact Analysis: Groundwater Model Results, in the section titled Changes to Long-Term Change in Groundwater Storage (Impact GW-4). As described in Chapter 8, section titled Cumulative Impacts, the simultaneous operation of the Delta Conveyance Project along with projects listed in the table titled Cumulative Impacts on Groundwater from Plans, Policies, and Programs are anticipated to have more beneficial impacts on groundwater than adverse impacts for all alternatives. The currently available GSPs in the domain of the DeltaGW Model used for the groundwater analyses in Chapter 8 included ECC subbasin. These plans are discussed in Common Response 8,

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		Relationship to Other Plans, Projects, Policies, and Programs.
425-4	In support of other Contra Costa County Agencies that are submitting comments, we [(Diablo Water District)] also support the efforts and comments submitted by Contra Costa County, Bethel Island Municipal Improvement District, Town of Discovery Bay, and Byron Bethany Irrigation District. These agencies collectively and concentrically represent over 1,000,000 people that live in or near the Delta. The [Diablo Water] District looks forward to being engaged in future DCP conversations, studies, analysis and compensated mitigation discussions	This information describes the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
425-5	[Att 1:] DCP DEIR Chapter 3 - Comments The Evaluation Of The No Project Alternative Is Inadequate. CEQA requires that "…public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." [Cal. Pub. Res. Code § 21002] The analysis of the No Project Alternative alternatives in the Delta Conveyance Project (DCP) Draft Environmental Impact Report (DEIR) does not comply with this fundamental principle.	The EIR properly analyzes the No Project alternative pursuant to CEQA. Please see Common Response 4, No Project Alternative Description and Analysis, for a description of the CEQA requirements for the No Project Alternative and how the No Project Alternative as developed and analyzed for the Delta Conveyance Project meets those requirements. Please refer to Common Response 3, Alternatives Development and Description, regarding the alternatives screening process and how alternatives considered for further review in the EIR met most of the basic project objectives and were capable of avoiding or substantially lessening one or more of the project's significant environmental impacts.
425-6	[Att 1:] The DCP DEIR misleadingly excludes detailed consideration of local agency projects related to water conservation, water-use efficiency, alternative water supplies, recycled water, desalination, etc. In the 99 pages of Appendix 3C there is an insufficient level of effort put forth in quantifying the Portfolio of water supply options mentioned above. All	The Department of Water Resources followed CEQA requirements when identifying alternatives to be considered for evaluation in the EIR. As described in Common Response 3, Alternatives Development and Description, CEQA lead agencies develop project objectives to inform the identification of the project and a reasonable range of potentially feasible alternatives; an EIR should include a reasonable range of alternatives that

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	reasonable alternatives must be given full and fair consideration so that the public and the state and federal decision-makers can meaningfully compare the options that are available. The Portfolio of local/regional water supply options meets the DCP purpose, and all four related criteria listed in Chapter 3, and as required by CEQA requires additional study and quantification.	meet most of the basic project objectives, are potentially feasible, and would avoid or substantially lessen one or more of the significant effects of the proposed project. Common Response 3 provides an explanation of the alternatives screening process and how project objectives are used to identify potential alternatives to the proposed project. The purposes and project objectives of the Delta Conveyance Project are presented in Chapter 2, Purpose and Project Objectives, of the EIR. Common Response 3 explains why local water supply projects were not included as an alternative to the proposed project because of their inability to meet most of the basic objectives of the project. Additionally, the California Water Resilience Portfolio includes numerous local and regional water management and conservation actions. These actions are occurring concurrently, recognizing that multiple actions, including local actions, are needed to improve California's water supply resilience. The Delta Conveyance Project is one part of a diverse portfolio of strategies that would assist in meeting California's water management needs and would not preclude other measures that may be taken by DWR or other entities.
425-7	[Att 1:] The structure of the alternatives analysis falsely frames that the scope of the alternatives should be limited to only alternatives of massive new delta new water conveyance facilities that manipulate the flow of the Delta, which would continue to exacerbate current and future significant impacts. In other words, a legitimate proposal that would substantially lessen the project's impacts by achieving the project objectives in another manner has been blatantly ignored. DWR's position defies logic and is not a sound basis for excluding an evaluation of the Portfolio alternative.	Please see response to comment 425-6 regarding screening and selecting alternatives for further consideration in the EIR.
425-8	[Att 1:] DWR, DCP and DCP proponents have a profound influence over local water use. For example, southern California water agencies are embarking on some of the world's largest water recycling projects, storm water capture, desalination, and more that for some unexplainable reason are	Please see Common Response 4, No Project Alternative Description and Analysis, for a description of the specific project, policies, and programs considered in the No Project Alternative along with the reasoning used to determine which actions to include in the no project analysis. Please also refer to Common Response 5, Public Water Agencies Water Management

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	omitted or not quantified in the No Project Alternative.	Practices, regarding local water supply efforts, including potential water recycling projects. The Delta Conveyance Project would be a part of the State Water Project, and Common Response 5 describes existing efforts and future actions to be undertaken by State Water Project users to ensure California's water resources are being used efficiently and sustainably.
425-9	[ATT 1:] The claim that water conservation and local water supply alternatives is beyond the control of the DCP and DWR is a false narrative. Even if DWR and the DCP lacked influence or control over local water conservation and alternative water supply efforts, that would not be an excuse for failing to evaluate the Portfolio alternative. See 40 C.F.R. § 1502.14 (alternatives analysis must include "reasonable alternatives not within the jurisdiction of the lead agency"); CEQA Guidelines § 15126.6(f)(1) (no single factor, such as regulatory limitations or jurisdictional boundaries, establishes a fixed limit on the scope of the alternatives analysis, which must be sufficient to foster meaningful public participation and informed decision-making).	Please see response to comment 425-6 regarding screening and selecting alternatives for further consideration in the EIR. Please see Common Response 3, Alternatives Development and Description, for an explanation of why local water supply projects were not included as an alternative to the proposed project because of their inability to meet most of the basic objectives of the Delta Conveyance Project. Additionally, the California Water Resilience Portfolio includes numerous local and regional water management and conservation actions. These actions are occurring concurrently, recognizing that multiple actions, including local actions, are needed to improve California's water supply resilience.
425-10	[ATT 1:] The DCP Draft EIR furthers fails to take into consideration DWR's own Mission "To sustainably manage the water resources of California, in cooperation with other agencies, to benefit the state's people and protect, restore, and enhance the natural and human environments" and Racial Equity Vision "All people in California are healthy, financially stable, and safe. This vision articulates an ideal state of being that we want all Californians to experience. It inspired the strategies contained in this Racial Equity Action Plan. Although DWR cannot achieve this vision alone, we are committed to doing our part to make it a reality" by purposely excluding facts that DWR does have a commitment to work with other agencies and does have significant influence over local water recycling, conservation, and the entire Portfolio.	Please see Chapter 1, Introduction, regarding DWR's role in managing the State Water Project as part of DWR's overall mission, "To sustainably manage the water resources of California, in cooperation with other agencies, to benefit the state's people and protect, restore, and enhance the natural and human environments." Please see Chapter 1, Introduction, for a description of the State Water Project and background information regarding how water supply has been developed and managed in California. Please also refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives, including DWR's continuing commitment to operate the State Water Project as modified to include the Delta Conveyance Project in compliance with all state and federal water quality and environmental laws.

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		The comment quotes text from DWR's Racial Equity Action Plan. The Racial Equity Action Plan identifies three desired outcomes; workforce is reflective of the People of California, Improve Community Engagement with Communities Most Impacted by Structural Racism; and Embed Racial Equity in our Projects and Programs. As noted in Common Response 7, Implementation Considerations, DWR would seek to hire minority and disadvantaged business in the contracting process. Please refer to Chapter 35, Public Involvement, and Common Response 2, Public Outreach Activities, regarding the efforts DWR has made to go above and beyond the outreach and engagement required for CEQA, specifically to engage environmental justice organizations and populations in the project area (see Chapter 35, section titled Environmental Justice and Disadvantaged Communities), as well as to engage non-English speaking populations. In addition, please refer to Appendix 3G, Community Benefits Framework, regarding the community benefits program DWR has included as part of the Delta Conveyance Project to address community concerns beyond what CEQA requires for environmental mitigation.
425-11	[ATT 1:] Furthermore, compounding the inadequacy of the alternative analysis and No Project analysis is the incomprehensible decision of the DCP Draft EIR to rely on flow related standards based on the historical State Water Board D-1641 and omits a feasible alternative that involves Forecast Informed Reservoir Operations. Significant modelling efforts have been made in this arena and are intentionally omitted from the DCP Draft EIR.	Forecast-Informed Reservoir Operations (FIRO) was not used as an alternative to the project or in the No Project Alternative because coordinated reservoir operations and pre-release of stored water as informed by short-term runoff forecasts may affect reservoir operations at daily and hourly timescales and cannot be incorporated into the monthly planning model, CalSim 3 end-of-month results, used for the Delta Conveyance Project EIR. During the flood season, CalSim 3 end-of-month simulated storage cannot exceed water control manual "guide curves" established by USACE for Section 7 reservoirs (U.S. Flood Control Act of 1944). The model is agnostic to daily or hourly operations that may occur within the month. Typically, water control diagrams are based on basin wetness indices and/or the historical likelihood of runoff events of a given magnitude. Skill in weather and streamflow forecasting may lead to more flexible flood control rules and the potential to increase reservoir storage during the refill season. However, incorporating reservoir forecasting into a

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		monthly planning model would require USACE to amend their regulatory requirements. In the absence of these regulatory changes there is insufficient basis to incorporate FIRO into a monthly planning model that is used in support of an EIR and attempts to do so would be speculative. Please refer to EIR Appendix 5A, Modeling Technical Appendix, which provides all the assumptions used in modeling the hydrological analyses.
425-12	[ATT 1:] Success stories of [Forecast Informed Reservoir Operations] include both Sonoma Water and Yuba County Water Agency that allowed flexibility in reservoir operations that are currently being regulated with decisions that are over 70 years old. Again, incorporating a FIRO option weather under No Project or an Alternative Project analysis is required for the EIR to be considered complete and in compliance with CEQA.	Please see response to comment 425-11 regarding the use of Forecast-Informed Reservoir Operations (FIRO) in both a project alternative and the No Project Alternative analysis and requirements for EIR alternatives selection. FIRO may be used in the future for SWP and CVP reservoirs whether the proposed project or a project alternative is approved by DWR; FIRO is a distinct project with independent utility and is separate from the Delta Conveyance Project, which does not propose changing upstream reservoir operations.
425-13	[ATT 1:] Several entities in the ECC [East Contra County] Subbasin receive surface water deliveries from diversion points in the Sacramento-San Joaquin Delta (Delta). Under the Project, lower salinity water would be removed from the Delta upstream of ECC surface water diversion points therefore i.) decreasing the availability of lower salinity water making its way to the region of the Delta near surface water diversion points to blend with the higher salinity water from the San Pablo Bay and ii.) increasing the likelihood that higher salinity water from the San Pablo Bay could migrate further into the Delta towards ECC Subbasin surface water diversion points.	Chapter 9, Water Quality, provides a complete assessment of impacts on salinity-related parameters in the Delta. The water quality impact analysis concludes that there could be some increases in bromide (Impact WQ-3), chloride (Impact WQ-4), and EC (Impact WQ-5) at western Delta locations in some months, but increases would not adversely affect beneficial uses, including agricultural water supply, and impacts on these constituents would be less than significant. Chapter 15, Agricultural Resources, in the section titled Impacts of the Project Alternatives on Farmland Productivity, describes how the timing and magnitude of the increases in EC would not result in substantial effects to cropland that currently receive somewhat saline irrigation water.
425-14	[ATT 1:] When groundwater supplies within the [East Contra Costa] Subbasin are unable to be blended with good quality surface water from the Delta, higher proportions of	Please see response to comment 425-13 regarding the less-than-significant impacts on surface water quality. As noted in that response, the operation of the proposed project or alternatives would not affect beneficial uses. As

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	groundwater have to be utilized. This will lead to an increased reliance on groundwater in the Subbasin and will lead to increased groundwater pumpage in the region. The DEIR failed to discuss the potential impacts from increased groundwater use by ECC Subbasin entities in the region as a result of increased Delta Salinity.	such, increased reliance on groundwater supplies is not anticipated with the project.
425-15	[ATT 1:] Additionally, the District supplies water to Disadvantaged Areas (Das) comprised of both Severely Disadvantaged and Disadvantaged Communities. If these Das lose the ability to receive good quality surface water from the Delta and are forced to seek more expensive water supplies or groundwater from other entities, there could be significant economic impacts on an already strained areas and potentially impact the ability of the Subbasin entities to sustainably use groundwater resources.	Chapter 9, Water Quality, analyzes potential surface water quality impacts resulting from constructing and operating the Delta Conveyance Project. The analysis concluded that the Delta Conveyance Project would result in a less-than-significant impact on the quality of surface water and would not adversely affect designated beneficial uses. Chapter 8, Groundwater, Impact GW-7 found that impacts on the quality of groundwater also would be less than significant. Chapter 29, Environmental Justice, section titled Project Alternatives further finds that there would be no disproportionate effects on environmental justice communities related to surface water quality or groundwater quality. Based on these findings, no related economic effects were identified.
425-16	[ATT 1:] The DeltaGW model was used to simulate existing and future conditions with and without the Delta Conveyance Project. The DEIR mentions sea level rise several times with respect to degradation of water quality, but there is no indication that sea level rise was simulated in the DeltaGW model. In fact, the DEIR states: “Notably, the DeltaGW modeling analysis did not include effects of sea level rise, which could contribute to saltwater intrusion in the Delta under 2040 conditions. [Footnote 1: This statement is made on line 39-40 on page 8-24 of Chapter 8.]” The DeltaGW model did not simulate sea level rise with its 2040 analysis, and therefore the DEIR is not able to quantify or provide a qualitative analysis of the potential impacts sea level rise would have on groundwater resources with the construction and implementation of the Project.	Please refer to Chapter 4, Framework for the Environmental Analysis, for an explanation of how climate change was incorporated into the EIR's analysis. Though CEQA does not require an analysis of impacts of the environment on the project, the EIR includes analysis beyond the requirements of CEQA using hydrological modeling scenarios at years 2040 and 2070 that consider changes as a result of climate change and sea level rise. As described in Chapter 8, Groundwater, under Impact GW-2 and Impact GW-7, changes in groundwater elevations caused by project construction and operations are expected to be minimal, with little to no changes in the groundwater gradient. While sea level rise is expected to occur under climate change conditions, the changes to groundwater elevations caused by the project are not expected to affect the potential impacts of sea level rise that would otherwise occur without the project.

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425-17	[ATT 1:] Chapter 3 describes an extreme sea level rise scenario in which sea levels would rise by 1.8 feet by 2040 at the tide gage in San Francisco, but this was not described in any of the groundwater impact discussions in Chapter 8 (nor the appendices 8A, 8B, and 8C). Furthermore, the Sustainable Groundwater Management Act (SGMA) regulations required GSPs [Groundwater Sustainability Plans] to model future groundwater conditions up to 2070. The use of the DeltaGW model projecting conditions into 2040 is not a sufficient time frame to make statements on future forecast impacts from climate change or sea level in particular. The DEIR must look at climate change and sea level rise impacts projected by 2070 as part of any cumulative impacts analysis and/or future projections.	Please see response to comment 425-16 regarding incorporation of climate change into the analysis and the potential impacts of sea level rise relative to the changes in groundwater elevations caused by the project. Please refer to Chapter 4, Framework for the Environmental Analysis, for an explanation of how climate change was incorporated into the EIR's analysis. As described in the Additional Analyses of Potential Future Conditions section, the purpose of a 2070 analysis is to provide additional information regarding potential impacts and benefits of the proposed longer-term future scenario but is not used as the basis for CEQA findings. Please refer to Appendix 4A, Consideration of 2070 Conditions, regarding a discussion of 2070 conditions.
425-18	[Att 1:] The DEIR states that groundwater storage would experience an overall increase under the Project (Table 8-8: Long-Term Changes in Groundwater Storage in Acre-Feet and Change Relative to Existing (CEQA Baseline) Conditions); hypothesizing any reductions in groundwater storage would be localized and short-term in nature. Impact GW-4: Changes to Long-Term Change in Groundwater Storage describes an increase in groundwater storage under all Project alternatives due to an increase in surface water supplies and a decrease in groundwater demand; however, this would only be applicable to entities that receive surface water deliveries from the Project. In the DeltaGW model's Subregion 4, which contains the [East Contra Costa] Subbasin, most entities do not receive Project water deliveries, therefore, the increased storage simulated under the Project alternatives is likely overestimated for the ECC Subbasin.	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, addressing the suitability of the DeltaGW Model for analysis of local impacts. Please see response to comment 425-3 regarding revisions to Impact GW-4. None of the revisions to Impact GW-4 or Chapter 8, Groundwater described in the EIR resulted in a new significant environmental impact or substantial increase in the severity of an environmental impact or required additional mitigation measures to which DWR was unwilling to commit.

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425-19	[Att 1:] Monitoring of Baseline Conditions The DEIR fails to establish a clear plan for monitoring baseline conditions in order to evaluate Project impacts. 'Mitigation Measure GW-1: Maintain Groundwater Supplies in Affected Areas' states that groundwater monitoring would begin upon completion of monitoring wells close to the Project sites; however, it does not establish a baseline timeframe in which data would be collected prior to Project commencement. Mitigation Measure GW-1 also states that existing wells would be used to evaluate groundwater conditions. This statement incorrectly assumes that existing wells are actually present at appropriate locations and depths and owners of those wells are willing to provide access to their wells for monitoring purposes. Using existing wells to establish a baseline would only be sufficient if the wells are constructed solely in the shallow zone where recharge and dewatering activities will occur. Furthermore, if the existing wells are used for supply, data from such wells may not represent true static conditions. Without a reliable baseline upon which to compare, determining Project impacts would be unreliable and erroneous.	During the design phase of the project, the locations of existing wells that would require monitoring would be determined. The information would be used to determine the need and location for construction of new monitoring wells. If existing wells are not suitable for monitoring purposes, due to their depth or landowner approval, additional monitoring wells would be constructed. Suitable locations would be identified based on facility locations. Information regarding testing/monitoring is described in Chapter 3, Description of the Proposed Project and Alternatives, in the section titled Field Investigations (under the subtitle Groundwater Testing and Monitoring). This section describes the data collection efforts that will occur prior to and during construction. Mitigation Measure GW-1 provides clear timelines for monitoring during construction activities (e.g., monitoring would continue through the construction phase for up to 6 months following termination of construction dewatering activities and for at least 5 years after commencement of conveyance operations at the intakes). The mitigation measure also acknowledges that additional wells may need to be constructed (e.g., injection wells would be constructed if needed for mitigation to maintain the non-project groundwater elevations).
425-20	[Att 1:] Equally, the use of average seasonal variations as a baseline for determining recharge and dewatering impacts is not sufficient if the data record is too long (Impact GW-2: Changes in Groundwater Elevations). A long data record, such as the almost 100-year record used in the DeltaGW Model (1922-2015), mutes the shorter-term seasonal variation averages while not accounting for recent groundwater conditions that are closely related to climatic changes.	The thresholds developed for Impact GW-2 are based on historical data for the 1974-2015 period from 132 wells within the Delta region, not the record used for the DeltaGW Model, as described in the section titled Thresholds of Significance in Chapter 8, Groundwater. The historical fluctuations over the 41-year period were used to establish the threshold of +/- 5 feet change in groundwater elevations more than 5% of the time.
425-21	[Att 1:] Groundwater Elevation Change in Supply Wells Changes in groundwater elevation can impact the reliability of	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW Model for analysis of local impacts on groundwater. Specifically, see the

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	water supply wells used by private domestic well owners and District wells. The DeltaGW model provides an estimate of changes in groundwater level for different nodes in different layers of the model grid to determine the impact of the construction and implementation of the Project. The model makes no attempt to simulate actual wells pumping specified amounts at specified times, but rather the [Integrated Water Flow Model] modeling platform distributes pumping within elements or areas based on the groundwater demand in that water balance area. This essentially smooths any localized changes in groundwater elevation over a larger area, resulting in the simulation of groundwater level changes that do not represent the declines in groundwater levels that are experienced in real wells in real time during and after Project construction and implementation.	discussion of construction-related impacts, which explains the adequacy of data-driven evaluation performed for disclosing the type, magnitude, and severity of potential groundwater impacts related to construction in the EIR.
425-22	[Att 1:] The DEIR fails to acknowledge this issue in the evaluation of Project impacts. Water levels in supply wells, including domestic, irrigation, industrial, and public supply wells, may exhibit greater drawdown in areas where slurry walls or cutoff walls provide an impedance to lateral flow towards wells, thereby resulting in greater than normal decreases in groundwater elevations within wells. A more thorough analysis of the impact the slurry/cutoff walls will have on local drawdowns from supply wells is crucial to determine the significance of this particular groundwater concern from the Project, as the DeltaGW model is an insufficient tool to make that determination.	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW model for analysis of local impacts. Slurry walls and cutoff walls are included in the model and assessed as part of the model simulations for project alternatives. Changes in groundwater elevation and reductions in groundwater levels affecting supply wells are assessed in Chapter 8, Groundwater, as part of Impact GW-2 and Impact GW-3, respectively.
425-23	[Att 1:] Lack of Southern Complex Simulation The DeltaGW model simulates slurry walls or cutoff walls along the intake and conveyance for the Project. The “deep cut walls” that are to be installed in the Southern Forebay levees	As described in Chapter 8, Groundwater, the physical features of the project are modeled for each alternative as low-permeability model elements whose alignments are shown in the figure titled DeltaGW Model Physical Project Components. The Southern Complex is included within the footprint of the model elements associated with the Central and Eastern

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	are not simulated in the DeltaGW model. These walls will be no-flow barriers, and may impact the operation of local wells, and potentially impede groundwater flow toward surface water features that rely on groundwater (e.g., Groundwater Dependent Ecosystems [GDEs] as well as areas where gaining stream conditions occur). The permanent footprint of the Southern Complex is estimated to be approximately 900 acres, located within the ECC Subbasin. This feature was not described in the DeltaGW model documentation (Chapter 8, as well as Appendices 8A, 8B, and 8C), and so it is assumed that this large feature was not simulated at all. Therefore, the impacts to groundwater based on the DeltaGW model are deficient to determine impacts in that area of the model's Subregion 4.	Corridors.
425-24	[Att 1:] Groundwater Dependent Ecosystem The DEIR notes the presence of Groundwater Dependent Ecosystems (GDEs) within the Project area and maps the permanent and non-permanent Project areas in Ch. 13 and on Mapbook 13-1. GDEs are not discussed in Ch. 8 in the context of potential Project impacts related to groundwater conditions. A large percentage of [East Contra Costa] GDEs are located near Clifton Court Forebay which is designated as a potential Project area. It is acknowledged in the DEIR that some of the GDEs will be permanently destroyed as a result of the Project. GDEs that will not be permanently destroyed have no defined threshold of significance for impacts or mitigation measures. [Sustainable Groundwater Management Act] regulations specifically call out the need for the Subbasin to protect GDEs.	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding a description and discussion of GDEs in the context of SGMA. GDEs are not discussed in Chapter 8, Groundwater, because substantial changes in interconnected surface waters and groundwater elevation would not occur. The EIR addresses temporary and permanent impacts on GDEs as a result of other potential impact mechanisms by identifying and evaluating potential impacts on all natural systems and habitat supported by groundwater that could be impacted by the project in Chapter 13, Terrestrial Biological Resources. For example, groundwater dependent ecosystems including tidal and nontidal perennial aquatic, tidal and nontidal freshwater emergent wetland, tidal brackish emergent marsh, valley/foothill riparian, alkaline seasonal wetland and vernal pool complex are evaluated in Impact BIO-1 through Impact BIO-8 in Chapter 13. Thresholds of significance for these and other sensitive resources are listed in the section titled Thresholds of Significance. Mitigation and Avoidance and Minimization Measures are allocated in the following sections: Appendix 3F, Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources, describes the mitigation that would

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		be implemented to offset impacts on these land cover types. Attachment 3F.1, Compensatory Mitigation Design Parameters, provides the design commitments and guidelines for compensatory mitigation of impacts. Avoidance and minimization measures that would apply during construction of the project (including but not limited to construction of the compensatory mitigation sites themselves) are contained in Appendix 3B, Environmental Commitments and Best Management Practices.
425-25	[Att 1:] Cumulative Impacts Covered in Simulation Cumulative impacts were not simulated using the DeltaGW model, so despite the brief statements in Chapter 8 that claim most of the Projects will improve surface water reliability and therefore benefit groundwater resources, there is no analysis on the cumulative impact on groundwater resources in the ECC Subbasin with the introduction of slurry walls, cutoff walls, conveyance tunnels, new intake feature, and a large forebay structure. Table 8-10 lists 26 programs or projects that could have impacts on groundwater resources in the vicinity of the Project, but the DEIR fails to explain how those programs/projects would cumulatively impact groundwater with the addition of the Delta Conveyance construction and implementation.	Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for a discussion of the qualitative nature of the Cumulative Impact Assessment. Where there is insufficient information in the record to perform a quantitative analysis of reasonably foreseeable future projects, CEQA directs the agency to prepare a qualitative analysis. In addition, there is no specific CEQA requirement to synthesize or integrate cumulative effects of the project across multiple impacts or resource types. Chapter 8, Groundwater, table titled Cumulative Impacts on Groundwater from Plans, Policies, and Programs provides the list of projects considered in the cumulative assessment of impacts on groundwater. DWR believes this is an accurate and complete list of projects that should be considered in the cumulative assessment. As described in Chapter 8, the simultaneous construction of the Delta Conveyance Project along with projects listed in the table titled Cumulative Impacts on Groundwater from Plans, Policies, and Programs could potentially result in significant impacts on groundwater if construction BMPs and compensatory mitigation are not implemented. However, it is assumed that construction BMPs and compensatory mitigation would be implemented and, therefore, project alternatives would not result in an incremental cumulatively considerable impact. The physical features of the Delta Conveyance Project (cutoff walls, intakes, conveyance tunnel, and southern complex) are incorporated in the DeltaGW Model through model elements with different hydraulic conductivity values to reflect design specifications of the physical features. Hence their impacts on groundwater are reflected in the model results

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		through the comparison of model results simulating groundwater conditions with and without the Delta Conveyance Project.
425-26	[Att 1:] Climate Change Covered in Simulation Climate change was simulated using the DeltaGW model by using 2040 climate change conditions. In this climate change scenario, evapotranspiration is assumed to increase by approximately 5% and increased agricultural and urban demands would result in increased pumping of groundwater due to higher future temperatures. According to Chapter 30, the global average surface temperature will increase by approximately 1.4°F. The climate change enforced on the DeltaGW model was for 2040 only, but future conditions for Project Alternatives and No Project Scenario were not simulated for 2070 climate change conditions. DWR has produced several future climate scenarios that have been adopted by subbasins conforming to [Sustainable Groundwater Management Act] requirements, including future wet scenarios, future dry scenarios, and climate change out past 2040 into 2070. The DeltaGW model simulates one future climate scenario only, for 2040, which provides an insufficient assessment of project impacts due to different potential future climate changes.	Please refer to Chapter 4, Framework for the Environmental Analysis, for an explanation of how climate change was incorporated into the EIR's analysis. As described in the section titled Additional Analyses of Potential Future Conditions, the purpose of a 2070 analysis is to provide additional information regarding potential impacts and benefits of the proposed longer-term future scenario but is not used as the basis for CEQA findings. Please refer to Appendix 4A, Consideration of 2070 Conditions, regarding a discussion of 2070 conditions.
425-27	[Att 1:] Surface water and Groundwater Interaction Data used in the DEIR to consider surface water and groundwater interaction in the ECC Subbasin was not complete in the DeltaGW model. During development of the ECC [Groundwater Sustainability Plan] model, several other surface water data sources were incorporated to create a more complete analysis. For example, the DeltaGW model relied on surface water features simulated in the DWR C2VSim model, which did not simulate the Middle River, Old River, or Marsh Creek. These features are important components when understanding the	The Delta Conveyance Project EIR has been prepared in compliance with CEQA and evaluates the full range of potential impacts that may result from construction and operation of the proposed project and its alternatives. Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW Model for analysis of the project's impacts on groundwater. The currently available GSPs in the domain of the DeltaGW Model used for the groundwater analyses in Chapter 8 included the ECC subbasin. These plans are discussed in Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs.

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	relationship of surface water and groundwater within the ECC Subbasin. The DEIR does not have the same level of effort as the Subbasin utilized for the development of the ECC Subbasin GSP. Therefore, the DEIR's analysis of surface water and groundwater interaction (or streamflow depletion) is inadequate within the ECC Subbasin.	
425-28	[Att 1:] Sea level rise is only discussed in terms of the overall basin hydrogeology and in a no-Project context. The DEIR fails to address sea level rise in any of the Project alternatives	The assertion that sea-level rise is not considered in the EIR analysis is not consistent with the approach, analysis, and content of the EIR. Please refer to the Chapter 3, Description of the Proposed Project and Alternatives, section titled Design for Climate Change and Sea Level Rise, regarding project design assumptions for climate change and sea level rise. For all alternatives, facilities were designed to be protected up to a 100-year level with sea level rise and climate change hydrology plus 2 feet of freeboard for proposed facilities. As explained in Chapter 3 and Appendix 3C, Defining Existing Conditions, No Project Alternative, and Cumulative Impact Conditions, the No Project Alternative in 2040 includes predictable changes that would be reasonably expected to occur in the foreseeable future if the project were not approved. This includes a conservative climate change and sea level rise assumption, which is further described in the Chapter 4, Framework for the Environmental Analysis, section titled Consideration of Seismic Risks and Climate Change on Project Alternatives, and Chapter 30, Climate Change. Please also see Common Response 6, Climate Resilience and Adaptation, regarding protecting the State Water Project from sea level rise. Chapter 30 provides analysis of the impact of the alternatives with future climate change incorporated. Appendix 4A, Consideration of 2070 Conditions, discusses project operations under climate change in 2070.

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425-29	[Att 1:] Sea level rise is a concern for the [East Contra Costa] Subbasin due to the proximity to the Delta and the relatively shallow topography that is observed throughout most of the Subbasin. Additionally, the agricultural users in the Subbasin utilize tile drains to artificially keep groundwater levels lower. While the DEIR does mention sea level rise in Chapters 5 and 30, it is in regard to surface water rather than potential groundwater impacts. The DEIR must address the potential impacts of sea level rise and how it will affect users in the Delta	As described in Chapter 8, Groundwater, under Impact GW-2 and Impact GW-7, changes in groundwater elevations caused by project construction and operations are expected to be minimal, with little to no changes in the groundwater gradient. While sea level rise is expected to occur under climate change conditions, the changes to groundwater elevations caused by the project are not expected to affect the potential impacts of sea level rise that would otherwise occur without the project.
425-30	[Att 1:] SGMA [Sustainable Groundwater Management Act] Project and Management Actions During the development of the GSP [Groundwater Sustainability Plan] for the ECC [East Contra Costa] Subbasin, several Project and Management Actions (PMA) were proposed, in addition to all the Projects that other Subbasins developed for their GSPs. The DEIR does not discuss any potential impacts the Project may have on implementing the PMAs or how the PMAs may impact the Project.	Please refer to Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, for additional discussion regarding Groundwater Sustainability Plans and the Delta Conveyance Project.
425-31	[Att 1:] The Compensatory Mitigation Plan needs to be extended to include compensation for damages to groundwater aquifers and subbasins adjacent to the Delta.	Operational impacts on groundwater resources in the Delta and adjacent groundwater basins are evaluated using the DeltaGW Model. The spatial coverage of the DeltaGW Model is shown in the figure titled DeltaGW Model Domain and Model Subregions. Analysis of groundwater related impacts conducted as part of Chapter 8, Groundwater, concluded there would be no significant impacts on groundwater resources in the Delta or adjacent groundwater basins. Mitigation for adjacent groundwater basins under the Compensatory Mitigation Plan is not required. The purpose of the Compensatory Mitigation Plan is to offset the project's construction-related impacts on terrestrial and aquatic resources. The Compensatory Mitigation Plan is not a grouping of all mitigation proposed in the EIR. DWR will compile a Mitigation Monitoring and Reporting Program which will include all proposed mitigation measures. The restoration actions

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		associated with the Compensatory Mitigation Plan would not adversely affect groundwater resources, as described throughout Chapter 8. Mitigation Measure GW-1 and Mitigation Measure GW-5 are described in Chapter 8.
427-1	On behalf of Mesa Water District (Mesa Water®), we offer these comments regarding the Delta Conveyance Project Draft Environmental Impact Report (DCP Draft EIR). As a member agency of the Municipal Water District of Orange County (MWDOC), which is a member agency of the Metropolitan Water District of Southern California (Metropolitan), … Mesa Water is an independent special district that serves safe, affordable, and 100 percent local reliable groundwater to businesses and 110,000 residents in an 18-square-mile service area of Orange County that includes most of Costa Mesa, a portion of Newport Beach, and John Wayne Airport	This information describes the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
427-2	Mesa Water [District] supports the delivery of State Water Project (SWP) water supplies to Southern California through the Delta. Mesa Water supports the Delta Conveyance Project as it can provide a reliable and high-quality water supply in a cost-effective and environmentally-sensitive manner.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed and considered all comments in the decision-making process.
427-3	Our [Mesa Water District] comments reflect our ongoing concern for the need to restore and protect the long-term reliability of California's water supplies, in an affordable manner, and thus the important role of the Delta Conveyance Project. Modernizing SWP infrastructure in the Delta is consistent with the State's Water Resilience Portfolio framework to address California's water challenges and support long-term water resilience and ecosystem health. Mesa Water [District] encourages state certification of the DCP Draft EIR and the advancement of this essential project to: -Address sea level rise or other consequences from climate	Please see response to comment 427-2 regarding general support for the project.

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	change; -Minimize potential public health and safety impacts due to seismic risk; -Protect water supply reliability under varied hydrologic conditions; and, -Provide operational flexibility to improve aquatic conditions in the Delta.	
427-4	Mesa Water [District] has identified the following areas of significance that we would like to highlight in this letter: Support of Proposed Project Alternative 5: Bethany Reservoir Alignment We support the Proposed Project Alternative 5, the Bethany Reservoir Alignment, which extends the eastern corridor to the existing Bethany Reservoir and avoids development of a new forebay in the south Delta, as it will have less impact on agricultural land, cultural resources, and wetlands. Additionally, this alternative should provide the same climate resiliency, seismic resiliency, and water supply reliability as the other 6,000 cfs alternatives that follow the central or eastern alignment evaluated in the DCP Draft EIR, but will have fewer or substantially reduced environmental impacts[.]	The comment is consistent with the information and analysis provided in the EIR. Please see response to comment 427-2 regarding general support for the project.
427-5	Support for California's Water Resiliency & Climate Change Adaptation We [Mesa Water District] fully support the separate and complementary efforts to prepare the Delta for our changing climate, particularly the ongoing climate change assessment process under way at the Delta Stewardship Council in conjunction with assistance from the Department of Water Resources.	Please see response to comment 427-2 regarding general support for the project.

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	The state water reliability strategy cannot be successful without the conveyance necessary to capture wet-period supplies. Continued development and investment in local water supplies and resiliency depends on high quality SWP water as a source for groundwater recharge, recycling, and water-quality blending requirements. Modernizing conveyance through the Delta – in combination with [Metropolitan Water District of Southern California's], [Municipal Water District of Orange County's] and their member agencies' past and continued efforts – provides flexibility to contend with droughts and climate change, and guard against disruptions from earthquakes or levee failures in the Delta. The Water Supply 2040 Analysis within the Draft-EIR shows that long term average total Delta exports, which include both SWP and Central Valley Project (CVP) water exports, decline due to climate change even with the project. However, the Bethany Alternative lessens the decline in comparison to No Project. Based on the DCP Draft EIR, potential changes to SWP/CVP water supplies in 2040 are variable compared to 2020 conditions. The overall trend in the deliveries that will be most affected by the project (i.e., total SWP/CVP south-of-Delta deliveries) is that projected increases in water supply deliveries would be less under 2040 conditions than increases projected under 2020 conditions. Additional changes that are expected would be in Article 21 deliveries, which occur when SWP San Luis Reservoir is full. Additionally, long-term progressive risks of levee failures,	

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	diminishing operational efficiency and supply reliability from sea level rise, and changes in Delta inflow hydrology are expected as a result of climate change. Continuation of existing management and operation of the Delta is expected to increasingly expose Delta water users – and those that depend on water exported from the Delta – to risks of water supply interruption and diminishing water supply reliability over time.	
427-6	Need for the Project Remains Timely The Delta Conveyance Project is an indispensable project and the environmental planning for such a project should not be based on political beliefs but rather on sound science, engineering, and economics. With this in mind, we [Mesa Water District] fully support the Newsom administration moving forward in the planning process in both a thorough and expeditious manner. The SWP is California's primary water distribution system. It captures and transports water to communities throughout the state—providing an affordable source of high-quality, clean water for more than 27 million Californians. The infrastructure that protects, collects, and moves water through the Delta to California homes, farms, and businesses was constructed more than 50 years ago and is at ever-increasing risk of failure from climate change and sea level rise. The proposed Delta Conveyance Project is the right project at the right time to help ensure the SWP can continue to meet California's water needs into the future.	Please see response to comment 427-2 regarding general support for the project. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the use of best available science in the EIR, and Common Response 7, Implementation Considerations, regarding economic evaluations.
427-7	The DCP Draft EIR also addresses impacts to Delta communities. Having worked hard to avoid and reduce environmental and community impacts, today's proposed project is very different from the State's previous proposals. An	The comment is consistent with the information and analysis provided in the EIR. Please see response to comment 427-2 regarding general support for the project.

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	extensive amount of design refinements has helped avoid or minimize local impacts, and the project includes a Community Benefits Program to ensure the communities most affected by construction of the project are provided the means and resources to also achieve local benefits. It is prudent and responsible to pursue the Delta Conveyance Plan now. We cannot afford to delay modernizing the SWP's Delta infrastructure…the cost of doing nothing could disrupt our state's primary water supply.	
427-8	Need for the Project Remains Governor Newsom's Water Resilience Portfolio reflects both the need to make progress locally and with Delta infrastructure. Given how 27 million Californians get some or all of their water from the Delta, it is imperative to prepare this vital segment of our statewide water delivery system for the future.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. Please see Common Response 6, Climate Resilience and Adaptation, for information on the relationship of the Delta Conveyance Project with Governor Newsom's Water Resilience Portfolio.
427-9	Mesa Water appreciates this opportunity to provide comments on the DCP Draft EIR and we thank you for your consideration. If you have any questions or need additional information about Mesa Water's comments herein, please feel free to contact me at PaulS@MesaWater.org or 949.631.1206, or Mesa Water's Water Policy Manager, Stacy Taylor, at StacyT@MesaWater.org or 714.791.0848. Thank you for your ongoing commitment to the state's water resources, and efforts on behalf of California's residents, businesses, agriculture and environment	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
428-1	Western Municipal Water District (Western) strongly supports the Delta Conveyance Project (DCP) - an essential effort to modernize and protect California's water transport infrastructure that will also help address the water crisis California currently faces.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.

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428-2	Western, a member agency of the Metropolitan Water District of Southern California, was formed in 1954 to provide imported water supply to western Riverside County. Once primarily an agricultural region, our service area of approximately 527 square miles has grown to nearly one million people that depend on a high-quality, reliable water supply.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
428-3	Western's [Western Municipal Water District] primary source of imported water comes through the State Water Project (SWP), making modernization and effective maintenance of the SWP a top priority to our agency and the customers we serve.	Please see response to comment 428-1 regarding comments that state opinions of general support for the project.
428-4	As you well know, California's new climate reality includes extreme weather events and changing trends - including intense but unpredictable storms, extended and more frequent droughts, increasing temperatures, and an earlier spring runoff- making water management in California much more challenging. We must invest in modernizing the conveyance infrastructure in the Delta region to ensure the SWP can effectively capture, move, and store water when it is available. As California's primary water distribution system, the SWP captures and transports water to communities throughout the State - providing a source of high-quality, clean water for more than 27 million Californians from the Bay Area to San Diego. But the infrastructure that protects, collects, and moves water through the Delta to California homes, farms, and businesses was constructed more than 50 years ago and is at an ever-increasing risk of failure from climate change and rising sea levels. The proposed DCP is the right project to help ensure the SWP can continue to meet California's water needs into the future.	Please see response to comment 428-1 regarding comments that state opinions of general support for the project.

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428-5	Western [Western Municipal Water District] is pleased to see that the DCP also addresses impacts to Delta communities. The proposed DCP is very different from the State's previous proposals and the design team has worked hard to avoid and reduce environmental and community impacts. An extensive amount of design refinements has helped avoid or minimize local impacts. The project includes a Community Benefits Program to ensure the communities most affected by construction of the project are providing the means and resources to create lasting, tangible, and valuable economic and social benefits to the residents, businesses, and organizations experiencing Delta Conveyance Project effects.	Please see response to comment 428-1 regarding comments that state opinions of general approval of the project.
428-6	For Western [Western Municipal Water District], the DCP will restore SWP water supply reliability for our customers for generations to come. Our naturally arid region will always need the SWP as a critical source for our water supply.	Please see response to comment 428-1 regarding comments that state opinions of general approval of the project.
428-7	However, Western [Western Municipal Water District] and its member agencies have worked decisively to reduce our dependence on the SWP by investing in projects designed to increase local supplies and instilling an efficient water use ethos in the communities we serve. As a region we have expanded recycled water use, advanced stormwater capture and recharge, pioneered brackish desalination and excelled at the delivery of water efficiency and conservation programs. Western's retail customer investments in local supplies and programs have resulted in our recent past 100-percent reliance on SWP supplies being reduced to 59 percent as of Fiscal Year 2021.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
428-8	As Western [Western Municipal Water District], like many of California's water providers and the customers we collectively serve, continue to make significant local investments to increase our local water supply reliability, the State must also	Please see response to comment 428-1 regarding comments that state opinions of general approval of the project.

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	prioritize the larger backbone infrastructure investments and projects. The Delta Conveyance Project is a critical, multi-beneficial project that must move forward to restore water supply resiliency for the 27 million Californians that rely on the State Water Project.	
428-9	It is prudent and responsible to pursue the DCP now. We cannot afford to delay modernizing the SWP's Delta infrastructure - doing nothing will disrupt our State's primary water supply, will add costs further burdening future generations with a failing water system, and will create significant hardship for the environment, our food supply, and the 27 million residents that rely on the SWP. Western Municipal Water District encourages State certification of the Draft Environmental Impact Report and the advancement of this essential project.	Please see response to comment 428-1 regarding comments that state opinions of general approval of the project.
430-1	On behalf of the Calleguas Municipal Water District (Calleguas), we are writing to express our strong support for the Bethany Reservoir Alignment (Alternative 5) as described in the Delta Conveyance Project Draft Environment Impact Report (Draft EIR). The Bethany Reservoir Alignment represents a thoroughly vetted, viable project to fix California's aging water distribution system that supplies water to millions of Californians and vital farmland, while also protecting the natural environment in the Delta. Since the partial completion of the State Water Project (SWP) in the early 1970s, Calleguas has been virtually 100 percent reliant on this water supply. Calleguas is considered a SWP Dependent Area within the Metropolitan Water District and is reliant on Metropolitan's SWP supplies to meet its water demands. With anticipated long-term reductions in Sierra	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general approval of the project.

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	snowpack and increased rainfall resulting in higher, flashy river flows, together with rising sea levels, the ability to efficiently move water during high flows from the north end of the Sacramento-San Joaquin Delta to pumps at the south end is absolutely imperative for the social welfare and economic vitality of the Calleguas service area. As such, resolution of decades-long water resource issues in the Sacramento-San Joaquin Delta is of the highest priority for Calleguas and its 640,000 water users in Ventura County. We remain steadfast in our endorsement of this effort.	
430-2	Publication of the Draft EIR represents the culmination of extensive expert review, planning and scientific and environmental analysis by the state's leading water experts, engineers and conservationists, and unprecedented public comment and participation. The Draft EIR demonstrates considerable effort at analyzing and identifying a proposed project that aims to maximize water supply benefits for the SWP while minimizing impacts to Delta communities.	Please see response to comment 430-1 regarding comments that state opinions of general approval of the project.
430-3	Alternative 5, the Bethany Reservoir Alignment, consists of the construction, operation, and maintenance of new SWP water diversion and conveyance facilities in the Delta that would be operated in coordination with the existing SWP facilities. The new water conveyance facilities would divert up to 6,000 cfs of water from two new north Delta intakes through state-of-the-art fish screens and convey it via a single tunnel on an eastern alignment directly to a new pumping plant and aqueduct complex between Byron Highway and Mountain House Road near Mountain House in the south Delta, discharging it to the Bethany Reservoir for delivery to existing SWP export facilities.	Please see response to comment 430-1 regarding comments that state opinions of general approval of the project.
430-4	The Bethany Reservoir Alignment will improve our water delivery infrastructure to allow us to responsibly capture and move water during wet years, so that we have a greater water	Please see response to comment 430-1 regarding comments that state opinions of general approval of the project.

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	supply during future droughts. The current drought has demonstrated that California's aging water infrastructure is not equipped to handle the regular boom and bust cycles of our climate. With extreme weather events predicted in the near future, we must move forward with improved infrastructure to capture the water when it's available.	
430-5	The Bethany Reservoir Alignment (Alternative 5) will: -Protect water supplies by delivering them through a modern water pipeline rather than relying solely on today's deteriorating dirt levee system. -Build a water delivery system that is able to protect our water supplies from earthquakes, floods, and natural disasters. -Improve the ability to move water to storage facilities throughout the state so we can capture it for use in dry years. - Avoid some wetlands and other waters impacted by other route alternatives. -Provide a direct connection to Bethany Reservoir creating system redundancy, and complements the SWP's existing intake and pumping system in the southern Delta. We urge the Department of Water Resources and the Newsom Administration to move forward to bring the Delta Conveyance Project to fruition and support the Bethany Reservoir Alignment (Alternative 5).	Please see response to comment 430-1 regarding comments that state opinions of general approval of the project.
432-1	The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the Department of Water Resources (DWR) for the Delta Conveyance Project. The DEIR identifies eight (8) alternatives in addition to the preferred alternative (Alternative 5). As such, the District has reviewed Alternative 5, which consists of: (1) using intakes B and C to convey up to 6,000 cubic feet per	This information provides general introductory text. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	second (CFS), (2) the Bethany Reservoir alignment, and (3) several maintenance and reception shafts (Project). The Project transverses several counties starting from Hood in Sacramento County down to Mountain House in San Joaquin County with a portion of the Project falling within the San Joaquin Valley (Valley). See Figure 1 below [See Exhibit 1].	
432-2	[Exhibit 1: Map of Bethany Reservoir Alignment for Delta Conveyance]	The commenter provided this exhibit for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter below.
432-3	The District [San Joaquin Valley Air Pollution Control District] offers the following comments regarding the Project: 1) Mitigation of Project Construction-related Criteria Pollutant Emissions Per the DEIR, Mitigation Measure AQ-2 (Offset Construction Criteria Pollutants in the San Joaquin Valley) states, "Prior to issuance of construction contracts, DWR will enter into a Voluntary Emissions Reduction (VERA) with the SJVPACD or develop an alternative or complementary mitigation program to reduce Nox and PM10. Emissions above the federal de minimis thresholds will be reduced to net zero. Emissions not above the de minimis thresholds, but above SJVAPCD's thresholds, will be reduced to quantities below the air district's thresholds...Should DWR be unable to enter that they regard as a satisfactory agreement with SJVAPCD, or should DWR enter an agreement with SJVAPCD but finds themselves unable to meet the performance standards established above, DWR will develop an alternative or complementary off-site mitigation program to reduce Nox and PM10 emissions according to the performance standard…" DWR will establish a program to fund emissions reduction projects through grants,	The comment quotes content from Chapter 23, Air Quality and Greenhouse Gases. This information is not a comment on the contents of the EIR. As noted in the above responses to this letter, DWR has reviewed all comments and will consider all comments in its decision-making process.

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	ERCs, or similar mechanisms…"	
432-4	1a. Level of Mitigation The District [San Joaquin Valley Air Pollution Control District] would like to clarify that in order to satisfy General Conformity and Project emissions exceeding de minimus thresholds, Project emissions shall be fully mitigated down to zero per §93.158(a)(2) (APR 2035 - General Conformity). Therefore, Mitigation Measure AQ-2 should be revised to reflect Project emissions of any pollutant exceeding a de minimus threshold be fully mitigated such that there is no net increase in emissions of that pollutant as a result of the Project.	As a state agency, DWR's action on the Delta Conveyance Project is not subject to the General Conformity Regulation (40 CFR 93.153). The general conformity determination for the Delta Conveyance Project is included in the Draft Environmental Impact Statement released by the U.S. Army Corps of Engineers in 2022 (Appendix J of the Delta Conveyance Project Draft EIS). While the EIR is not required to address the General Conformity Regulation, DWR developed Mitigation Measure AQ-2 in the EIR to mitigate project emissions consistent with CEQA requirements and to achieve conformance with the General Conformity Regulation for the EIS. As noted in the comment, the measure requires emissions be reduced to net zero (0) for those years in which emissions exceed the federal de minimis thresholds. The comment assertion that Mitigation Measure AQ-2 should be revised to mitigate all emissions of a pollutant that exceed a federal de minimis threshold is not consistent with the General Conformity Regulation, nor is it required to achieve project-level conformance with the Clean Air Act. The de minimis threshold rates in 40 CFR 93.153(b), Tables 93.153(b)(1) and (b)(2), are annual rates given in tons per calendar year. The total of direct and indirect emissions calculated for comparison with the de minimis threshold rates are also measured in units of tons per calendar year. Therefore, per EPA's direction under 40 CFR 93.153(b), only annual data are relevant, and mitigation is only needed for the years in which annual emissions equal or exceed the de minimis thresholds. Accordingly, Mitigation Measure AQ-2 is consistent with the General Conformity Regulation for the mitigation of air quality impacts to achieve project-level conformance.

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432-5	1b. Alternative Mitigation Strategy Since air quality emission impacts would be occurring within the jurisdiction of the District [San Joaquin Valley Air Pollution Control District], the development of the alternative mitigation strategy should obtain approval from the District before implementation, which should include verification of the construction emissions data. The District has statutory authority over air quality and has developed plans to attain state and federal standards that include emissions inventories to identify the sources and quantities of air pollutant emissions, evaluate how well different control methods have worked, and demonstrate how air pollution will be reduced in the Valley. The District has developed incentive programs around several core principles: cost-effectiveness, integrity, effective program administration, excellent customer service and accountability. The goal of the incentive programs is to assist the District in improving air quality in the Valley. Furthermore, the District's incentive programs are regularly audited by independent outside agencies including professional accountancy corporations on behalf of the federal government, the California Air Resources Board (ARB), California Department of Finance and the California Bureau of State Audits. Using developer funds to reduce emissions through our incentive program allows the District to track and verify the emissions reductions achieved, which in turn allows the District to certify to project proponents that the mitigation has been achieved, lending the District's expertise in such matters to any necessary defense of the CEQA document and associated air	DWR is committed to working with SJVAPCD and all other air districts in the Plan Area to reduce construction emissions and avoid adverse effects to regional and local air quality. As outlined under Mitigation Measure AQ-2 and discussed in Chapter 23, Air Quality and Greenhouse Gases, Impact AQ-2, DWR proposes to mitigate regional NOx and PM10 impacts in the San Joaquin Valley through a Voluntary Emission Reduction Agreement (VERA) with SJVAPCD. While use of a VERA is DWR's preferred method for mitigating air quality impacts, Mitigation Measure AQ-2 allows for an alternative mitigation program should a satisfactory agreement with SJVAPCD not be reached. The alternative mitigation program is not intended to supersede a VERA with the SJVAPCD. Rather, it is identified as a complementary approach to ensure emissions are offset according to the performance standards established by the environmental analysis. As noted in Mitigation Measure AQ-2, if deemed necessary, DWR would develop the alternative mitigation program "through consultation with SJVAPCD, other regional air districts, CARB, CEC, local governments, transit agencies, or others, as needed." All reductions from an alternative mitigation strategy would be achieved by DWR-sponsored projects and would not overlap with programs covered by SJVAPCD incentive programs. Pursuant to Mitigation Measure AQ-2, DWR would conduct annual reporting and tracking, which would be verified by a third-party expert to ensure emissions reductions projects achieve a 1:1 reduction with construction emissions. DWR recognizes the suggestion to achieve emission reductions through mechanisms other than offsets. The general approach to air quality mitigation for the project is first to implement onsite actions that eliminate or reduce emissions at the point of generation (see Appendix 3B, Environmental Commitments and Best Management Practices, and Mitigation Measures AQ-5 and AQ-9). Offsite measures (see Mitigation Measures AQ-1, AQ-2, AQ-3, AQ-6, and AQ-9), including offsets, are pursed after application of all feasible onsite mitigation. Refer to Common

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	quality mitigation. The District recommends the mitigation for the Project be carried out by other mechanisms, e.g. on-site mitigation measures, compliance with District Rule 9510 (Indirect Source Review), VERA, etc.	Response 15, Air Quality and Greenhouse Gases, for additional discussion regarding the approach to air quality mitigation. Emission reduction credits (ERCs) are referenced in Mitigation Measure AQ-2 as one potential approach for funding emission reduction projects through a DWR-sponsored alternative mitigation program. If pursued, DWR would develop the program in consultation with SJVAPCD to ensure emission reductions are rigorously and transparently achieved, and do not conflict with any existing SJVAPCD programs, including regulatory guidelines for new source review. Development of a VERA with SJVAPCD remains DWR's preferred approach to mitigating regional NOx and PM10 impacts. Refer to Common Response 15 for additional discussion regarding the approach to air quality mitigation.
432-6	1c. Emission Reduction Credits to Mitigate Air Quality Emission Impacts under VERA Mitigation Measure AQ-2 states emission reduction may be reduced through the use of Emission Reduction Credits (ERCs). District ERCs are generated via stationary source actual emissions reductions and utilized for stationary source permitting projects subject to District Rule 2201 (New and Modified Stationary Source Review Rule). Utilizing stationary source ERCs for a project involving non-permitted emission sources such as the Delta Conveyance Project is outside the scope of the District's ERC program. The District recommends the mitigation for the Project be carried out by other mechanisms, e.g. on-site mitigation measures, compliance with District Rule 9510 (Indirect Source Review), VERA, etc.	ERCs are referenced in Mitigation Measure AQ-2 as one potential approach for funding emission reduction projects through a DWR-sponsored alternative mitigation program. As discussed in response to comment 432-5, if pursued, DWR would develop the program in consultation with SJVAPCD to ensure emission reductions are rigorously and transparently achieved, and do not conflict with any existing SJVAPCD programs, including regulatory guidelines for new source review. Development of a VERA with SJVAPCD is DWR's preferred approach to mitigating regional NOx and PM10 impacts. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion regarding the approach to air quality mitigation.
432-7	2) Health Risk Assessment (HRA) and Ambient Air Quality Analysis (AAQA) The District [San Joaquin Valley Air Pollution Control District]	The health risk assessment (HRA) presented in Chapter 23, Air Quality and Greenhouse Gases, models annual diesel particulate matter concentrations by pairing hourly emissions with hourly meteorology to determine exposure. Pairing of the actual hourly emissions rates during the hours

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	reviewed the Health Risk Assessment (HRA) and Ambient Air Quality Analysis (AAQA) and has the following comments: - A scalar of "1" was used to account for variable emissions in the air dispersion model for the HRA and AAQA. This is appropriate when evaluating hourly impacts, but not annual impacts. For analyses where modeled concentrations are being paired with annual emissions estimates, the appropriate scalar must be used to avoid over or under representing emissions. Since the Project's construction activities are expected to occur 8 hours a day, 5 days a week, and 52 weeks a year, the District recommends the air dispersion model of the HRA be revised to ensure appropriate "scalars" are utilized so that the correct mass emissions are accounted for in the model. Please refer to the California Air Resources Board's "User Manual for the Hotspots Analysis and Reporting Program Air Dispersion Modeling and Risk Assessment Tool Version 2" section on scalars for more information.	when project is under construction provides a more realistic estimate of concentrations as it reflects the meteorological conditions at the time (e.g., 11am) the emissions are released to the atmosphere. It is also consistent with the CARB (2015:31-32) guidance referenced by the commenter. If annual average emission rates were used as input to the model, then it would have been appropriate to have scaled the modeled concentrations by a factor of 4.2 (8760/2080), as suggested in the comment. However, as noted above, the EIR analysis modeled actual estimated hourly emissions, which is a more accurate method. Accordingly, no revision to the EIR modeling approach is required.
432-8	The District [San Joaquin Valley Air Pollution Control District] recommends the HRA [Health Risk Assessment] be revised to ensure Fraction of time Away from Home (FAH) adjustment factors are not utilized in the health risk exposure assessment.	The comment request to incorporate fraction of time away from home (FAH) adjustment factors in the HRA is not supported by project-specific locational details. Use of FAH factors assumes that children will be exposed to comparable air concentrations and risks at home and at school. All receptors in the study area are rural locations with the nearest schools located at considerable distances from each discrete residential receptor. The nearest construction activity to a school is the increased highway traffic on I-5 in Stockton. The closest school to this activity is Hazelton Elementary, which is approximately 500 feet east of I-5. The maximum increase in risk at this distance is less than 1 in a million, negating the need to set FAH equal to 1. All other construction locations with the SJVAPCD are more than 3,200 feet from the nearest school. Accordingly, the use of non-default FAH factors is not needed.

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432-9	As stated in the DEIR, construction emissions from Project Alternative 5 would generate maximum 24-hour PM10 concentrations above the National Ambient Air Quality Standards (NAAQS) the Significant Impact Levels (SIL) and the California Ambient Air Quality Standards (CAAQS); maximum annual PM2.5 concentrations above the SIL (CAAQS and NAAQS); and maximum 24-hour PM2.5 concentrations above the SIL (NAAQS). Exceedance of Ambient Air Quality Standards and SIL thresholds may impact public health. Therefore, the District recommends the Project incorporate additional mitigation, as feasible, to reduce emissions concentrations to below the standards identified above.	The comment does not identify any additional feasible mitigation measures for DWR to consider beyond those already included in the Draft EIR. As described below, the Delta Conveyance project environmental commitments and mitigation measures comprise a comprehensive air quality mitigation package of feasible strategies to reduce particulate matter concentrations. The Delta Conveyance Project environmental commitments will minimize particulate matter emissions to the greatest extent practicable. Environmental Commitments EC-11, EC-12, and EC-4a will reduce construction fugitive dust emissions through the implementation of a dust control plan and best management practices (BMPs) at new concrete batch plants. Exhaust-related particulate matter emissions will be reduced through use of renewable diesel, Tier 4 diesel engines, zero-emissions equipment and vehicles (where feasible), newer on-road and marine engines, and other BMPs, as required by Environmental Commitments EC-7, EC-8, EC-9, EC-10, and EC-13. (see Appendix 3B, Environmental Commitments and Best Management Practices.) The EIR also includes mitigation measures to control particulate matter emissions and minimize public exposure to resultant pollutant concentrations, including Mitigation Measure TRANS-1 (Chapter 20, Transportation, Impact TRANS-1) and Mitigation Measure AQ-5. For example, Mitigation Measure AQ-5 requires corrective actions to reduce criteria pollutant concentrations near larger construction areas, as necessary. These corrective actions would include all feasible actions necessary to reduce particulate matter concentrations to an acceptable level. Thus, Mitigation Measure AQ-5 is consistent with the recommendation of the commenter to mitigation to further reduce potential public exposure to elevated ambient particulate matter concentrations.

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432-10	Truck Routing Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors. Construction activities from the Project are expected to result in increased HHD trucks trips. The District [San Joaquin Valley Air Pollution Control District] recommends the DWR evaluate HHD truck routing patterns associated with the Project's construction-related activities, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.	Sensitive receptors for noise, air quality, land use, traffic and wildlife were considered when siting project facilities. Consistent with the recommendation of the commenter, multiple siting studies have already been conducted to identify vehicle travel routes that would minimize effects to Delta communities from material hauling during construction (Delta Conveyance Design and Construction Authority 2022a, 2022b). Based on the evaluations, project design criteria were developed to restrict heavy-truck traffic on several Delta roadways (refer to Appendix 20A, Delta Conveyance 2020 Traffic Analysis). Construction workers likewise would not be allowed to use most Delta roadways. Park-and-ride facilities would be used to transport workers to job sites and further reduce employee traffic on Delta roadways. Restricting construction traffic along certain Delta roads would minimize heavy-truck travel through residential communities and associated receptor exposure to project-generated emissions. This is confirmed by analysis conducted for the EIR, which demonstrates diesel emissions from haul trucks would not result in a significant health risk impact (refer to Appendix 23C, Health Risk Assessment and Ambient Air Quality Analysis Methodology, and Chapter 23, Air Quality and Greenhouse Gases). Consequently, additional evaluation and mitigation is not required.
432-11	Reduce Idling of Heavy-Duty Trucks The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of HHD trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts. Since the Project is expected to result in HHD truck trips for construction-related activities, the District [San Joaquin Valley Air Pollution Control District] recommends the DEIR be revised	Compliance with California idling regulations is outlined in Environmental Commitment EC-7 of the EIR (Appendix 3B, Environmental Commitments and Best Management Practices). Specifically, Environmental Commitment EC-7 requires that construction contractors abide by 13 Code of Regulation (CCR) sections 2449 and 2485, which limit idling from off-road engines and heavy trucks, respectively. Because Environmental Commitment EC-7 is specific to off-road equipment, reference to 13 CCR section 2485 has been moved in the Final EIR to Environmental Commitment EC-8, which outlines control strategies for on-road haul trucks. Per the comment, reference to statewide restrictions for commercial vehicle idling proximate to schools (13 CCR section 2480) has also been added to Environmental Commitment

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	to include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.	EC-8.
432-12	5) District Rules and Regulations The District [San Joaquin Valley Air Pollution Control District] issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes. The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.	This comment provides general background information on air district permits, rules, and regulations. The project will comply with all applicable local air quality rules, regulations, and permit obligations. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion on compliance with air quality regulations and permits.
432-13	5a) District [San Joaquin Valley Air Pollution Control District] Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources Stationary Source emissions include any building, structure,	This comment provides general background information on air district permits, rules, and regulations. As discussed in the above responses to this letter, the project will comply with all applicable local air quality rules, regulations, and permit obligations. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion on compliance

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	facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT). Certain operations or activities within this Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (209) 557-6446.	with air quality regulations and permits.
432-14	5b) District [San Joaquin Valley Air Pollution Control District] Rule 9510 - Indirect Source Review (ISR) The Project is subject to District Rule 9510 because it will receives a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of space. The purpose of District Rule 9510 is to reduce the growth in both Nox and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their Nox and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission	This comment provides general background information on air district permits, rules, and regulations. Compliance with Rule 9510 is specifically referenced in the table titled Summary of Potential Agencies and Review, Approval, or Other Responsibilities, in Addition to Those under CEQA in Chapter 1, Introduction, of the EIR. Pursuant to Rule 9510, DWR will prepare and submit an Air Impact Assessment for the project. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion on compliance with air quality regulations and permits.

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	reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions. Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into DWR's analysis. One AIA application should be submitted for the portion of the Project that falls within the jurisdiction of the District. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm. The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm. District staff is available to provide assistance, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.	
432-15	5c) District [San Joaquin Valley Air Pollution Control District] Regulation VIII (Fugitive PM10 Prohibitions) The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 - Construction, Demolition, Excavation, Extraction, and Other	This comment provides general background information on air district permits, rules, and regulations. As discussed in the above responses to this letter, the project will comply with all applicable local air quality rules, regulations, and permit obligations. Specifically, Environmental Commitment EC-11, would minimize construction fugitive dust emissions through the implementation of a dust control plan. The dust control plan would outline measures consistent with the Regulation VIII control strategies such as watering exposed soil, applying dust suppressants to

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	Earthmoving Activities. Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950. The application for both the Construction Notification and Dust Control Plan can be found online at: https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx Information about District Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm	unpaved roads, stabilizing stockpiles with biopolymers, installing wind breaks, enforcing vehicle speed limits, and washing vehicles before exiting the construction site (Appendix 3B, Environmental Commitments and Best Management Practices). Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion on compliance with air quality regulations and permits.
432-16	5d) Other District [San Joaquin Valley Air Pollution Control District] Rules and Regulations The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).	This comment provides general background information on air district permits, rules, and regulations. As discussed in the above responses to this letter, the project will comply with all applicable local air quality rules, regulations, and permit obligations. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion on compliance with air quality regulations and permits.

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432-17	6) District Comment Letter The District recommends that a copy of the District's comments be provided to the Project proponent. If you have any questions or require further information, please contact Eric McLaughlin by email at [author's email] or by phone at [author's phone number].	All public comments received during the Draft EIR public review period are part of the Final EIR, which will be used by DWR decision makers and may be used by other entities for review, approval, and consultation requirements that may be necessary to implement the project, as described in Chapter 1, Introduction, in the section titled Intended Uses of this Final EIR and Agency Roles and Responsibilities.
435-1	To Whom It May Concern: The Sacramento Stormwater Quality Partnership (Partnership) appreciates this opportunity to provide comments on the July 2022 Delta Conveyance Project Draft Environmental Impact Report (EIR). The Partnership's review and comments focus on items that will affect operation of our stormwater management programs, including those that impact water quality and the science and governance entities that play an important role in protecting the Sacramento River-San Joaquin River Delta (Delta). The Partnership is comprised of the incorporated municipalities in the County of Sacramento that are permittees in the municipal separate storm sewer system (MS4) National Pollutant Discharge Elimination System General permit (Order No. R5-2016-0040, MS4 General Permit). The high quality of the American and Sacramento Rivers is a primary reason why the proposed Delta Conveyance Project intakes are located in the Sacramento River, which is adjacent to the Partnership permitted area. The Partnership's management programs, described in our Stormwater Quality Improvement Plan (SQIP)[Footnote] 1, are highly effective in	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. DWR has reviewed all comments and will consider all comments in its decision-making process. This comment includes introductory statements. Detailed comments are responded to herein.

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	improving urban runoff quality. The partnering agencies have strong working collaborations with each other as well as with neighboring communities to help implement pollution prevention programs and meet the requirements of the MS4 permit. Examples of this cooperative regional approach include the Partnership's participation in the development of the MS4 General Permit, the Delta Regional Monitoring Program (RMP), the Lower American River Sources of Bacteria Study, and numerous other regional programs and information sharing to improve water quality. We recognize that a project of this size is complex and resource intensive, and we have identified several significant comments addressing issues that could have profound effects on our stormwater management programs and local communities: [Footnote] 1 Sacramento Stormwater Quality Partnership. Stormwater Quality Improvement Plan. Submitted to Central Valley Regional Water Quality Control Board. November 2009. http://waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/sacramento/r5-2010-0017_2009sqip.pdf 1. Insufficient Characterization of Impacts Due to Segmenting the State and Federal Portions of the Project 2. Insufficient Evaluation of a Range of Climate Change Models for "No Project Alternative" 3. Insufficient Evaluation of Water Quality Impacts: Related to Modeling, Harmful Algal Blooms, Delta Methylmercury Wasteload Allocation Compliance, and upstream water quality 4. Insufficient Demonstration of Consistency with Antidegradation Policy and Water Quality Regulation 5. Insufficient Proposed Monitoring and Modeling Actions	
435-2	Comment No. 1.--Insufficient Characterization of Impacts Due to Segmenting the State and Federal Portions of the Project.	DWR properly defined the project as a whole in Chapter 3, Description of the Proposed Project and Alternatives, and evaluated it as such throughout the EIR. Please refer to Common Response 1, CEQA Process, General

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	The EIR fails to comply with CEQA segmenting guidelines for consideration of "the whole of the action" (CEQA Section 15378 a). The EIR considers only the State Water Project portion of the larger Delta Conveyance Project and does not directly consider the federal elements as stated in Chapter 1 (Introduction) and Chapter 3 (Description of the Proposed Project and Alternatives, page 3-1): "For the Delta Conveyance Project (project), DWR is preparing a standalone Draft EIR that will not be prepared jointly with a federal agency's National Environmental Policy Act (NEPA) compliance document. As explained in Chapter 1, a separate Environmental Impact Statement (EIS) will be prepared to meet the requirements of NEPA, with the U.S. Army Corps of Engineers (USACE) as the lead agency." CEQA Guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations) define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. Segmenting a project into two or more pieces and evaluating each piece in a separate environmental document could understate the overall project impacts. Segmenting a project may also hinder developing comprehensive mitigation and compensatory strategies. Without including the federal elements of the Delta Conveyance Project, the EIR segments project elements and omits potential impacts. Requested action: The Partnership requests that the EIR consider the federal components of the Delta Conveyance Project.	Approach to Analysis, and Other Environmental Review Issues, regarding the appropriate and required analysis of the project as a whole and the NEPA process related to the preparation of the Environmental Impact Statement (EIS) by the USACE, the level of project design, engineering, and potential need for subsequent environmental review. The EIR recognizes and considers all known state and federal actions and requirements (i.e., NEPA, CWA, Rivers and Harbors Act, Endangered Species Act, etc.) that would be needed for the project. These are shown in Chapter 1, Introduction, in the section titled Intended Uses of this Final EIR and Agency Roles and Responsibilities, under the subsection Federal Agencies. The potential for future environmental documentation necessitated by changes in design due to changing conditions and the dynamic nature of water management were considered to the extent feasible based on best available science and are discussed in Appendix 4A, Consideration of 2070 Conditions; Appendix 4B, North Delta Diversion Priority Sensitivity Analysis; Appendix 4C, Alternate Regulatory Scenario Sensitivity Analysis; and Appendix 30A, CalSim 3 Results Sensitivity to 2040 Climate Change and Sea Level Projections.

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435-3	COMMENT NO 2. INSUFFICIENT EVALUATION OF A RANGE OF CLIMATE CHANGE MODELS FOR "NO PROJECT ALTERNATIVE" The Partnership recognizes that the extent of climate change impacts introduces significant uncertainty in operation of the Delta Conveyance Project. As stated in the EIR, two of the purposes for the Delta Conveyance Project are: "To help address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events" and "to provide operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations." (page ES-7) The EIR assessed effects of climate change for a No Project Alternative (2040) scenario compared to project alternatives in 2040, however the model only includes a "conservative climate change and sea level rise assumption" (pg. 4-5), described as the "H++", a worst-case scenario: "While no current guidance exists for use of specific climate scenarios under CEQA, per the California Ocean Protection Council, the H++ scenario, or extreme risk aversion scenario, is recommended and relevant for high-stakes, long-term decisions and for projects with a lifespan beyond 2050 that have a low risk tolerance (Chapter 30, Climate Change). Based on this scenario, an extreme assumption for sea level rise of 1.8 feet was modelled for the No Project Alternative 2040 operations." [page 3C-10] EIR Appendix 30A summarizes a sensitivity analysis performed on climate change assumptions, but specifically states that "This analysis is not required by CEQA and is not used in	The sensitivity analysis summarized in Appendix 30A, CalSim 3 Results Sensitivity to 2040 Climate Change and Sea Level Projections, demonstrates the reliability of the climate change and sea level rise analysis presented in the EIR. Based on the results of the sensitivity analysis, DWR concluded that the climate change analysis contained in the EIR is sufficient and no further analyses are necessary because any subsequent analysis of project impacts on environmental resources under differing climate change and sea level rise scenarios would be similar to the analyses already contained in the EIR. Please refer to Common Response 6, Climate Resilience and Adaptation, for additional explanation regarding the sensitivity analysis. While not required to do so by CEQA, DWR evaluated climate change impacts in several locations in the EIR using multiple climate change scenarios and timeframes for informational purposes for the benefit of all audiences. As noted in the comment, the sensitivity analysis summarized in Appendix 30A is not required by CEQA and is not used in support of the CEQA findings provided in Chapters 7-32 of the EIR. However, as noted above, the sensitivity analysis validates the climate change analysis contained in the EIR and demonstrates that no additional analyses are necessary. Please refer to Chapter 4, Framework for the Environmental Analysis, regarding the approach to CEQA analysis. DWR decision makers will consider all information in the EIR when determining how to move forward. Please see Common Response 9, Hydrologic Modeling and Approach, for a description of the hydrologic model and uncertainty, including the selection of a climate change scenario for inputs and use of the best available tools. Water quality modeling and the use of DSM2, a water quality modeling tool, is addressed in Common Response 10, Surface Water Quality and Groundwater Resources.

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	support of the CEQA findings provided in Chapters 7-32 of the Draft Environmental Impact Report (EIR). ". This suggests that only the H++ climate change condition is considered in the EIR. The recommended use of the extreme climate change H++ scenario may be reasonable for certain types of long-range planning where decision making and design requires conservative estimates to ensure protection of life and property, but is not necessary to make relative comparisons of project impacts. In the case of the Delta Conveyance Project EIR water quality impact evaluation, the H++ scenario minimizes the relative impact of the Delta Conveyance Project compared to a more moderate average climate change estimate. In addition to the sea level rise, the H++ scenario also implements extreme temperature and other water quality conditions that tend to mask the water quality impacts of Delta Conveyance. Since one purpose of the project is to provide operational flexibility, the impacts of the changes of the operations are not adequately forecasted or fairly evaluated using only the H++ climate change assumptions without incorporation of the sensitivity analysis. Requested Actions: The Partnership requests that a broader range of climate change conditions be evaluated in such a way that Delta Conveyance Project water quality impacts can be quantified in the EIR.	
435-4	The understanding of harmful algal blooms (HABs) in the Delta is a focus for the State Water Resources Control Board, the Central Valley Water Quality Control Board, and multiple Delta Stakeholder groups. These agencies and stakeholder groups are using real-time analysis tools to better understand conditions where HABs occur. If the State Water Project (SWP)	The water quality analysis in Chapter 9, Water Quality, is based on hydrologic conditions with no climate change per the requirements of CEQA. The impacts described in Impact WQ-14, cyanobacteria harmful algae blooms (CHABs) indicate that the five primary environmental factors affecting formation of CHABs, which includes temperature, would not substantially change under project operations and therefore impacts were

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	diversion volumes increase in the northern delta due to the Delta Conveyance Project, basic thermodynamics and hydraulics tell us that water temperatures will increase and residence times will decrease compared to the "No Project Alternative" when climate change is not considered. The monthly evaluation conducted in this EIR where changes are compared against an extreme climate change assumption, results in the relative impacts being minimized. Moreover, the EIR does not evaluate or propose water quality monitoring and management tools be deployed to both detect and mitigate the potential water quality changes affecting HAB formation in localized areas.	determined to be less than significant and mitigation measures are not required. DSM2 modeling results in Appendix 9E, Cyanobacteria Harmful Algal Blooms, show daily average temperatures for all assessment locations would be negligibly different under all project alternatives relative to existing conditions. The water quality analysis in Appendix 9L, Water Quality 2040 Analysis, is based on hydrologic conditions with climate change and shows there would be no substantial difference between potential impacts due to project operations under climate change conditions relative to the information disclosed in Chapter 9. Finally, please refer to Chapter 30, Climate Change, the section titled Impacts of the Project Alternatives with Climate Change, for a discussion of potential impacts associated with the project alternatives, and which of those impacts may exacerbate climate change effects. Given the above, the EIR contains information regarding water quality conditions for a range of climate conditions. Please refer to 435-5 regarding monitoring programs.
435-5	The Partnership [Sacramento Stormwater Quality Partnership] requests that the proposed project include a commitment to develop stakeholder-involved monitoring and assessment tools that can be used to evaluate water quality impacts and compliance with water quality standards, including Basin Plan objectives, Total Maximum Daily Load (TMDL) requirements and HAB formation in localized areas that can accurately identify the impact from operation of the Delta Conveyance Project and climate change assumptions. These tools should consider compliance with the Delta methylmercury TMDL and all known causes of impairment of beneficial uses (e.g., HAB formation impacts on recreational and drinking water beneficial uses).	Please see response to comment 435-4 regarding range of climate change conditions evaluated throughout the EIR. There are currently ongoing water quality monitoring programs for the Delta, required by the regulating agencies (e.g., Regional Water Quality Control Board). For example, DWR is required to participate in the mercury control program (Phase 1 and 2) as part of the Delta TMDL. DWR is considered a "discharger" of mercury to the Delta and participated in Phase 1 (pilot studies, which included monitoring) and Phase 2 (not yet implemented) of the Delta Mercury Control Program. As described in Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, the Mitigation Monitoring and Reporting Program (MMRP) for the Delta Conveyance Project will include all mitigation measures for impacts identified as a result of constructing or

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		operating the approved alternative. The MMRP will verify mitigation measures are incorporated effectively. The actions identified by the comment are broader than those related to the potential impacts of the project alternatives disclosed in Chapter 9, Water Quality, and required by the mitigation measure(s) identified for water quality. As described in Appendix 3G, Community Benefits Program Framework, a Delta Community Fund will include water and air quality as potential resource categories for potential actions that could be funded. For example, those resource categories include actions with the objective to enhance air and water resources needed to support healthy communities, such as addressing local issues with pollutants (e.g., water quality monitoring).
435-6	COMMENT NO. 3 – INSUFFICIENT EVALUATION OF WATER QUALITY IMPACTS The EIR Chapter 9 assessment of water quality does not adequately address Delta Conveyance Project water quality impacts including cumulative future impacts due to operations of the project facilities and the restoration areas included in the Compensatory Mitigation Plan (Chapter 3). The following components of the water quality evaluation (Chapter 9) are insufficient 1) water quality modeling methods and evaluation, 2) HABs, 3) compliance with the Delta methylmercury TMDL, and 4) consideration of upstream water quality impacts. Water Quality Modeling Methods and Results The EIR considers water quality modeling on a monthly time step basis which is inadequate to assess all aquatic life beneficial uses (i.e., exposure periods less than one month). The EIR quantified changes in concentrations, but does not describe the technical basis for not identifying impacts or an evaluation of project impacts during critical water quality	The water quality modeling to support analyses in Chapter 9, Water Quality, was conducted for boron, bromide, chloride, electrical conductivity (EC), organic carbon, mercury, and selenium. Water quality modeling was also conducted for temperature, velocity, and residence time to support the cyanobacteria harmful algal bloom (CHAB) analysis. Levels of boron in Delta source water are of primary concern to agricultural uses, not aquatic life uses. Bromide, chloride, and organic carbon concentrations in Delta source waters are of primary concern to drinking water uses, not aquatic life uses. Mercury is of primary concern for bioaccumulation, not short-term exposure to aquatic life. The Bay-Delta Water Quality Control Plan has an EC objective for protection of fish and wildlife expressed as a 14-day running average, and EC modeling results were compared to this objective on this timescale. Selenium is of concern to aquatic life on a shorter timescale than one month; however, all Delta assessment location concentrations are well below applicable aquatic life criteria as described in Impact WQ-10 (selenium), and project operations could not make selenium concentrations be above criteria. Hence, the water quality modeling was conducted at appropriate time-steps to determine impacts on beneficial uses. For CHABs, channel velocity was evaluated on a 15-minute time-step and water temperature was evaluated on daily and monthly time-steps. The CHAB impact analysis concludes that the project alternatives would not

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	conditions for aquatic life beneficial uses. Water quality modeling is a critical tool to estimate Delta Conveyance Project impacts and was performed in the EIR. The EIR used CalSim 3 flow inputs and DSM2 to estimate water quality impacts for all quantitative assessments: "Modeling was conducted using CalSim 3 to quantify river inflows to the Delta under existing conditions and the alternatives. The modeling of constituent concentrations (or levels) within the Delta under existing conditions and the alternatives relied on output from the DSM2, a one-dimensional mathematical model for dynamic simulation of hydrodynamics, water quality, and particle tracking throughout the Delta. DSM2 can directly model EC and DOC, and also outputs the fraction of each Delta source water (e.g., Sacramento River, San Joaquin River, San Francisco Bay) at selected Delta locations. Details of the DSM2 modeling, including model development, input, and limitations, are provided in Appendix 5A, Modeling Technical Appendix." (page 9-33) This technical approach to assess water quality conditions is insufficient because 1) the evaluation time step is not protective of aquatic life beneficial uses, 2) locations near to the proposed diversions are not reported, and 3) a number of constituents are not evaluated quantitatively.	affect the factors associated with CHAB formation in the Delta: water temperature, nutrients, turbulence, or mixing clarity. There could be some increases in residence time at some Delta locations in some months, but these increases would not be sufficient to cause increased frequency or magnitude of CHABs. The assessment locations were focused on the Delta, where project operations would have the potential to alter water quality. Locations near the proposed diversion were not assessed because, as described in Chapter 9, the project alternatives would not affect surface water quality in the reservoirs and rivers upstream of the Delta. This conclusion is supported by modeling output in Appendix 5A, Modeling Technical Appendix, and analysis included in the Upstream of Delta Water Quality Analysis technical memorandum (Robertson-Bryan Inc. 2023; cited in Appendix 9L, Water Quality 2040 Analysis, in the section titled Impacts of the Project Alternatives on Water Quality in Waters Upstream of the Delta at 2040), which is part of the EIR administrative record, showing little to no change in upstream reservoir storage and river flows. Where some changes were modeled to occur (Oroville Reservoir and Feather River), those changes would not affect upstream water quality. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the scope of the study area evaluated in the EIR for different resources, including fish and aquatic life. Please refer to Common Response 3, Alternatives Development and Description, regarding Delta Conveyance Project's operations, which does not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes. Please refer to Common Response 9, Hydrologic Modeling and Approach,

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		regarding modeled representation of upstream effects and operations criteria. Given the above, the evaluation of potential water quality changes and impacts is adequate and based on substantial evidence presented in the EIR. The record provides sufficient disclosure of the lack of impacts upstream for decision makers to understand.
435-7	Averaging periods are inadequate to characterize critical aquatic life conditions The water quality modeling was performed and reported using an insufficiently coarse time step (monthly) to adequately assess impact on beneficial uses, especially protection of aquatic life acute and chronic exposures. The EIR explains that this deficiency is a limitation of using CalSim 3 data, however, the EIR could perform additional post processing based on water quality distributional information to determine estimated maximum and central values and associated confidence intervals. Omission of this analysis results in an inadequate evaluation of aquatic life beneficial uses. Requested Action: The Partnership [Sacramento Stormwater Quality Partnership] requests that the quantitative evaluation consider at least a daily time step to ensure protection of aquatic life using the maximum and central values and associated confidence compared to the relevant water quality objectives.	Please see response to comment 435-6 regarding the adequacy of the water quality modeling conducted for the EIR to assess impacts on beneficial uses and the constituents of concern related to aquatic life and water quality objectives used in the evaluation. Also, please see Common Response 10, Surface Water Quality and Groundwater Resources, regarding the use of monthly average modeling results in the water quality impact analysis. Chapter 12, Fish and Aquatic Resources, also evaluates constituents of concern, as appropriate, due to the construction or operation of the project (e.g., Impact AQUA-2 and water temperature, CHABs, and metals; Impact AQUA-6 and selenium).
435-8	Locations near to the proposed intakes and upstream are not considered The section of the Sacramento River from the proposed intake	Please see response to comment 435-6 regarding the analysis of water quality effects upstream of the Delta and in the vicinity of the project intakes.

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	to the upstream legal boundary of the Delta (I Street Bridge) is not considered in the evaluation specifically through water quality modeling or quantitative or qualitative assessments. Because the proposed intake will increase tidal effects upstream there will be increases in reverse flow periods and salinity intrusion that is not specifically addressed. Requested Action: The EIR should include model results in the immediate vicinity of the proposed diversions up to the I Street Bridge using a more detailed three-dimensional model. Discharge evaluations for the publicly operated treatment plant (POTW) in this vicinity have performed similar evaluations. The objective of the study should be to determine the near-field effect on flow and water quality for protection of aquatic life and municipal drinking water beneficial uses.	
435-9	Harmful Algal Blooms The EIR modeling identified longer residence times in Delta sloughs and low-grade tributaries that might exacerbate HAB conditions (P 9-27): "To date, monitoring for cyanotoxins has been dependent on funds that support bloom response, special projects, or opportunistically at other Delta locations when the Central Valley Water Board or local entities respond to reports of CHAB presence. As such, Delta CHAB and cyanotoxin monitoring has generally been inconsistent and incomplete in terms of geographic coverage, which makes it difficult to assess changes over time. Nevertheless, the California Cyanobacteria and Harmful Algal Bloom Network Harmful Algal Bloom incident	As described in response to comment 435-10, Chapter 9, Water Quality, provides a complete analysis of the project impacts on CHABs in the Delta. This included an assessment of water temperatures, velocity, and residence time at numerous locations throughout the Delta using DSM2 modeling. The comment assertion that the residence time modeling approach supporting the CHABs analysis in Chapter 9 is inadequate is not supported by the current scientific understanding of cyanobacteria growth and the formation of CHABs in the Delta. Please see Common Response 10, Surface Water Quality and Groundwater Resources, regarding the appropriateness of the residence time modeling and calculations performed to support the CHABs analysis in Impact WQ-14. As described in Common Response 10, DSM2 is the best available tool for simulating Delta hydrodynamics and water quality in the Delta.

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	report portal and published studies suggest that cyanotoxins are increasing since they were first detected in the Delta." Multiple EIR modeled site locations had increases in residence time and temperature suggesting future HAB impairment amplification by the project alternatives. The EIR asserts that the mean increases are too small (<10%) relative to the mean residence time to have a significant effect on HAB growth: "While some modeled increases in residence time under the project alternatives are longer than 24 hours, all modeled increases are less than 10%, relative existing conditions." (page 9-171) Multiple locations in the EIR state that residence time modeling is a coarse estimate and that HAB growth is not entirely understood: "Residence time within portions of an open waterbody can vary based on such site-specific conditions, which DSM2 cannot model. Hence, the output from DSM2 for the open water areas can only provide a rough estimate of residence time for the entire waterbody and a general indication of whether the project alternatives would be expected to increase or decrease residence times for the entire open waterbody and does not provide any information about site-specific conditions in the open waterbodies that may be important for CHABs. Hence, DSM2 cannot provide definitive residence time estimates for open waterbodies or definitive estimates for changes in residence time due to the project alternatives for open waterbodies." (page 9-159)	

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	"...the relationship between residence time (or increases in residence time at a specific location) and the size of microcystis blooms (should a bloom occur at the site) would be expected to vary substantially by location within the Delta and by year due to how the factors listed above and other environmental factors vary temporally and spatially." (page 9-175) Given these EIR uncertainties and other literature, the EIR should quantitatively evaluate the occurrence of HABs that considers both quantitative error and infrequent HAB occurrences that may still impair beneficial uses. The EIR assessment evaluates mean conditions and up to the 90th percentile occurrence for residence time, but does not estimate the error in these estimates or evaluate the low occurrence (e.g., 99th percentile) condition which could trigger a HAB.	
435-10	Moreover, the EIR evaluation does not explicitly evaluate the future climate change conditions where other HAB favorable factors are more frequent, making residence time the limiting factor. Instead, the EIR concludes that because only residence time is increased and the project does not substantially change other factors, the Delta Conveyance Project has no significant negative impact on HAB growth: "Because these other four parameters of water temperature, turbulence and mixing, nutrient levels, and water clarity and associated irradiance are key to the initiation of blooms and subsequent growth, the project alternatives would not be expected to cause more frequent CHABs anywhere in the Delta, relative to existing conditions." (page 9-173 to 9-174) In the climate change scenario where these other factors may	Chapter 9, Water Quality, provides a complete analysis of the project impacts on CHABs in the Delta. This included an assessment of water temperatures and residence time at numerous locations throughout the Delta using DSM2 modeling. Monthly and daily average temperatures for all assessment locations would be negligibly different than those under existing conditions. The water quality impact analysis concludes that there could be some increases in residence time in some locations of the Delta in some months (Impact WQ-14). These increases would not be sufficient to alter cyanobacteria dynamics such that they would negatively affect any beneficial use. The EIR concluded that project alternatives would not affect water temperature, nutrients, turbulence and mixing, water clarity, or residence time to cause substantially increased frequency or magnitude of CHABs. Impacts to CHABs would be less than significant. Please see Appendix 9L, Water Quality 2040 Analysis, Impact WQ-14 that uses Delta hydrology at 2040 compared to 2020 to address impacts of climate change on CHABs. The assessment concludes there would not be a substantial

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	increase in any localized area, the Delta Conveyance Project residence time increase could have significant HAB impacts that are not addressed in the EIR. As an example, the August 2022 San Francisco Bay HAB blooms were likely triggered by the reduction in upstream flows and nutrient abundant conditions. This example is indicative of the potential for HAB blooms when flows are decreased and residence times are increased in localized areas. Requested actions: The Partnership [Sacramento Stormwater Quality Partnership] requests that the EIR evaluate whether residence time and temperature increases attributed to the Delta Conveyance Project will increase the likelihood of HAB blooms regardless of climate change scenarios and whether the Delta Conveyance Project impacts will amplify HAB occurrence under climate change scenarios.	increase in the frequency or severity of CHABs due to implementation of the project alternatives.
435-11	The Partnership [Sacramento Stormwater Quality Partnership] requests that the operators of the Delta Conveyance Project commit to funding the Delta RMP and the Regional Water Board nutrient and HAB monitoring, management, and mitigation studies. The stakeholder Delta RMP [Regional Monitoring Program] is comprised of local agencies, regulators, and water managers working to protect Delta water quality. [Footnote 2: http://deltarmp.org] The Regional Water Board participates in the Delta RMP and implements other nutrient and HAB monitoring and assessment programs. By directly funding the Delta RMP, the proponents of the Delta Conveyance Project would directly engage with local agency stakeholders on technical water quality issues and better align consensus based science efforts.	DWR currently participates in the Delta RMP and is expected to continue to participate. Please see response to comment 435-5 regarding mitigation measure(s) related to water quality and the Delta Community Fund described in Appendix 3G, Community Benefits Program Framework. The Delta Community Fund could be used to fund actions related to water quality, such as actions with the objective to enhance water resources needed to support healthy communities (e.g., addressing local issues with pollutants).

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435-12	Delta Methylmercury Wasteload Allocation Compliance The EIR does not address how the Delta Conveyance Project would comply with existing methylmercury water quality requirements nor does it identify existing wasteload allocations for "open water" transfers when evaluating water quality impacts. The Basin Plan as amended by Resolution R5-2010-0043 for the Delta Methylmercury Total Maximum Daily Load (TMDL) identified DWR as an "open water" source of methylmercury: "Open water allocations are assigned jointly to the State Lands Commission, the Department of Water Resources, and the Central Valley Flood Protection Board as applicable." DWR operations are a significant contributing source to the methylmercury impairment in the Delta in nearly every subbasin and has wasteload allocations that will require loads to remain the same or decrease significantly (Table A. Methylmercury Load and Waste Load Allocations for Each Delta Subarea by Source Category, Resolution R5-2010-0043, page 20). There is no discussion in the EIR of how the Delta Conveyance Project and the Compensatory Mitigation Plan (CMP), which creates restoration areas known to methylate mercury, will address wasteload compliance. Requested actions: The Partnership requests that the EIR evaluate Delta Methylmercury TMDL compliance relevant to the Delta Conveyance Project and how DWR's actions will ensure compliance with the final Basin Plan waste load allocations in the EIR.	The project would be in compliance with DWR's wasteload allocations in the Delta Methylmercury TMDL. Project operations would not create new sources of mercury or methylmercury in the Delta. The quantitative analysis of mercury and methylmercury presented in Chapter 9, Water Quality, Impact WQ-6, supported by model outputs in Appendix 9H, Mercury, found there would be little to no change in Delta water column concentrations of total mercury and fish tissue concentrations of methylmercury. Furthermore, project operations would not increase mercury loading to the Delta. Chapter 5, Surface Water, describes how there would be consistent decreases in long-term average flows in all months for the Sacramento River north of Courtland (i.e., downstream of the proposed north Delta intakes) due to project diversions. Thus, Sacramento River diversions associated with the project would reduce mercury and methylmercury loads in the north Delta. The Compensatory Mitigation Plan with implementation of Mitigation Measure WQ-6 would also be in compliance with DWR's wasteload allocations in the Delta Methylmercury TMDL. Mitigation Measure WQ-6 directs the development and implementation of a mercury management and monitoring plan to minimize the generation of methylmercury within the new tidal habitats. A performance standard is included to implement adaptive management actions to reduce methylmercury generation in the tidal habitats if monitoring data shows statistically significant and higher average mercury concentrations in tissues of fish collected from within and immediately adjacent to the new tidal habitat. Finally, DWR is required to participate in the mercury control program (Phase 1 and 2) as part of the Delta TMDL, and participated in Phase 1 (pilot studies, which included monitoring) and Phase 2 (not yet

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		implemented) of the Delta Mercury Control Program.
435-13	Moreover, the Basin Plan specified that DWR was to prepare an evaluation of methylmercury control measures, which was not included in their detailed monitoring and modeling report "(Delta Mercury Control Program Phase 1 Tidal Wetlands and Open Water Methylmercury Control and Characterization/Control Reports " Independent Scientific Review. A report to the Delta Science Program. page 61)." The "open water" category of the Delta Methylmercury TMDL sources is one of the largest contributors as shown in Figure 1. The EIR does not adequately address methylmercury control or compliance with Basin Plan wasteload allocations. The Partnership [Sacramento Stormwater Quality Partnership] requests that DWR develop modeling tools to evaluate management actions that consider a range of potential climate change scenarios, since the operation of compensatory mitigation projects (i.e., restoration areas) will increase methylmercury loading and open water management is the largest controllable contributor to the Delta methylmercury source load.	Please see response to comment 435-12 regarding the effect of project operations and the Compensatory Mitigation Plan on mercury and methylmercury loading to the Delta relative to load allocations in the Delta Methylmercury TMDL and Central Valley Regional Water Quality Control Board's Basin Plan.
435-14	[Exhibit 1: Basin Plan Amendment for Methyl and Total Mercury in the Sacramento San Joaquin Delta Estuary, February 2008.]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
435-15	Upstream Water Quality The EIR Water Quality Chapter 9 Appendix 9L (page 1, lines 1 to 6) summarizes that upstream water quality will not be impacted by any of the project alternatives: "Because the project alternatives would not have substantial, if	Please see response to comment 435-6 regarding the analysis of water quality effects upstream of the Delta included as part of the record for the EIR. As noted in that response and multiple Common Responses (e.g., Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, and Common Response 3, Alternatives Development and Description), the Delta Conveyance Project's operations do not include changes to State Water Project or Central Valley Project

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	any, effects on water quality constituents in waterbodies upstream of the Delta, the constituent-specific assessments do not have a separate discussion for this region (refer to Upstream of Delta Water Quality Analysis [Robertson-Bryan, Inc. 2022])." The Partnership [Sacramento Stormwater Quality Partnership] reviewed a copy of the July 2022 technical memorandum "Upstream of Delta Water Quality Analysis" (RBI, 2022) [Footnote 3: 3 RBI, 2022 was not provided with the EIR, but was provided later on request. This technical memorandum was used as the basis for the finding of “no upstream impacts”.] and identified several specific evaluation insufficiencies or incorrect findings. The most significant flaw in the mostly qualitative analyses is that only reservoir level and outflow changes on the upstream condition are considered for water quality in "study area rivers". In fact, water quality will be impacted significantly during critical periods related to lower flow rates and increased residence time. The upstream evaluation identifies changes in flow rate as a primary driver of Delta Conveyance Project impacts, but does not consider the impact of enhanced reverse flow conditions upstream of the I Street bridge due to the diversion and lower American River flow: "River flow rates also can affect physical processes, such as temperature gradients, erosion processes that drive TSS [total suspended solids] and turbidity levels, and turbulence that affect reaeration processes. The primary mechanism by which the project alternatives could affect water quality within study area rivers is through changes in flow rates." (RBI, 2022 page 6)	operations upstream of the proposed north Delta intakes, thus the effects on upstream rivers related to water quality and fish would not occur or would be highly limited. Therefore, monitoring and or mitigation measures are not needed nor applicable upstream of the north Delta intakes. Regarding the request for stakeholder involved monitoring and assessment, please see response to comment 435-5.

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	"Changes in the other constituents (i.e., boron, bromide, chloride, EC, mercury, organic carbon, selenium, and pesticides) would be unlikely to occur from changes in river flow rates and instead would be more likely to change from external source contributions, which would not be affected by the project alternatives." (RBI, 2022 page 7) The upstream evaluation summarized potential flow impacts on the American River as follows: "…a decrease of 7% in August of below normal years under Alternatives 2c and 4c." (RBI, 2022 page 7) and, "The greatest decrease in modeled monthly average flow rates during these water year types occurs in May of critical years, which has a decrease of 5% under Alternatives 2b, 2c, 4b, and 4c. And a decrease of 4% under Alternatives 1, 2a, 3, 4a, and 5." (RBI, 2022 page 7) Because the modeling average period was only provided on a monthly basis, critical one-day or seven-day periods were not evaluated. A shorter averaging period would result in more extreme occurrences and more significant impacts. Decreases in flow and residence time of 4-7% are significant during June through October, especially for the occurrence of HABs in the American River. Requested Actions: The Partnership requests that the EIR identify and assess the impacts of Delta Conveyance Project operations during critical	

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	aquatic life conditions (e.g., maximum observed concentration, 4-day average concentration, etc.) during critical flow and sensitive periods (e.g., 1Q10 and 7Q10 flows, for acute and chronic exposures respectively). The Partnership requests that the Delta Conveyance Project include implementation of a monitoring and assessment program to support management effectiveness assessments and protect water quality upstream of the proposed diversions and in the Delta (also see Comment No. 4 [see Comment 435-17]).	
435-16	Additionally, decreases in American River flows will generally increase downstream Sacramento River concentrations of other constituents as the American River generally dilutes upstream Sacramento River concentrations (salinity, solids, etc.). There is no quantitative assessment of this impact during critical periods to support all beneficial uses.	Please see response to comment 435-6 regarding the analysis of water quality effects upstream of the Delta included as part of the record for the EIR.
435-17	COMMENT NO. 4 -- INSUFFICIENT DEMONSTRATION OF CONSISTENCY WITH FEDERAL AND STATE ANTIDEGRADATION POLICY Antidegradation policies have been issued at both the federal and State of California (State) level. These policies are intended to protect existing water quality and associated beneficial uses. The federal policy is expressed as a regulation in 40 CFR section 131.12. and requires protection of existing in-stream uses and water quality necessary to protect those uses. The federal policy also requires maintenance and protection of water quality beyond that required to support propagation of fish, shellfish and wildlife, and recreation (i.e., meet "fishable, swimmable" standards) when high water quality exists, unless a state finds that lower water quality is necessary to	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the relationship of the State Antidegradation Policy to the EIR and the CEQA process. Please also see Common Response 10, Surface Water Quality and Groundwater Resources, for information on how antidegradation policies were considered when formulating thresholds of significance for use in the EIR. As described in those Common Responses, the thresholds used in Chapter 9, Water Quality, are related to state and federal antidegradation policies, and application of antidegradation policy will be considered by the State Water Board with respect to DWR's application to change the points of diversion in their water right permits.

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	accommodate important economic and social development. The State policy, adopted in 1968 as a resolution of the State Water Resources Control Board (State Water Board, Resolution 68-16), addresses the need to maintain high quality waters in California consistent with maximum benefit to the people of the State. USEPA Region 9 [Footnote 4: USEPA Region 9. Guidance on Implementing the Antidegradation Provisions of 40 CFR 131.12. June 3, 1987. http://water.epa.gov/scitech/swguidance/standards/adeg/upload/Region9_antideg_guidance.pdf] and the State Water Board [Footnote 5: Attwater, William, Chief Counsel, State Water Resources Control Board. Federal Antidegradation Policy. Memorandum to Regional Board Executive Officers. October 7, 1987.] also provided guidance on implementing the antidegradation provisions. These guidance documents specify that diversion projects, such as the Delta Conveyance Project, meet antidegradation requirements. The USEPA Region 9 guidance document specifies that actions subject to antidegradation requirements include "3. Other "major Federal actions" (pursuant to NEPA and the Endangered Species Act)" and "4. Water quantity/water rights actions which affect water quality." The EIR is insufficient because it does not specify how the Delta Conveyance Project fulfills the requirements in the federal and state policies. Specific Findings in EIR Supporting Need for Complete Antidegradation Analysis The EIR includes a screening on a constituent-by-constituent	

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	basis to identify problematic constituents, but it does not provide findings on antidegradation or a justification for not considering antidegradation. For this screened subset of problematic constituents, the EIR CEQA findings are based on quantitative or qualitative assessment comparisons to water quality objectives. The constituent-by-constituent evaluation and screening process does not address antidegradation analysis requirements. There are numerous instances where the EIR should trigger a detailed antidegradation analysis, which would require an evaluation of whether the proposed project is to the benefit of the people of the State as compared to an alternative. The EIR, however, fails to adequately make this demonstration or consider the balance of water quality and socioeconomic impacts.	
435-18	Methylmercury The EIR found that restoration areas constructed as part of the Delta Conveyance Project Compensatory Mitigation Plan would create potentially significant impacts: Measurable increases in methylmercury concentrations in waters and fish within and near the new tidal habitats could potentially occur. Methylmercury is CWA Section 303(d)-listed within the Delta. As such, if the new tidal habitats have higher aqueous methylmercury concentrations than surrounding Delta water, they could make the existing CWA Section 303(d) mercury-related impairment discernably worse. Because mercury is bioaccumulative, elevated water-borne methylmercury concentrations that could occur in new tidal habitats would bioaccumulate in aquatic organisms that could,	Mitigation Measure WQ-6 is in the EIR to address increased methylmercury concentrations that may occur with implementation of the CMP. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding an antidegradation analysis and the relationship to the project.

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	in turn, pose increased health risks to wildlife or humans consuming those organisms, relative to existing conditions. Thus, in an abundance of caution, DWR has determined that the impact of new tidal habitats created in accordance with the CMP on mercury concentrations in Delta organisms residing within the wetlands and immediately adjacent Delta waters is potentially significant. (page 9-114 lines 41-46 and page 9-115 lines 1-5, emphasis added) Therefore, the EIR identifies methylmercury impacts to an already methylmercury-impaired water but does not perform a complete antidegradation analysis including a characterization of the water quality impacts and a socioeconomic demonstration of why any identified degradation is in the best interest of the people of the State of California compared to measures to fully mitigate degradation.	
435-19	Harmful Algal Blooms The EIR identifies factors that contribute to harmful algal blooms in the Delta: "There are five primary environmental factors that provide favorable conditions for microcystis to outcompete other phytoplankton in the water column of Delta waters. Water temperatures higher than 19°C (66.2°F). Low channel velocities resulting in low turbulence and mixing. Long residence times, which allow cells produced to remain in or near a site rather than being flushed downstream. Long residence times result in accumulation of higher cell densities,	The EIR used DSM2 to model residence time at several locations throughout the Delta. Depending on location and month, the project alternatives result in increases, decreases, or no change in modeled residence time. In the example provided by the commenter, an increase in median residence time of 2 to 6 hours in residence time (like shown in Appendix 9E, Cyanobacteria Harmful Algal Blooms, in the table titled Franks Tract, Time [in hours] to Flush 90 Percent of Water from the Location, July) is not sufficient to increase the magnitude or severity of CHABs, or cause conditions to be more conducive to a bloom forming, relative to existing conditions. The greatest increases in residence time would occur in the central Delta, in Discovery Bay, where there are already very long residence times (i.e., 2 to 5 weeks under existing conditions). Increases in residence time for the project alternatives may contribute to more Microcystis cell and colony production and accumulation/aggregation in Discovery Bay due to a 1- to 2-day increase in residence time in July at this location. However, an additional day or two of residence time at

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	which can result, in turn, in higher cyanotoxin concentrations. Water column irradiance and clarity greater than 50 micromoles per square meter per second (µmoles/m2/s). Sufficient nutrient availability (nitrogen and phosphorus levels)." (page 9E-3) The EIR stated that residence time will increase at a number of locations (e.g., page 9E-97, Table 9E-3-4-2) due to the Delta Conveyance Project, however, upstream conditions and conditions proximate to the proposed diversion were not evaluated. This increase in residence times will likely result in increases in occurrences of HABs, as residence time is often the limiting factor in HAB occurrence in the Delta and upstream of the Delta. The EIR does not quantify upstream impacts to residence time, although decreased American River average flow rates (page 7, RBI 2022) were identified in the EIR. The EIR does not consider HAB water quality impacts for antidegradation purposes.	Discovery Bay (a location that already has annual CHAB events) would not cause Microcystis blooms to substantially increase in size or last substantially longer, relative to existing conditions. This is because the other four environmental drivers would not change under project alternatives, competition with other algae, grazing losses, virus losses would continue, the area would continue to be tidally influenced and experience both tidal and wind induced velocity that would interfere with the life history strategy of Microcystis. Please see responses to comments 435-6 and 435-15 regarding the analysis of water quality effects upstream of the Delta included as part of the record for the EIR.
435-20	Salinity The EIR demonstrated that the Delta Conveyance Project will increase salinity at many locations in the Delta (pages 9-104 to 9-107) beyond existing conditions. This water quality impact is not considered for antidegradation purposes.	Chapter 9, Water Quality, Impacts WQ-3 (bromide), WQ-4 (chloride), and WQ-5 (electrical conductivity) present analysis showing that the modeled increases in these salinity parameters would be less than significant. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding an antidegradation analysis and the relationship to the project.
435-21	Requested Action: The Partnership [Sacramento Stormwater Quality Partnership] requests that DWR perform a complete antidegradation analysis according to the state and federal guidance, particularly for constituents identified as having potentially	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding an antidegradation analysis and the relationship to the project.

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	significant increases such as methylmercury, salinity, and HABs, with consideration to the current regulations and management programs such as the Delta Methylmercury TMDL, Central Valley Salinity Alternatives for Long-Term Sustainability (CV-Salts), and California's Freshwater and Estuarine Harmful Algal Bloom Program.	
435-22	COMMENT NO. 5 -- INSUFFICIENT PROPOSED MONITORING AND MODELING ACTIONS The EIR does not propose an ongoing means to track impacts to water quality, especially methylmercury and HABs, or to evaluate mitigation actions (see Comment No. 2 - water quality) [comments 7-12]]. Section 3.18, Adaptive Management and Monitoring Program, identifies monitoring and assessment as a requirement for the Delta Conveyance Project (page 3-159): "CEQA requires a lead or responsible agency to adopt a program of monitoring or reporting when making findings requiring mitigation or project revisions to mitigate or avoid a significant impact in conjunction with approving a project, to ensure that the mitigation or project revisions are implemented" (CEQA Guidelines §15097). The EIR also indicates the elements of such a monitoring program (page 3-160): "The plans would outline key uncertainties for tidal wetlands, channel margin, riparian, and floodplain restoration projects intended to benefit listed terrestrial and fish species and offset potential effects of the project. Effectiveness monitoring and research studies would be necessary to examine the ecological	Please see response to comment 435-5 regarding mitigation measure(s) related to water quality and the Delta Community Fund described in Appendix 3G, Community Benefits Program Framework. The Delta Community Fund could be used to fund actions related to water quality, such as actions with the objective to enhance water resources needed to support healthy communities (e.g., addressing local issues with pollutants). Furthermore, DWR will develop the Mercury Management and Monitoring Plan described in Mitigation Measure WQ-6, which will include monitoring and adaptive management with the goal of minimizing generation of methylmercury that may occur with implementation of the Compensatory Mitigation Plan. All other impacts on water quality constituents from implementation of the project alternatives would be less than significant. In addition, the Operations Adaptive Management and Monitoring Plan (OAMMP) will detail the process for informing additional studies and for modifying select operations and design elements of the north Delta diversion facilities to help better understand and address uncertainties concerning effects of the proposed project on listed fish species (see Chapter 3, Description of the Proposed Project and Alternatives, and Common Response 3, Alternatives Development and Description, for more information regarding the OAMMP and adaptive management). In addition to new monitoring studies associated with the OAMMP, data collected from ongoing monitoring (water quality, fisheries, etc.) through established programs (e.g., the Interagency Ecological Program) would be used, to the extent feasible, to examine the broader scale ecological changes and help

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	function of planned restoration. These site-specific adaptive management plans for habitat creation and restoration would track progress toward management objectives, to improve understanding of restoration effectiveness, and to trigger remedial actions as needed to adjust management to achieve mitigation goals." The Partnership [Sacramento Stormwater Quality Partnership] agrees that a monitoring and effectiveness assessment program is critical to manage the Delta Conveyance Project operation. However, this monitoring and effectiveness program should consider additional primary and secondary impacts from the Delta Conveyance Project that may occur from other DWR actions and actions by other local agencies, such as the potential impacts to HABs, methylmercury, and salinity discussed above from reduced flows. This expansion of the scope is necessary because of the complexity of the Delta water quality issues, the scale of the project, and potential water quality issues the Delta Conveyance Project operation may cause or exacerbate in the future climate change scenarios. Requested actions: The Partnership requests that EIR Chapter 3 (page 3-160) scope of the Delta Conveyance Project monitoring and effectiveness assessment program be broadened to incorporate management actions for all water quality programs (e.g., TMDLs, impairments, Basin Plan requirements) to support Regional Water Board and local agency protection of water quality.	assess potential changes due to the project. Finally, please see Common Response 6, Climate Resilience and Adaption, for a discussion of the 2040 climate change analysis.

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435-23	The proposed "Community Benefits Program" (Chapter 34 and Appendix 3G) offers a potential opportunity to fund regional monitoring and modeling: "The Community Benefits Program for the Delta Conveyance Project is one of three distinct but complementary processes intended to address effects within the local communities…" (page 34-1) The EIR Chapter 34 text does not identify monitoring and modeling as a key possible component, however, community input notes in EIR Appendix 3G frequently identify monitoring and assessment programs as a community need. EIR Chapter 34 and Appendix 3G do not include references to participation in the Delta RMP which is funded by local and state agencies inside and outside of the Delta. The Partnership requests that EIR Chapter 34 and Appendix 3G be modified to include specific reference to the Delta RMP such that local communities and interests can participate in the Delta RMP through Community Benefits Program funding.	As described in Appendix 3G, Community Benefits Program Framework, the Delta Community Fund could support potential actions that would enhance water and air quality which could include monitoring programs like that of the Delta Regional Monitoring Program (RMP). A specific reference to the Delta RMP has been added to Appendix 3G. As described in Appendix 3G, decisions regarding specific actions to be funded will be made following the completion of the CEQA process and after continued engagement with the community.
435-24	In closing, we appreciate the opportunity to provide comments on the Delta Conveyance Project Draft EIR.	This information is general closing text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
440-1	Good afternoon, Please see the attached Delta Conveyance comments from the Town of Discovery Bay. Please respond to this email to let me know that this letter has been received.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
440-2	Thank you for the opportunity to submit comments under the California Environmental Quality Act (CEQA) on the Delta Conveyance Project Draft Environmental Impact Report (DCP	Please see response to comment 440-1 regarding background information about the commenter and comments not related to the Draft EIR.

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	DEIR). The Town of Discovery Bay (District) has a vested interest in the health of the Delta and the associated water quality (surface and groundwater), as the District serves water for residential, commercial, industrial, public, and irrigation use for the Town of Discovery Bay (pop. 16,000). In addition to being the water purveyor, the District also serves as the Groundwater Sustainability Agency within its service area. The District is submitting this comment letter on the Draft Environmental Impact Report (DEIR) of the Delta Conveyance Project (Project). The comments provided herein focus on Project impacts on groundwater resources.	
440-3	The District is located within the East Contra Costa (ECC) Subbasin, which is situated within the domain of the proposed Delta Conveyance Project (Project). Our agency would be directly impacted if the Project is completed as described in the Delta Conveyance Environmental Impact Report (DEIR). The following outlines the District's concerns regarding how the Project may have an impact on the future sustainable management of groundwater resources in the ECC Subbasin.	Please see response to comment 440-1 regarding background information about the commenter and comments not related to the Draft EIR.
440-4	The review of the DEIR focused on whether the impacts analysis on groundwater resources in the DEIR is adequate. The District along with our water engineers Luhdorff & Scalmanini, Consulting Engineers ("LSCE") evaluated and compared relevant aspects of the modeling assumptions and inputs used in the development of Project impacts in addition to whether the DEIR accurately represents the Hydrogeological Conceptual Model (HCM) of the groundwater system in the ECC Subbasin. This evaluation is important in order to assess whether the model used in the impacts analysis was a suitable tool to adequately identify Project impacts on the groundwater system. Based on the review conducted by engineers several components of the DEIR were identified that would impact the	Please see Common Response 10, Surface Water Quality and Groundwater Resources, regarding comments related to groundwater modeling. Responses to detailed comments are provided herein. DWR will not make a decision on the project until after addressing public comments on the Draft EIR, certifying the Final EIR, making all necessary findings, and taking any other actions required to comply with CEQA.

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	sustainability of the Subbasin. Discovery Bay is of the opinion that the review performed by LSCE discovered significant issues with the DEIR to warrant the Department of Water Resources (DWR) to conduct additional evaluation of the feasibility of the Project. Discovery Bay requests that DWR cease any further advancement of the Project until the comments in this letter have been fully addressed. This letter presents general comments that are in response to specific sections within the DEIR.	
440-5	Surface Water Quality and Sea Level Rise Impacts Several entities in the ECC [East Contra Costa] Subbasin receive surface water deliveries from diversion points in the Sacramento-San Joaquin Delta (Delta). Under the project, lower salinity water would be removed from the Delta upstream of ECC surface water diversion points therefore i.) decreasing the availability of lower salinity water making its way to the region of the Delta near surface water diversion points to blend with the higher salinity water from the San Pablo Bay and ii.) increasing the likelihood that higher salinity water from the San Pablo Bay could migrate further into the Delta towards ECC Subbasin surface water diversion points.	Chapter 9, Water Quality, provides a complete analysis of the project impacts on Delta salinity. The water quality impact analysis concludes that there could be some increases in bromide (Impact WQ-3), chloride (Impact WQ-4), and EC (Impact WQ-5) at western and Delta locations in some months, but increases would not adversely affect beneficial uses, including water supply, and impacts on these constituents would be less than significant. Chapter 15, Agricultural Resources, in the section titled Impacts of the Project Alternatives on Farmland Productivity, describes how the timing and magnitude of the increases in EC would not result in substantial effects to cropland that currently receive somewhat saline irrigation water.
440-6	Surface Water Quality and Sea Level Rise Impacts When groundwater suppliers within the Subbasin are unable to be blended with good quality surface water from the Delta, higher proportions of groundwater have to be utilized. This will lead to an increased reliance on groundwater in the Subbasin and will lead to increased groundwater pumpage in the region. The DEIR failed to discuss the potential impacts from increased groundwater use by ECC [East Contra Costa] Subbasin entities in the region as a result of increased Delta Salinity.	As described in Chapter 8, Groundwater, in the section titled Methods for Analysis, the Delta Conveyance Project evaluates construction and operation impacts on groundwater quality, including the East Contra Costa Subbasin (ECC). For example, impacts were evaluated for all areas near the project construction, including the East Contra Costa Subbasin. The evaluation of construction is based on existing groundwater conditions and hydrogeology and anticipated changes in groundwater elevations, storage, and quality. In addition, Chapter 9, Water Quality, fully evaluates surface water constituents related to salinity, including chloride and electrical conductivity (EC) (Impacts WQ-4 and WQ-5). Chapter 9 concludes the

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		project would not cause additional exceedance of applicable chloride or EC water quality criteria/objectives by frequency, magnitude, and geographic extent that would result in adverse effects on any beneficial uses of study area waterbodies. Furthermore, groundwater pumping by any local agency in a SGMA high- or medium-priority basin would need to be in compliance with the respective Groundwater Sustainability Plan. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, for discussions of SGMA and how the project relates to SGMA requirements, including salinity intrusion. As described in Chapter 30, Climate Change, and the 2020 California Water Resilience Portfolio, sea level rise is expected to cause increased saltwater intrusion in the San Francisco Bay Area and the Sacramento–San Joaquin Delta. In the Impacts of the No Project Alternative with Climate Change section in Chapter 30, sea level rise contributes to water supply reliability concerns through physical processes related to levee stability and chemical processes regarding sea level rise-driven saltwater intrusion in the Delta, particularly affecting water quality for diversions. Potential project impacts on saltwater intrusion under future climate scenarios were analyzed in Chapter 30, and are further described in Appendix 30A, CalSim 3 Results Sensitivity to 2040 Climate Change and Sea Level Projections. The position of X2, which is used to describe the position of the daily average salinity gradient in the San Francisco Estuary, under Alternative 5 was found to shift 1 kilometer eastward relative to the No Project Alternative from December to March. Outside of the winter and spring, the X2 position is approximately the same for all models regardless of climate scenario and with the project. The winter and spring months typically have X2 positions 15 to 20 kilometers further west than the summer and fall months, and, with increased availability of surface water sources, are less likely to experience impacts related to supply reliability due to saltwater intrusion over existing or no project conditions. Given the above, the project is not expected to result in increased Delta salinity or result in increased groundwater use and therefore would not result in increased groundwater

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		in the ECC.
440-7	Surface Water Quality and Sea Level Rise Impacts Additionally, there are several entities within the [East Contra Costa] Subbasin that supply water to Disadvantaged Areas (Das) comprised of both Severely Disadvantaged and Disadvantaged Communities. If these Das lose the ability to receive good quality surface water from the Delta and are forced to seek more expensive water supplies or groundwater from other entities, there could be significant economic impacts on an already strained area and potentially impact the ability of the Subbasin entities to sustainably use groundwater resources.	Please see Common Response 8, Relationship to Other Plans, Projects Policies, and Programs, regarding the Sustainable Groundwater Management Act (SGMA) and subbasins. As described in Common Response 8, the impacts related to groundwater and surface water quality and sea level rise are evaluated in the EIR and would not conflict with actions that may occur within subbasins as part of SGMA. As discussed in responses to comments 440-5 and 440-6, impacts on surface water and groundwater quality related to sea level rise-driven saltwater intrusion in the Delta are less than significant and beneficial uses including water supply would not be adversely affected. Therefore, as concluded in Chapter 29, Environmental Justice, the loss of water supply reliability to environmental justice communities within the Delta is not anticipated.
440-8	Surface Water Quality and Sea Level Rise Impacts The DeltaGW model was used to simulate existing and future conditions with and without the Delta Conveyance Project. The DEIR mentions sea level rise several times with respect to degradation of water quality, but there is no indication that sea level rise was simulated in the DeltaGW model. In fact, the DEIR states: "Notably, the DeltaGW modeling analysis did not include effects of sea level rise, which could contribute to saltwater intrusion in the Delta under 2040 conditions. [Footnote 1: This statement is made on line 39-40 on page 8-24 of Chapter 8.]'' The DeltaGW model did not simulate sea level rise with its 2040 analysis, and therefore the DEIR is not able to quantify or provide a qualitative analysis of the potential impacts sea level rise would have on groundwater resources with the construction and implementation of the Project. Furthermore, the Sustainable Groundwater Management Act (SGMA) regulations required GSPs to model future groundwater conditions up to 2070. The use of the DeltaGW model projecting conditions into 2040 is not a sufficient time	Please refer to Chapter 4, Framework for the Environmental Analysis, for an explanation of how climate change was incorporated into the EIR's analysis. As described in the section titled Additional Analysis of Potential Future Conditions, the purpose of a 2070 analysis is to provide additional information regarding potential impacts and benefits of the proposed longer-term future scenario but is not used as the basis for CEQA findings. Please refer to Appendix 4A, Consideration of 2070 Conditions, regarding a discussion of 2070 conditions. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding CEQA requirements for the baseline and a description of the baseline for impact determination purposes. As described in that Common Response, climate change is not included in the baseline and not included in the CEQA determinations. For informational and disclosure purposes, the EIR does contain numerous chapters and appendices that discuss different climate change assumptions and scenarios, including Appendix 8C, Groundwater 2040 Analysis.

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	frame to make statements on future forecast impacts from climate change or sea level in particular. The DEIR must look at climate change and sea level rise impacts projected by 2070 as part of any cumulative impacts analysis and/or future projections.	As described under Impact GW-2 and Impact GW-7, changes in groundwater elevations caused by project construction and operations are expected to be minimal, with little to no changes in the groundwater gradient. While sea level rise is expected to occur under climate change conditions, the changes to groundwater elevations caused by the project are not expected to affect the potential impacts of sea level rise that would otherwise occur without the project.
440-9	Surface Water Quality and Sea Level Rise Impacts Chapter 3 describes an extreme sea level rise scenario in which sea levels would rise by 1.8 feet by 2040 at the tide gage in San Francisco, but this was not described in any of the groundwater impact discussions in Chapter 8 (nor the appendices 8A, 8B, and 8C).	Please refer to Chapter 30, Climate Change, for discussion on sea level rise and associated potential impacts on groundwater. Please see response to comment 440-8 regarding the CEQA baseline and determination of impacts.
440-10	Groundwater Storage Changes The DEIR states that groundwater storage would experience an overall increase under the Project (Table 8-8: Long-Term Changes in Groundwater Storage in Acre-Feet and Change Relative to Existing (CEQA Baseline) Conditions); hypothesizing any reductions in groundwater storage would be localized and short-term in nature. Impact GW-4: Changes to Long-Term Change in Groundwater Storage describes an increase in groundwater storage under all Project alternatives due to an increase in surface water supplies and a decrease in groundwater demand, however, this would only be applicable to entities that receive surface water deliveries from the Project. In the DeltaGW model's Subregion 4, which contains the ECC [East Contra Costa] Subbasin, most entities do not receive Project water deliveries, therefore, the increased storage simulated under the Project alternatives is likely overestimated for the ECC Subbasin.	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW Model for analysis of local impacts. The groundwater analysis reflects the changes in surface water deliveries and resulting increase in groundwater storage. Appendix 5A, Modeling Technical Appendix, Section B, Hydrology and Systems Operations Modeling, includes reservoir storage results, changes in streamflow, and changes in water supply as a result of project operations. Changes in surface water deliveries between existing conditions and project alternatives as simulated by the CalSim 3 model for surface water analyses are reflected in the DeltaGW Model. As described in the Delivery Data section of Appendix 8B, water demands and water use in CalSim 3 are designated by demand units, which generally correspond to water districts, water agencies, Central Valley Project (CVP) and State Water Project (SWP) contractors, and non-district water users. Surface water delivery areas within the DeltaGW Model were assigned to match the CalSim 3 demand units. Chapter 8, Groundwater, Impact GW-4 has been updated to clarify statements regarding changes in groundwater storage under project operations. As discussed in Impact GW-4, modeling indicates a slight increase in groundwater storage compared to existing

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		conditions. These modeled changes are so small that they would have no noticeable effect on East Contra Costa County Subbasin. Therefore, model simulation supports the understanding that the project will not affect surface water deliveries within the region. None of the revisions described in the EIR resulted in a new significant environmental impact or substantial increase in the severity of an environmental impact or required additional mitigation measures to which DWR was unwilling to commit.
440-11	Monitoring of Baseline Conditions The DEIR fails to establish a clear plan for monitoring baseline conditions in order to evaluate Project impacts. 'Mitigation Measure GW-1: Maintain Groundwater Supplies in Affected Areas' states that groundwater monitoring would begin upon completion of monitoring wells close to the Project sites however, it does not establish a baseline timeframe in which data would be collected prior to Project commencement. Mitigation Measure GW-1 also states that existing wells would be used to evaluate groundwater conditions. This statement incorrectly assumes that existing wells are actually present at appropriate locations and depths and owners of those wells are willing to provide access to their wells for monitoring purposes. Using existing wells to establish a baseline would only be sufficient if the wells are constructed solely in the shallow zone where recharge and dewatering activities will occur. Furthermore, if the existing wells are used for supply, data from such wells may not represent true static conditions. Without a reliable baseline upon which to compare, determining Project impacts would be unreliable and erroneous.	During the design phase, the locations of existing wells that would require monitoring would be determined. The information would be used to determine the need and location for construction of new monitoring wells. If existing wells are not suitable for monitoring purposes, due to their depth or landowner approval, additional monitoring wells would be constructed. Suitable locations would be identified based on facility locations. Information regarding testing/monitoring is described in Chapter 3, Description of Proposed Project and Alternatives, section titled Field Investigations (subtitles Groundwater Testing and Monitoring). This section describes the data collection efforts that will occur prior to and during construction. Mitigation Measure GW-1 would provide clear timelines for monitoring during construction activities (e.g., Monitoring would continue through the construction phase for up to 6 months following termination of construction dewatering activities and for at least 5 years after commencement of conveyance operations at the intakes). The mitigation measures also acknowledge that additional wells may need to be constructed (e.g., injection wells would be constructed if needed for mitigation to maintain the non-project groundwater elevations).
440-12	Monitoring of Baseline Conditions Equally, the use of average seasonal variations as a baseline for determining recharge and dewatering impacts is not sufficient if the data record is too long (Impact GW-2: Changes in	The thresholds developed for Impact GW-2 are based on historical data for the 1974-2015 period from 132 wells within the Delta region, as described in the Thresholds of Significance section of Chapter 8, Groundwater. Measurements from the 132 wells were evaluated to determine

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	Groundwater Elevations). A long data record, such as the almost 100-year record used in the DeltaGW Model (1922-2015), mutes the shorter-term seasonal variation averages while not accounting for recent groundwater conditions that are closely related to climatic changes.	interannual and seasonal variability over a 41-year period. A 41-year record is sufficiently long to detect decadal climate variability and any possible effects from climate change over that period. The historical fluctuations over the 41-year period were used to establish the threshold of +/- 5 feet of change in groundwater elevations more than 5% of the time.
440-13	Groundwater Elevation Change in Supply Wells Changes in groundwater elevation can impact the reliability of water supply wells used by private domestic well owners and water suppliers. The DeltaGW model provides an estimate of changes in groundwater level for different nodes in different layers of the model grid to determine the impact of the construction and implementation of the Project. The model makes no attempt to simulate actual wells pumping specified amounts at specified times, but rather the IWFM modeling platform distributes pumping within elements or areas based on the groundwater demand in that water balance area. This essentially smooths any localized changes in groundwater elevation over a larger area, resulting in the simulation of groundwater level changes that do not represent the declines in groundwater levels that are experienced in real wells in real time during and after Project construction and implementation. The DEIR fails to acknowledge this issue in the evaluation of Project impacts. Water levels in supply wells, including domestic, irrigation, industrial, and public supply wells, may exhibit greater drawdown in areas where slurry walls or cutoff walls provide an impedance to lateral flow towards wells, thereby resulting in greater than normal decreases in groundwater elevations within wells. A more thorough analysis of the impact the slurry/cutoff walls will have on local drawdowns from supply wells is crucial to determine the significance of this particular groundwater concern from the Project, as the DeltaGW model is an	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW model for analysis of local impacts. Slurry walls and cutoff walls are included in the model and assessed as part of the model simulations for project alternatives. Changes in groundwater elevation and reductions in groundwater levels affecting supply wells are assessed in Chapter 8, Groundwater, as part of Impact GW-2 and Impact GW-3, respectively.

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	insufficient tool to make that determination.	
440-14	Lack of Southern Complex Simulation The DeltaGW model simulates slurry walls or cutoff walls along the intake and conveyance for the Project. The "deep cut walls" that are to be installed in the Southern Forebay levees are not simulated in the DeltaGW model. These walls will be no-flow barriers, and may impact the operation of local wells, and potentially impede groundwater flow toward surface water features that rely on groundwater (e.g. Groundwater Dependent Ecosystems [GDEs] as well as areas where gaining stream conditions occur). The permanent footprint of the Southern Complex is estimated to be approximately 900 acres, located within the ECC [East Contra Costa] Subbasin. This feature was not described in the DeltaGW model documentation (Chapter 8, as well as Appendices BA, 8B, and BC), and so it is assumed that this large feature was not simulated at all. Therefore, the impacts to groundwater based on the DeltaGW model are deficient to determine impacts in that area of the model's Subregion 4.	As described in Chapter 8, Groundwater, the physical features of the project are modeled for each alternative as low-permeability model elements whose alignments are shown in the figure titled DeltaGW Model Physical Project Components. The Southern Complex is included within the footprint of the model elements associated with the Central and Eastern Corridors.
440-15	Groundwater Dependent Ecosystem The DEIR notes the presence of Groundwater Dependent Ecosystems (GDEs) within the Project area and maps the permanent and non-permanent Project areas in Ch. 13 and on Mapbook 13-1. GDEs are not discussed in Ch. 8 in the context of potential Project impacts related to groundwater conditions. A large percentage of ECCs [East Contra Costa] GDEs are located near Clifton Court Forebay which is designated as a potential Project area. It is acknowledged in the DEIR that some of the GDEs will be permanently destroyed as a result of the Project. GDEs that will not be permanently destroyed have no defined threshold of significance for impacts or mitigation measures. SGMA [Sustainable Groundwater Management Act]	Please see Common Response 8, Relationship to Other Plans, Projects, Policies and Programs, regarding a description and discussion of GDEs. GDEs are not discussed in Chapter 8 because substantial changes in interconnected surface waters and groundwater elevation would not occur. The EIR addresses temporary and permanent impacts on GDEs as a result of other potential impact mechanisms by identifying and evaluating potential impacts on all natural systems and habitat supported by groundwater that could be impacted by the project in Chapter 13, Terrestrial Biological Resources. For example, groundwater-dependent ecosystems, including tidal and nontidal perennial aquatic, tidal and nontidal freshwater emergent wetland, tidal brackish emergent marsh, valley/foothill riparian, alkaline seasonal wetland and vernal pool complex, are evaluated in Impact BIO-1 through Impact BIO-8 in Chapter 13.

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	regulations specifically call out the need for the Subbasin to protect GDEs.	Thresholds of significance for these and other sensitive resources are listed in Chapter 13, in the section titled Thresholds of Significance. Appendix 3F of the EIR provides the Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources (CMP) and describes the mitigation that would be implemented to offset impacts on these land cover types. Attachment 3F-1, Compensatory Mitigation Design Parameters, provides the design commitments and guidelines for compensatory mitigation of impacts. Avoidance and minimization measures that would apply during construction of the project (including but not limited to construction of the compensatory mitigation sites themselves) are contained in Appendix 3B, Environmental Commitments and Best Management Practices.
440-16	Cumulative Impacts Covered in Simulation Cumulative impacts were not simulated using the DeltaGW model, so despite the brief statements in Chapter 8 that claim most of the Projects will improve surface water reliability and therefore benefit groundwater resources, there is no analysis on the cumulative impact on groundwater resources in the ECC [East Contra Costa] Subbasin with the introduction of slurry walls, cutoff walls, conveyance tunnels, new intake feature, and a large forebay structure. Table 8-10 lists 26 programs or projects that could have impacts on groundwater resources in the vicinity of the Project, but the DEIR fails to explain how those programs/projects would cumulatively impact groundwater with the addition of the Delta Conveyance construction and implementation.	Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for a discussion of the qualitative nature of the Cumulative Impact Assessment. Where there is insufficient information in the record to perform a quantitative analysis of reasonably foreseeable future projects, CEQA directs the agency to prepare a qualitative analysis. In addition, there is no specific CEQA requirement to synthesize or integrate cumulative effects of the project across multiple impact or resource types. Chapter 8, Groundwater, in the table titled Cumulative Impacts on Groundwater from Plans, Policies, and Programs, provides the list of projects considered in the cumulative assessment of impacts on groundwater. DWR believes this is an accurate and complete list of projects that should be considered in the cumulative assessment. As described in Chapter 8, the simultaneous construction of the Delta Conveyance Project along with projects listed in the table titled Cumulative Impacts on Groundwater from Plans, Policies, and Programs could potentially result in significant impacts on groundwater if construction best management practices (BMPs) and compensatory mitigation are not implemented. However, it is assumed that construction BMPs and compensatory mitigation would be implemented and, therefore, project alternatives would not result in an incremental cumulatively considerable impact.

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440-17	Climate Change Covered in Simulation Climate change was simulated using the DeltaGW model by using 2040 climate change conditions. In this climate change scenario, evapotranspiration is assumed to increase by approximately 5% and increased agricultural and urban demands would result in increased pumping of groundwater due to higher future temperatures. According to Chapter 30, the global average surface temperature will increase by approximately 1.4° F. The climate change enforced on the DeltaGW model was for 2040 only, but future conditions for Project Alternatives and No Project Scenario were not simulated for 2070 climate change conditions. DWR has produced several future climate scenarios that have been adopted by subbasins conforming to SGMA [Sustainable Groundwater Management Act] requirements, including future wet scenarios, future dry scenarios, and climate change out past 2040 into 2070. The DeltaGW model simulates one future climate scenario only, for 2040, which provides an insufficient assessment of project impacts due to different potential future climate changes.	Please refer to Chapter 4, Framework for the Environmental Analysis, for an explanation of how climate change was incorporated into the EIR's analysis. As described in the section titled Additional Analysis of Potential Future Conditions, the purpose of a 2070 analysis is to provide additional information regarding potential impacts and benefits of the proposed longer-term future scenario but is not used as the basis for CEQA findings. Please refer to Appendix 4A, Consideration of 2070 Conditions, regarding a discussion of 2070 conditions.
440-18	Data Gaps in Simulation Surface water and Groundwater Interaction Data used in the DEIR to consider surface water and groundwater interaction in the ECC [East Contra Costa] Sub basin was not complete in the DeltaGW model. During development of the ECC GSP model, several other surface water data sources were incorporated to create a more complete analysis. For example, the DeltaGW model relied on surface water features simulated in the DWR C2VSim model, which did not simulate the Middle River, Old River, or Marsh	DWR believes the analysis of the interaction between groundwater and surface water is accurate and provides enough detail for the assessment of environmental impacts. Common Response 10, Surface Water Quality and Groundwater Resources, provides a discussion of the suitability of the DeltaGW modeling for assessing the project's impacts on groundwater resources. Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, provides additional discussion regarding the Sustainable Groundwater Management Act and, in particular, ECC. Please see Common Response 9, Hydrologic Modeling and Approach, regarding best available tools, modeled representation of future conditions, and climate change.

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	Creek. These features are important components when understanding the relationship of surface water and groundwater within the ECC Subbasin. The DEIR does not have the same level of effort as the Subbasin utilized for the development of the ECC Subbasin GSP. Therefore, the DEIR's analysis of surface water and groundwater interaction (or streamflow depletion) is inadequate within the ECC Subbasin.	
440-19	Sea Level Rise Sea level rise is only discussed in terms of the overall basin hydrogeology and in a no Project context. The DEIR fails to address sea level rise in any of the Project alternatives. Sea level rise is a concern for the ECC [East Contra Costa] Subbasin due to the proximity to the Delta and the relatively shallow topography that is observed throughout most of the Subbasin. Additionally, the agricultural users in the Subbasin utilize tile drains to artificially keep groundwater levels lower. While the DEIR does mention sea level rise in Chapters 5 and 30, it is in regard to surface water rather than potential groundwater impacts. The DEIR must address the potential impacts of sea level rise and how it will affect users in the Delta.	Sea level rise in the context of the project alternatives is addressed in multiple locations in the EIR. The purpose of this analysis is not to describe the ways that climate change could affect environmental resources in general, but rather to identify if climate change could change the potential effects of the proposed project or alternatives. Appendix 8C, Groundwater 2040 Analysis, evaluates whether any of the project alternative impact conclusions in Chapter 8, Groundwater, would change when considered under future conditions when construction is complete, and the project is fully operational and when considering changes to hydrology and sea level rise as a result of climate change. Common Response 6, Climate Resilience and Adaptation, describes more than a dozen additional appendices that present similar evaluations for their respective resource chapters. Please see Common Response 6 and Chapter 30, Climate Change, regarding future effects of sea level rise in the Delta. Chapter 30 presents the latest climate change science and discusses the impacts of the project alternatives and climate change, including sea level rise. Chapter 30 describes how sea level rise–driven saltwater intrusion in the Delta may affect groundwater supply and quality. The analysis of impacts of project alternatives with climate change in Chapter 30 focuses on projected sea level rise and hydrological changes, as they present the greatest risk to project operations and design. See Appendix 5A, Modeling Technical Appendix, Section F, Sea Level Rise and Delta Water Quality Modeling, for more information.

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		Regarding potential impacts of the project on water quality, as described in Chapter 3, Description of the Proposed Project and Alternatives, one of the operational objectives of the project is to take advantage of excess water when it is available during high-flow periods brought on by large precipitation events, while meeting water quality and sensitive species requirements.
440-20	SGMA [Sustainable Groundwater Management Act] Project and Management Actions During the development of the GSP for the ECC [East Contra Costa] Subbasin, several Project and Management Actions (PMA) were proposed, in addition to all the Projects that other Subbasin developed for their GSPs. The DEIR does not discuss any potential impacts the Project may have on implementing the PMAs or how the PMAs may impact the Project.	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding California's Sustainable Groundwater Management Act (SGMA) and how Groundwater Sustainability Plans (GSPs) were considered.
440-21	Conclusion While the Draft Delta Conveyance DEIR is a very detailed report, an initial review of the information presented at this time leaves several concerns unanswered as noted in this letter. Significant negative impacts such as changes in surface water quality and sea level rise, and groundwater elevation changes were not sufficiently discussed, and no mitigation plan was provided.	Please see detailed responses to comments to letter 440 in this table (e.g., 440-1 through 440-20) regarding responses to the concerns listed in this summary comment. As described in the responses to this comment letter, Mitigation Measure GW-1 is included in Chapter 8, Groundwater, and the significant negative impacts identified in this comment are not supported by the impact analyses contained in Chapter 9, Water Quality, or Chapter 8, Groundwater. Impacts in these chapters are identified as either less than significant or less than significant with mitigation incorporated (e.g., Impact WQ-6 in Chapter 9). Furthermore, sea level rise is evaluated in multiple locations throughout the EIR, and potential effects on resources such as water quality are disclosed (see Common Response 6, Climate Resilience and Adaptation, for a discussion of the multiple climate change evaluations contained in the EIR).
440-22	The report also had several modeling data gaps that LSCE finds to be consequential and recommends that the DEIR review model simulations for the Project particularly focusing on	The GSPs available at the time of analysis in the domain of the DeltaGW model used for the groundwater analyses in Chapter 8, Groundwater, included the East Contra Costa Subbasin (ECC). Please see Common

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	future simulations, surface water groundwater interactions, sea level rise and SGMA [Sustainable Groundwater Management Act] PMAs. The current Project as presented in the DEIR has the potential to impact the sustainability of the ECC [East Contra Costa] Subbasin. ECC Subbasin is currently sustainable and is projected to maintain sustainable conditions based on model computations and current management of the Subbasin. The DEIR does not adequately provide enough information to definitively say that current sustainable conditions will be maintained with the construction and operation of the proposed Delta Conveyance. Based on review of the DEIR it is determined that the DEIR is inadequate and fails to address concerns that would impact the continual sustainability observed in the ECC Subbasin.	Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of California's Sustainable Groundwater Management Act (SGMA) and Groundwater Sustainability Plans (GSPs) and the timing and release of these plans to the public. Construction and operation of the Delta Conveyance Project would not conflict with the implementation of the GSPs in the East Contra Costa Subbasin, as described in Common Response 8.
443-1	The Cosumnes Groundwater Authority (CGA) is a joint powers authority comprised of seven local public agencies, each of which serves as a Groundwater Sustainability Agency (GSA) in the Cosumnes Groundwater Subbasin. CGA plays a coordinating role among these agencies, and it is under this umbrella that the GSAs collaborate in order to ensure the basin's continued compliance with the Sustainable Groundwater Management Act (SGMA).	This information describes the background of the organization or individual commenter. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
443-2	CGA [Cosumnes Groundwater Authority] has reviewed the Delta Tunnel Project Draft EIR and has identified a feature of the project and associated environmental risk that has been dismissed from detailed consideration. Specifically, the Draft EIR fails to identify and characterize the impact of local and regional groundwater conditions. That oversight is particularly concerning to CGA and its members: like many basins in the state, the Cosumnes Subbasin has already submitted a Groundwater Sustainability Plan for DWR's review, and has committed significant time, effort, and money	Please refer to Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of Groundwater Sustainability Plans in the EIR. Chapter 8 of the EIR fully discloses the construction- and operations-related impacts of the proposed project and alternatives on groundwater within the Delta study area. The DeltaGW model was developed to assess the impacts of the Delta Conveyance Project on the Delta and neighboring groundwater basins. The sections titled Regional Calibration Performance of DeltaGW Model and the Local Calibration Performance of DeltaGW Model in Appendix 8A

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	towards implementing that plan.	describes the model's performance at a regional scale and compared to local groundwater models developed by local agencies as part of the Groundwater Sustainability Plan development process. The DeltaGW Model is considered suitable for developing regional and subregional water budgets, regional groundwater levels and trends, and for comparative analysis of alternatives with and without the project.
443-3	Specifically, CGA [Cosumnes Groundwater Authority] finds that the Draft EIR does not: - adequately consider the impacts of the project construction phase on local groundwater conditions and sustainability plans, - provide appropriate mitigation to identify and avoid/minimize potential significant impacts resulting from dewatering, and - evaluate the projects impact on potential saltwater intrusion into the groundwater system.	DWR fully evaluates the construction-related groundwater impacts of the Delta Conveyance Project in the EIR. Common Response 10, Surface Water Quality and Groundwater Resources, provides additional clarifying information regarding the methodology and information used to adequately and appropriately evaluate construction-related impacts described in Chapter 8, Groundwater. As described in Common Response 10 and Chapter 8 (in the section titled Methods for Analysis), the Delta Conveyance Project construction-related impacts are evaluated using existing groundwater conditions and hydrogeology, standard design and construction methods (Delta Conveyance Design and Construction Authority 2022a, 2022b), and anticipated changes in groundwater elevations, storage, and quality during construction. As described in Common Response 10, cutoff walls would be designed to applicable standards depending on the unique site-specific conditions and the location of the facility being constructed. Cutoff walls are designed and used to minimize the need for dewatering and the movement of groundwater outside of the cutoff walls. Given this, and the other information provided in Common Response 10, construction would not result in substantial changes to groundwater levels or groundwater water quality. Furthermore, the analysis in Impact GW-1 and Impact GW-2 shows that under construction groundwater levels would generally be maintained at the level of existing conditions during the use of cutoff walls or dewatering. As the proposed project and project alternatives would not result in a substantial change in groundwater levels, they would also not result in a substantial change in groundwater salinity associated with a decline in groundwater levels. And, if unanticipated changes to

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		groundwater levels occurred during construction, the changes would be localized and in the immediate area of the construction. The EIR also includes Mitigation Measure GW-1, which requires monitoring during construction and adjustments to construction activities as needed, depending on the groundwater level monitoring results. Although it is determined that the project would not impact groundwater quality, Mitigation Measure GW-1 has been revised to include monitoring of electroconductivity at select locations during construction to provide data confirming the conclusions in the EIR. Impact GW-1 and Impact GW-2 remain less than significant prior to the implementation of the revised mitigation measure, as described in Chapter 8. The revision does not result in a new significant environmental impact, substantial increase in the severity of an environmental impact, or require additional mitigation measures to which DWR was unwilling to commit. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of California's Sustainable Groundwater Management Act (SGMA) and Groundwater Sustainability Plans (GSPs). As described in Common Response 8, the groundwater analysis contained in Chapter 8 found construction and operation groundwater impacts to be less than significant, and the project is not expected to interfere with implementation of GSPs.
443-4	With increasingly dramatic weather patterns, the strain on local domestic groundwater wells is ever-present. With less consistent rain/surface water to replenish the groundwater subbasins, we [Cosumnes Groundwater Authority] have started to see an increasing number of well owners in precarious situations even within the relatively stable Cosumnes Subbasin. The Draft EIR does not adequately consider, or even disclose, the potential impacts that project construction (including significant dewatering in and around the construction sites) may have on local groundwater conditions. Adding an additional stressor to our region could inadvertently impact	Please see response to comment 443-3 regarding the adequacy of the analysis contained in the EIR and the clarifying information regarding cutoff walls and their use to reduce the need for dewatering contained in Common Response 10, Surface Water Quality and Groundwater Resources. Please also refer to Common Response 10 regarding the effectiveness of cutoff walls. Common Response 10 also includes additional context about the rates and duration of construction dewatering. Impacts of dewatering are determined to be less than significant. During construction, slurry cutoff walls would be installed around project intakes to reduce the amount of dewatering pumping required for construction. At the project intakes, deep cutoff walls would be constructed in the foundations of the

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	not only agriculture and land use activities, but jeopardizes the future of shallow well owners who rely on groundwater for their human right to water.	sedimentation basin, outlet channel perimeter embankment, and the temporary levee, as well as at the back of the intake structure to isolate the internal subsurface from surrounding local groundwater for both construction and operations phases. Dewatering during operations and maintenance would occur very infrequently, likely decades between events. Mitigation Measure GW-1 is included to further reduce less than significant impacts and will allow DWR to monitor and address unanticipated change in groundwater levels. During construction or maintenance dewatering, if the results of groundwater monitoring indicate that the difference between average groundwater elevation declines in monitoring wells inside the area of influence of dewatering and control (background) monitoring well outside the area of influence is more than 10% of the depth of the shallowest known well inside the area, mitigation of impacts on groundwater supplies would be needed. Injection wells would be constructed as needed to recharge the groundwater basin, while potable supplies would be temporarily brought in to meet supply needs. In areas where injection wells are not feasible or not sufficient to mitigate impacts on groundwater in the area of influence, domestic and irrigation wells would be deepened or modified and potable supplies would be temporarily brought in while wells are modified, if needed. Monitoring would continue through the construction phase for up to 6 months following termination of construction dewatering activities and for at least 5 years after commencement of conveyance operations at the intakes.
443-5	CGA [Cosumnes Groundwater Authority] is also concerned that many of the projects' potential impacts are directly aligned with the undesirable effects that governing GSAs are tasked with preventing under SGMA. For example: GSAs must set management criteria surrounding saltwater intrusion and must take action to reduce or eliminate that undesirable result when it occurs. The Draft EIR does not analyze the potential impacts of the	The assertion that there would be potential impacts on local GSAs is not consistent with the contents of the EIR, nor the impact analysis contained in Chapter 8, Groundwater, which fully analyzes all construction and operation impacts. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of California's Sustainable Groundwater Management Act (SGMA) and a discussion of undesirable results as defined by SGMA, including saltwater intrusion.

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	project's construction phase, nor does it consider how project operations will impact the efforts of local GSAs to meet their pre-existing GSP sustainability criteria. Failure to explore or disclose these potential impacts pits local GSAs against the State, and foists the burden of mitigating for these potential impacts onto the GSAs and local community, instead of on the project proponent. That result is inequitable and inconsistent with both CEQA and the Water Code's requirement that state agencies consider the policies of SGMA, and plans adopted pursuant to that law when taking actions that intersect with those groundwater management activities (see, e.g., Water Code sections 10720.9; 10726.8).	
443-6	In conclusion, the CGA [Cosumnes Groundwater Authority] finds that the Draft EIR fails to adequately address or evaluate the potential impact on groundwater conditions throughout the project area and adjacent groundwater subbasins. The CGA provides these findings to advise the Department of Water Resources of our concerns and remedies to correct the deficiencies above mentioned in the Delta Tunnel Project Draft EIR. We are available to discuss these findings further if requested.	The Delta Conveyance Project EIR has been prepared in compliance with CEQA and evaluates the full range of potential impacts that may result from construction, operation, and maintenance of the proposed project and its alternatives. As described in Chapter 8, Groundwater, in the section titled Methods of Analysis, the Delta Conveyance Project construction and maintenance related effects were evaluated qualitatively. The qualitative evaluations are based on existing groundwater conditions and hydrogeology and anticipated changes in groundwater elevations, storage, and quality from the construction methods and protocols described in the Engineering Project Reports (Delta Conveyance Design and Construction Authority 2022a, 2022b). Operational impacts on groundwater resources in the Delta and adjacent groundwater basins are evaluated using the Delta Groundwater (DeltaGW) Model. The DeltaGW model domain covers the Delta region and adjacent groundwater basins, as shown in the Chapter 8 figure titled DeltaGW Model Domain and Model Subregions.

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450-1	The Santa Clara Valley Water District (Valley Water) appreciates the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the proposed Delta Conveyance Project (Project).	This information is general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
450-2	Valley Water [Santa Clara Valley Water District] has supported the planning and environmental review of projects to improve the conveyance of State Water Project (SWP) and federal Central Valley Project (CVP) supplies across the Delta since 2006. We recognize that the current approach of diverting water directly from channels in the southern Delta is at risk due to the instability of existing Delta levees, seismic events, altered hydrology and sea level rise due to climate change, and increasing regulatory restrictions to address declining ecosystem conditions, all resulting in reduced water supply reliability for Santa Clara County.	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
450-3	Valley Water Interest in Project Valley Water [Santa Clara Valley Water District] is the primary water resources management agency for Santa Clara County, providing water supply, flood protection, groundwater management, and environmental stewardship for 2 million residents in Silicon Valley. Santa Clara County relies on water conveyed through the Delta by the SWP and CVP for about 40 percent of its water supply, on average. Imported water supplies from the SWP and CVP provide most of the water treated at Valley Water's three drinking water treatment plants, and nearly half the water used to recharge local groundwater basins. Because of investments in water conservation over the past 20 years, water use in the County has remained relatively flat despite a 25 percent increase in our population. However, even with continued investments by Valley Water and its retailers in conservation and local and	This information describes the background of the organization or individual commenter. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	regional water supplies that reduce the County's reliance on imported water supplies, Santa Clara County will remain dependent on imported water supplies conveyed across the Delta to meet a significant portion of its future water demands.	
450-4	As such, Valley Water [Santa Clara Valley Water District] has a strong interest in modernizing the aging infrastructure that conveys those supplies across the Delta.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
450-5	Support for Project Purpose and Objectives As stated in the DEIR, the Project's overarching objective is to restore and protect the reliability of SWP, and potentially CVP, water deliveries south of the Delta in a cost-effective manner, consistent with the State's Water Resilience Portfolio. Specific objectives of the Project include helping address rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events; minimizing the potential public health and safety impacts from reduced quantity and quality of water caused by earthquakes; protecting the ability of the SWP, and potentially CVP, to deliver water when hydrologic, regulatory, and contractual conditions allow; and providing operational flexibility to improve aquatic conditions and better manage risks of additional future regulatory constraints on SWP and CVP operations. Valley Water [Santa Clara Valley Water District] supports all of these objectives.	Please see response to comment 450-4 regarding comments that state opinions of general support for the project.
450-6	Importance of Public Engagement Valley Water [Santa Clara Valley Water District] believes public	Please refer to Common Response 7, Implementation Considerations, regarding future outreach and engagement anticipated during final planning and implementation. This comment does not raise a significant

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	engagement throughout the duration of Project planning and construction is paramount to the success of the Project. We are proud to have played a leadership role in engaging the community in Project planning by strongly advocating for the establishment of an Environmental Compliance and Mitigation Committee, which became the Stakeholder Engagement Committee (SEC). The SEC provided valuable input on potential impacts to the Delta community that led to significant refinements to the Project. We greatly appreciate that the Project has been downsized, refined and redesigned to significantly reduce environmental and community impacts compared to its predecessors, the Bay Delta Conservation Plan and the California WaterFix. To name just a few of the improvements, the alignment has been shifted westward, closer to Interstate 5, to avoid the central Delta and its rural two-lane roads and to minimize impacts to wetlands. The need for new barge landings and forebays has been eliminated. Longer tunnel drive lengths have reduced the number of tunnel boring machine access shafts needed. Many of the Project power lines will now be buried to avoid impacts to endangered birds. Finally, the new intake screen design is shorter with cleaning apparatus located below the water surface to minimize aquatic, noise, and visual impacts. Valley Water will continue advocating for meaningful community input as the Project proceeds.	environmental issue relating to the project or address the adequacy, accuracy, or completeness of the Draft EIR.
450-7	Support for Community Benefits Program Valley Water [Santa Clara Valley Water District] also supports the development of a Community Benefits Program which goes beyond regulatory requirements for environmental mitigation to address issues that local communities may encounter during the long construction periods. If the Project is approved, the	The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	Community Benefits Program would be a part of the approval and implemented with all the other Project commitments. As stated in the DEIR, "a Community Benefits Program would provide opportunities for Delta communities to engage and articulate ways the Delta Conveyance Project can alleviate potential conflicts with local Delta land uses related to the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place (Delta as Place)." We look forward to working with the Delta community and Department of Water Resources (DWR) in further defining this program as Project planning proceeds.	
450-8	Valley Water Role in Project Valley Water [Santa Clara Valley Water District] will not be considering ultimate participation in the Project until the environmental review is completed and the final EIR is certified, a robust cost-benefit analysis has been completed, we have conducted our own independent analysis of the Project as part of our water supply portfolio, and our community and ratepayers have had an opportunity to comment through an open, transparent public process. In addition, Valley Water will be required to comply with the CEQA requirements applicable to a responsible agency, including considering the lead agency's environmental review document and making the necessary findings prior to approving a project. We appreciate the opportunity to review the DEIR and look forward to continuing to work with DWR and the Delta Conveyance Design and Construction Authority to restore and protect the long-term reliability of the SWP, and potentially CVP.	This information describes the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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451-1	Delta is crucial to the well-being of our [Santa Margarita Water District (SMWD)] customers. With this in mind our comments reflect our concern for the need to protect and restore the long-term reliability of California's water supplies and the important role of the Delta Conveyance Project. In short, SMWD encourages state certification of the Draft Environmental Impact Report and the advancement of this essential project. It will address sea level rise and other consequences from climate change, minimize the potential for public health and safety impacts due to earthquake risk, protect water supply reliability under the variety of hydrologic conditions that exist across the state, and provide operational flexibility to improve conditions in the Delta.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.
451-2	Delta is crucial to the well-being of our [Santa Margarita Water District (SMWD)] customers. With this in mind our comments reflect our concern for the need to protect and restore the long-term reliability of California's water supplies and the important role of the Delta Conveyance Project. In short, SMWD encourages state certification of the Draft Environmental Impact Report and the advancement of this essential project. It will address sea level rise and other consequences from climate change, minimize the potential for public health and safety impacts due to earthquake risk, protect water supply reliability under the variety of hydrologic conditions that exist across the state, and provide operational flexibility to improve conditions in the Delta.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project. Please see Common Response 6, Climate Resilience and Adaptation, regarding the project's anticipated water supply reliability benefits. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
451-3	Specifically: 1. The [Santa Margarita Water] District supports the proposed project, the Bethany Reservoir Alignment (Alternative 5). This alternative avoids development of a new forebay in the south Delta and will have less impact on agricultural land, cultural resources, and wetlands. This alternative should provide the	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-

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	same climate resiliency, seismic resiliency, and water supply reliability as the other alternatives that follow the central or eastern alignment but with fewer environmental impacts.	making process.
451-4	[Santa Margarita Water District] fully support the Newsom administration moving forward in the planning process for the DCP in a thorough and expeditious manner. It is an indispensable project. The environmental planning should not be based on political concerns, but on sound science, engineering, and economics.	Please see response to comment 451-3 regarding comments that state opinions of general support for the project. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the use of best available science in the EIR and Common Response 7, Implementation Considerations, regarding economic evaluations.
451-5	We [Santa Margarita Water District] fully support the efforts to prepare the Delta for the changing climate, specifically the continuing climate change assessment process under way at the Delta Stewardship Council with the Department of Water Resources. The Water Supply 2040 Analysis within the Draft EIR shows that long term average total Delta exports, which include both SWP and Central Valley Project ("CVP") water exports, will decline due to climate change even with the project. However, the Bethany Alternative lessens the decline in comparison to the No Project alternative. Long-term risks of levee failures and reduced operational efficiency and supply reliability caused by sea level rise and changes in Delta inflow are expected as a result of climate change. If the current management and operation of the Delta continues, Delta water users and those that depend on water exported from the Delta will be increasingly exposed to risks of supply interruption and diminishing reliability over time.	Please see response to comment 451-3 regarding comments that state opinions of general support for the project.
451-6	The SWP is California's primary water distribution system. The infrastructure that protects, collects, and moves water through the Delta is more than 50 years old. It is at an ever-increasing risk of failure from climate change and sea level rise. The governor's Water Resilience Portfolio reflects both the need to make progress locally and with Delta infrastructure. 27 million	Please see response to comment 451-3 regarding comments that state opinions of general support for the project.

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	Californians get some or all of their water from the Delta; it is imperative to prepare this vital segment of our statewide water delivery system for the future. The proposed Delta Conveyance Project is the right project at the right time to help ensure the SWP can continue to meet California's water needs into the future. [Santa Margarita Water District] encourages state certification of the Draft Environmental Impact Report and the advancement of this essential project.	
452-1	On behalf of San Juan Water District ("San Juan"), I would like to thank you for the opportunity to submit comments on the Draft Environmental Impact Report ('Draft EIR") for the Delta Conveyance Project ("proposed Project"). San Juan is a public water agency supplying reliable, high-quality water supplies to approximately 150,000 residents in its retail and wholesale areas in Sacramento and Placer Counties. San Juan's operations depend on reliable American River supplies and Folsom Reservoir operations. San Juan appreciates the challenges of providing water supplies to all of California and the competing needs that must be balanced, particularly as the changing climate makes hydrology more variable.	This information describes the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
452-2	We [San Juan Water District] understand that the Central Valley Project ("CVP") is not currently involved in the proposed Project or alternatives, but operations of the State Water Project are directly linked to those of Folsom Reservoir and to the rest of the CVP. The Draft EIR evaluates potential changes to surface water supplies, including to CVP storage, and includes in the study area the American River and its water infrastructure, such as Folsom Reservoir. Our review of the Draft EIR indicates that the proposed Project is not likely to significantly impact American River flows, operations of Folsom Reservoir, or San Juan's water rights. As a result of installation and operation of the Delta Conveyance facilities, the Draft EIR	The comment discusses the relationship of the Central Valley Project to the Delta Conveyance Project with regard to water storage and delivery; however, it does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. Delta Conveyance Project Alternatives 2a and 4a included the CVP, as described in Chapter 3, Description of the Proposed Project and Alternatives; however, at this time there has been no involvement by the US Bureau of Reclamation, see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues regarding the lack of inclusion of Reclamation, the CVP, or a federal

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	projects minor increases in storage levels at Folsom Lake and nominal changes to long-term average monthly flows in the American River. Should operations of the proposed Project result in significant impacts to Folsom Reservoir or American River flows, such impact should be mitigated and any impacts to San Juan's water rights must be avoided.	component in the project. Additionally, impacts on Folsom Reservoir or American River flows are not anticipated. DWR has reviewed all comments and will consider all comments in its decision-making process.
452-3	San Juan [San Juan Water District] appreciates the significant effort that has been made in the development of this latest version of Delta Conveyance facilities to avoid or reduce environmental impacts of the proposed Project. Should public comments on the Draft EIR identify additional feasible measures that can be taken to further avoid or reduce environmental impacts while maintaining Project purposes, San Juan encourages DWR to incorporate such measures into the Project.	DWR has reviewed all comments and will consider all comments and suggestions for feasible mitigation measures in the Final EIR and its decision-making process. Please refer to Common Response 7, Implementation Considerations, regarding community engagement during project implementation.
452-4	Thank you for your careful analysis of the proposed Project and your consideration of public comments on the Draft EIR. San Juan [San Juan Water District] looks forward to the continued public process related to the proposed Project.	This information is general closing text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
455-1	Thank you for providing the Delta Conveyance Project Draft Environmental Impact Report (DEIR) to the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District) for review. The Department of Water Resources (DWR) proposes to modernize water transport infrastructure in the Delta by constructing two new water intake facilities along the Sacramento River in the north Delta near the communities of Hood and Courtland, an underground conveyance tunnel to move water from the intakes south along the eastern alignment to the existing Bethany Reservoir, and a new pumping plant connecting the tunnel to the reservoir. Eight alternatives to the proposal and a no project alternative are also analyzed in the DEIR. Sac Metro Air District is required by	This information gives background on the organization and provides general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	state law [Footnote 1: California Health and Safety Code §40961] to represent the people of the Sacramento district in influencing the decisions of other agencies whose actions may have an adverse impact on air quality. The following comments on the DEIR and project are provided with the intent to improve air quality and public health.	
455-2	General Conformity Chapter 1, Section 1.5.3 includes a listing of federal agencies and their respective review, approval, and other responsibilities regarding the Delta Conveyance project (Chapter 1, pages 1-44 - 1-49) including Table 1-2. This section and table should include a discussion of the Clean Air Act, section 176©(4) on General Conformity, since project construction emissions are expected to exceed General Conformity de minimis levels. This requires the Federal lead agency to prepare a General Conformity Determination to ensure the project emissions do not interfere with efforts to attain the national ambient air quality standards.	The discussion of federal agencies and their responsibilities presented in Chapter 1, Introduction, in the section titled Federal Agencies, is not exhaustive. The Draft EIR discloses that the section includes "a listing of some of the federal agencies." While the Clean Air Act and General Conformity Regulation are not specifically discussed in that section, the U.S. Environmental Protection Agency and Clean Air Act are referenced in the Chapter 1 table titled Summary of Federal Agencies and Review, Approval, or Other Responsibilities, in Addition to Those under NEPA. The general conformity determination for the Delta Conveyance Project is included in the Draft Environmental Impact Statement released by the U.S. Army Corps of Engineers in 2022 (Appendix J of the Delta Conveyance Project Draft EIS).
455-3	Air Quality Analyses and Mitigation AQ-1: Result in Impacts on Regional Air Quality within the Sacramento Metropolitan Air Quality Management District Mitigation Measure AQ-1: Offset Construction-Generated Criteria Pollutants in the Sacramento Valley Air Basin (Chapter 23, pages 23-61 - 23-78) sets a performance standard to mitigate impacts to regional air quality in the Sacramento Metropolitan Air Quality Management District. Emissions of nitrogen oxides (Nox) and particulate matter (PM10) will be reduced to zero when emissions exceed General Conformity de minimis thresholds and reduced to below Sac Metro Air District	Chapter 23, Air Quality and Greenhouse Gases, identifies the Sacramento metropolitan area as nonattainment for the federal 8-hour ozone standard. Text in Chapter 23 has been revised to explicitly define the nonattainment area as the Sacramento Federal Nonattainment Area (SFNA), which includes Sacramento and Yolo Counties and portions of Placer, El Dorado, Solano, and Sutter Counties per the comment request. Mitigation Measure AQ-1 is required to mitigate NOx emissions so that project construction would not contribute a significant level of ozone pollution such that regional air quality would not be degraded. As noted by the comment, the SFNA has been separately designated a nonattainment area for ozone pollution apart from the larger Sacramento Valley Air Basin (SVAB). NOx offsets purchased under Mitigation Measure

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	thresholds when emissions are less than de minimis but exceed local thresholds. Emission reductions would be achieved by DWR funding off-site emissions reduction projects through an agreement with Sac Metro Air District or by DWR establishing its own off-site mitigation program which may include grants or purchase of emission reduction credits. Sac Metro Air District believes an update is needed for Mitigation Measure AQ-1. Off-site emission reduction projects for AQ-1 must be located in the Sacramento Federal Ozone Non-attainment Area [Footnote 2: SFNA map: https://www.airquality.org/ProgramCoordination/PublishingImages/3)%20%20SFONA%20Boundary%20Map.jpg] (SFNA) not within the entire Sacramento Valley Air Basin (SVAB) [Footnote 3: SVAB map: https://www.arb.ca.gov/qaweb/countyselect.php?c_arb_code=34] to ensure impacts from the project are mitigated. Established under the requirements of the Federal Clean Air Act [Footnote 4: Federal Clean Air Act Section 107(d)(1)(A)(i): https://www.epa.gov/clean-air-act-overview/clean-air-act-title-i-air-pollution-prevention-and-control-parts-through-d#ic], the SFNA was designated a nonattainment area separate from the rest of the SVAB considering factors such as meteorology, topography, ambient air quality data, emissions sources, and population. The Sacramento Regional 2008 NAAQS [National Ambient Air Quality Standard] 8-Hour Ozone Attainment and Reasonable Further Progress Plan [Footnote 5: Sac Metro Air District, et.al., Sacramento Regional 2008 NAAQS 8-Hour Ozone Attainment And Reasonable Further Progress Plan, Appendix B-2 page B-24: http://www.airquality.org/ProgramCoordination/Documents/S	AQ-1 will not only be used to reduce emissions below SMAQMD's NOx threshold, but also to satisfy general conformity by offsetting NOx emissions above the federal de minimis threshold to net zero. Pursuant to the Clean Air Act, offsets procured to demonstrate general conformity must occur within the same nonattainment area as the action (or nearby area of equal or higher classification provided the emissions from that area contribute to the violations, or have contributed to violations in the past) (40 CFR 93.158). Accordingly, Mitigation Measure AQ-1 has been revised in the Final EIR to clarify that NOx offset fees must fund emission reduction projects within the SFNA (or in a nearby area of equal or higher nonattainment classification, as allowed under 40 CFR 93.158(2)). The revisions to Mitigation Measure AQ-1 do not result in a new significant environmental impact or substantial increase in the severity of an environmental impact or require additional mitigation measures to which DWR was unwilling to commit. While the ozone attainment status of counties in the SVAB outside the SFNA is below that of the SFNA, as noted by the commenter, the San Joaquin Valley Air Basin (SJVAB) is designed extreme nonattainment for the federal 8-hour ozone standard (see the table titled Federal and State Attainment Status along the Water Conveyance Alignments within the SVAB, SJVAB, and SFBAAB in Chapter 23). The SJVAB boarders the SFNA to the south and as referenced in SMAQMD's Sacramento Regional 2008 NAAQS 8-Hour Ozone Attainment and Reasonable Further Progress Plan (Attainment Plan), "air quality in the [SFNA] can be impacted by pollutant transport from the ... San Joaquin Valley" with the impact on ozone formation being "considered overwhelming, significant or inconsequential," depending on the day (Sacramento Metropolitan Air Quality Management District et al. 2017:9-1). The Attainment Plan notes that "Delta breezes carry air pollutants from ... San Joaquin Valley emission sources downwind to the inland areas of the Sacramento region" and recognizes that "emission reductions from ... upwind regions' control

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	ac%20Regional%202008%20NAAQS%20Attainment%20and%20RFP%20Plan.pdf] (Attainment Plan) documents that during ozone episodes the dominant transport pattern is from the west toward the northeast and foothills of the SFNA. The California Air Resources Board staff report [Footnote 6: California Air Resources Board, Staff Report ; CARB Review of the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan, Appendix B: https://ww2.arb.ca.gov/sites/default/files/2021-02/Sacramento%20Region%20Final%20Staff%20Report.pdf] on the Attainment Plan also confirms that contributions to ozone levels from the SVAB outside of the SFNA are small UC Berkeley research [Footnote 7: LaFranchi, B. W., A. H. Goldstein, and R. C. Cohen. "Observations of the temperature dependent response of ozone to Nox reductions in the Sacramento, CA urban plume." Atmos. Chem. Phys 11 (2011): 6945-6960: https://doi.org/10.5194/acp-11-6945-2011] included in the Attainment Plan and current preliminary modeling being conducted for the development of the 2015 8-hour ozone standard attainment plan demonstrate that the SFNA is a Nox-limited regime and therefore increases and decreases in Nox emissions (not volatile organic compounds) drive ozone formation in the SFNA. Due to the location of the project in the SFNA, dominant transport pattern from the west to the northeast, and importance of Nox reductions to reduce ozone formation in the SFNA, the Nox increases from the project could hinder attainment efforts unless mitigated by emissions reduction projects also occurring within the SFNA. Beyond CEQA concerns, for General Conformity purposes	measures reduce ozone precursors from transport and help reduce ambient ozone concentrations in the SFNA" (Sacramento Metropolitan Air Quality Management District et al. 2017:9-1/9-2). Accordingly, Mitigation Measure AQ-1 retains reference to procurement of NOx offsets from a nearby area of equal or higher classification, as allowed under 40 CFR 93.158(2). DWR reaffirms its commitment to working with SMAQMD to reduce construction emissions and avoid adverse effects to regional air quality. Development of a mitigation agreement with SMAQMD is DWR's preferred method for mitigating project impacts on ozone formation. The NOx offset fees and emission reduction projections will ultimately be determined at the time of mitigation, as outlined in Mitigation Measure AQ-1, and mutually negotiated as part of the mitigation agreement.

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	[Footnote 8: Title 40, Chapter 1, Subchapter C, Part 93, Subpart B – Determining Conformity of General Federal Actions: https://www.ecfr.gov/current/title-40/part-93/subpart-B] if mitigation occurs outside the SFNA it must be in "areas of equal or higher nonattainment classification that contribute to the violations or have contributed to violations in the past" to mitigate emissions. The EPA's Green Book website [Footnote 9: U.S. EPA Non-Attainment Areas for Criteria Pollutants (Green Book) website: https://www.epa.gov/greenbook] confirms the ozone non-attainment status of the counties in the SVAB outside the SFNA would not meet the criteria necessary to have off-site emission reduction projects mitigate emissions increases in the SFNA.	
455-4	Gasoline Dispensing It does not appear emissions from on-site gasoline dispensing (Chapter 3, pages 3-64 - 3-65) were included in the emissions calculations (appendices 23A, 23B) or the construction health risk assessment (Impact AQ-6). Gasoline dispensing emissions should be included in the analysis for full disclosure.	Emissions from gasoline dispensing are limited to evaporative volatile organic compound (VOC) emissions. The health risk assessment focuses on diesel particulate matter (DPM) emissions as the risk to exposure from DPM generally overwhelms other emission sources (e.g., gasoline fueled vehicles). For example, a recent (Rincon Consultants 2021) air quality and health risk study completed for a gasoline dispensing facility located in Redlands, California, with an annual throughput of 6.5 million gallons of gasoline per year, showed that the maximum calculated cancer risk was 4.5 in a million at a residential receptor located only 125 feet from the gasoline dispensing facility. While the precise quantity of fuel dispensed at onsite fueling stations is not currently known and will depend on many variables, as shown in Appendix 23B, Air Quality and GHG Analysis Activity Data, non-electric equipment and vehicles are expected to be primarily diesel powered. Accordingly, the quantity of gasoline consumed during construction of the proposed project would be limited. It is also expected that the throughput at onsite gasoline dispensing facilities would decline overtime with the continuing electrification of on-road vehicles, pursuant to statewide regulation and EC-8. Accordingly, project construction is not expected to result in material VOC emissions from onsite gasoline

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		dispensing. Likewise, any potential health risk from exposure to evaporative VOC would be incremental compared to the contribution of risk from project DPM emissions, as assessed in the EIR.
455-5	AQ-5: Exposure to Localized Particulate Matter and Nitrogen Dioxide Concentrations Mitigation measure AQ-5: Avoid Public Exposure to Localized Particulate Matter and Nitrogen Dioxide Concentrations (chapter 23, pages 23-141 - 23-143) includes additional modeling, potential air quality monitoring for particulate matter and nitrogen dioxide concentrations, and potential corrective actions to reduce concentrations. Sac Metro Air District appreciates DWR efforts to determine pollutant levels and reduce public exposure. AQ-5 includes the expectation of air district coordination on monitoring, station siting, and data availability. Sac Metro Air District recommends this measure include funding for air districts to provide technical support to DWR on any monitoring efforts. In addition to implementing corrective actions to reduce pollutant levels caused by construction activities (Section iii., Increment), DWR should include provisions to provide exposure reduction solutions for nearby receptors (such as portable indoor air filtration or providing HVAC filters rated MERV 13 or higher). [Footnote 10: CAPCOA Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerability, and Advancing Health and Equity. CE-4: Portable Indoor Air Filtration for Nearby Residents During Construction. Https://caleemod.com/documents/handbook/ch_5/chapter_5.pdf]	As the CEQA lead agency, DWR is responsible for implementing, monitoring, reporting, and enforcing all mitigation measures outlined in the mitigation monitoring and reporting plan (MMRP) for the Delta Conveyance Project EIR. DWR prioritizes consultation with local and regional partners to support the development and implementation of project mitigation. DWR will coordinate with SMAQMD on Mitigation Measure AQ-5, as outlined in the EIR. While DWR believes project mitigation would benefit from SMAQMD's air quality expertise and involvement, neither Mitigation Measure AQ-5 nor any other air quality measure in the EIR obligates SMAQMD to provide support. Likewise, as the CEQA lead agency, there is no requirement for DWR to fund technical support that would be provided voluntarily by another agency. DWR values SMAQMD's expertise and will continue to collaborate with SMAQMD to implement project mitigation and protect regional and local air quality, consistent with SMAQMD's mission and vision. Provisions for indoor air filters would not mitigate ambient air quality effects. Impact AQ-5 evaluates the potential for project construction to cause elevated ambient criteria pollutant concentrations. The EPA defines ambient air as "that portion of the atmosphere, external to buildings, to which the general public has access" (40 CFR § 50.1(e)). Consistent with EPA's definition, the EIR modeled pollutant concentrations along the construction fence line, which represents the closest point to which the public may be exposed to construction-generated emissions in the ambient air. An assessment of pollutant concentrations at individual receptor locations, such as residences or schools, is outside the scope of an ambient air quality analysis (AAQA) and inconsistent with EPA's definition of ambient air. Moreover, providing indoor air filters to nearby receptors would not provide mitigation of ambient (i.e., "external to buildings," as

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		defined by EPA) emissions. The corrective actions identified in Mitigation Measure AQ-5 will reduce pollutant concentrations at the emission source (i.e., construction site), thereby directly minimizing public exposure to ambient emissions at the construction fence line. Furthermore, pollutant concentrations emitted from construction will decline as a function of distance from the emissions source. As such, actual concentrations at homes and businesses would be lower than presented in the EIR. Finally, Impact AQ-6analyzes the potential for project construction to create health risks from exposure to DPM at specific receptor locations. Mitigation Measure AQ-6 includes financial assistance for air filters to impacted residences.
455-6	AQ-7 Result in Exposure of Sensitive Receptors to Asbestos, Lead-Based Paint, or Fungal Spores That Cause Valley Fever The Sac Metro Air District appreciates the inclusion of Valley Fever in the analysis of Impact AQ-7 (pages 23-154 - 23-156). Historically, Valley Fever has not been prevalent in Sacramento County, although Valley Fever cases in California, including Sacramento County and adjacent Northern San Joaquin County have been increasing [Footnote 11: CDPH Valley Fever website: https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/ValleyFeverBasics.aspx]. With drier conditions in California and the increase in soil disturbance and movement from the project, Valley Fever cases may continue to increase. Sac Metro Air District recommends DWR work with California Department of Public Health and county public health officials to provide information regarding Valley Fever to local health professionals in the vicinity of the project in anticipation of project construction. Valley Fever information (symptoms, prevention)	Chapter 23, Air Quality and Greenhouse Gases, under Impact AQ-7, evaluates potential receptor exposure to C. immitis spores that may be released during earthmoving activities if the spores are present in the soil. The analysis concludes receptor exposure to C. immitis and development of Valley fever would be less than significant. Accordingly, no mitigation is required. The project includes fugitive dust control measures (Environmental Commitment EC-11) that will avoid dusty conditions and reduce the risk of contracting Valley fever through routine watering and other measures. Also, as noted by the commenter and discussed in Chapter 3, Description of the Proposed Project and Alternatives, there will be an assigned Delta Conveyance Project ombudsman. The project ombudsman would be available to community, including local health professionals, to answer project questions, including those related to safety information during construction.

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	could also be provided to residents through the proposed Project Ombudsman noted in Chapter 3 (page 3-162).	
455-7	Greenhouse Gas Analysis and Appendices DWR's commitment to achieve net zero greenhouse gas emissions (GHG) from project construction and displaced purchases of Central Valley Project electricity is commendable. Mitigation measure AQ-9 sets a performance standard for the needed GHG emissions reductions and provides details on the GHG reduction plan contents, implementation, and enforcement components (Chapter 23 pages 23-173 - 23- 182). Sac Metro Air District requests DWR make a firm commitment to use zero emission shuttles and buses to transport employees from the park and ride lots to construction sites in its net zero GHG reduction plan. Currently the DEIR lists electric shuttles and buses as a potential on-site construction strategy (Chapter 23 page 23-175).	The comment paraphrases content from Chapter 23, Air Quality and Greenhouse Gases, of the EIR, and requests DWR commit to zero emission shuttles for employee transport. The employee shuttles will be electric powered, and the park-and-ride lots will be equipped with electric vehicle charging stations. Chapter 3, Description of the Proposed Project and Alternatives, has been updated to clarify this commitment. Mitigation Measure AQ-9 has likewise been revised to identify electric shuttles as a project design feature and not an optional on-site strategy.
455-8	Sac Metro Air District recommends DWR engage the community when developing and selecting the GHG reduction strategies used to achieve the performance standard. This is especially important for onsite and off-site strategies which can have real, direct impacts on the health and economic well-being of the surrounding community. WR [DWR] started engaging the community as part of the development of the Community Benefits Program Framework (Chapter 3, Appendix 3G) and could build on that work to involve the community when selecting measures to mitigate GHG emissions.	As discussed in Appendix 3G, Community Benefits Program Framework, the Community Benefits Program, while complementary, is separate and distinct from requirements of the CEQA mitigation. As applicable, DWR will coordinate with local affected entities (e.g., utilities, transit providers) when developing off-site reduction strategies selected under Mitigation Measure AQ-9, and any input provided by the local entities on behalf of their constituents will be considered. Also, as discussed in Chapter 3, Description of the Proposed Project and Alternatives, there will be an assigned Delta Conveyance Project ombudsman. The project ombudsman would be available to community to answer questions, including those related to project mitigation.
455-9	The analyses to document GHG emissions from changes in land use due to the construction of the project and the Compensatory Mitigation Plan sites (Impact AQ-10)	GHG flux rates from land use change are dynamic and extremely variable. While every effort was made to control and reduce model uncertainty, DWR estimates an overall average uncertainty of plus or minus 30% in the

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	demonstrate that the land use changes will reduce GHG emissions in both the build out year and in 2070. Since the analyses have a margin of error +/- 30%, Sac Metro Air District recommends these analyses be updated once the project and Compensatory Mitigation Plan sites are constructed to verify the GHG emissions changes. The GHG Emissions and Removals Associated with Proposed Compensatory Mitigation for the Delta Conveyance Project report in Appendix 3A, Attachment 3F.2 is dated June 18, 2021, while Appendix 23A, Attachment 23A.2 includes the same titled report, but is dated December 9, 2021. The DEIR should be consistent and use the same report in all places and references.	estimation of GHG emissions from land use change, as noted by the commenter. This uncertainty range indicates that the net cumulative GHG effect of the project would be within 0.70 to 1.30 of the mean estimated value. The following tables in Chapter 23, Air Quality and Greenhouse Gases, Impact AQ-10, present the upper-bound (1.30 of mean) and lower-bound (0.70 of mean) estimates in recognition of this variability: Net Cumulative Land Use Change Emissions from Construction of Alternatives 2a, 4a, 10 and 5 (metric tons CO2e); Net Cumulative Land Use Change Emissions from Initial Compensatory Mitigation (Bouldin Island and I-5 ponds) (metric tons CO2e); and Net Cumulative Land Use Change Emissions from Construction and Initial Compensatory Mitigation (metric tons CO2e). As shown in the table titled Net Cumulative Land Use Change Emissions from Construction and Initial Compensatory Mitigation (metric tons CO2e), the total cumulative GHG effect of the project inclusive of the Compensatory Mitigation Plan over the entirety of the 0.70 to 1.30 uncertainty range (i.e., lower-bound to upper-bound estimates) is a net reduction by 2070. Accordingly, the EIR GHG analysis appropriately accounts for the previously cited margin of error in the determination of significance. No mitigation is therefore required.
455-10	Permitting, Rules, and Environmental Commitments Concrete batch plants, boilers, standby generators, reusable tunnel material conveying, stockpiling, wind erosion, and truck and rail car loading, and potentially onsite gasoline dispensing facilities located in Sacramento County will need authorities to construct and permits to operate from the Sac Metro Air District (Chapter 3, pages 3-64 - 3-66). Sac Metro Air District recommends DWR contact permitting staff to coordinate permitting [Footnote 12: Sac Metro Air District Permitting website: https://www.airquality.org/businesses/permits-registrationprograms] timing and needs, including best available control technologies [Footnote 13: Sac Metro Air District Best Available Control Technology website:	The project will comply with all applicable local air quality rules, regulations, and permit obligations. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion on compliance with air quality regulations and permits.

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	https://www.airquality.org/businesses/permits-registration-programs/best-available-control-technology-(bact)], offsets, health risk assessments and other requirements. Contact [contact information has been redacted] to discuss permitting. All projects are subject to Sac Metro Air District rules and regulations in effect at the time of construction. Our website includes a list of the most common rules that apply during the construction phase of a project [Footnote 14: Sac Metro Air District Common Construction Rules: https://www.airquality.org/LandUseTransportation/Documents/RulesAttachment10-2020Final.pdf].	
455-11	Environmental Commitment EC-12: On-Site Concrete Batching Plants, requires the application of best available control technology for fugitive dust control (Appendix 3B, page 3B-20). Sac Metro Air District recommends EC-12 include the requirement that applicable air permits be provided to DWR prior to mobilization, along with the requirement that monthly and annual reports of throughput be submitted to DWR.	As noted in the above responses to this letter, the project will comply with all applicable local air quality rules, regulations, and permit obligations. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion on compliance with air quality regulations and permits, and specific engagement with SMAQMD.
455-12	Transportation Mitigation Measure TRANS-1: Implement Site-Specific Construction Transportation Demand Management (TDM) Plan and Transportation Management Plan To further promote use of public transit facilities by construction workers and potentially reduce single occupancy vehicle trips to meet the 25% TDM Plan reduction goal, Sac Metro Air District recommends DWR extend the employee shuttle beyond the planned park and ride lot at Interstate 5 and Hood- Franklin Road (Appendix 20a, page 20a-4) to the planned Elk Grove Station of the Altamont Corridor Express	Before the I-5/Hood-Franklin Road Park-and-Ride Lot is constructed, DWR will coordinate with Sacramento Regional Transit to extend/incorporate service from the planned Elk Grove Station for the Altamont Corridor Express Train and the Amtrak San Joaquin Train to and from the I-5/Hood-Franklin Road Park-and-Ride Lot. This action will be performed as part of Mitigation Measure TRANS-1.

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	Train and Amtrak San Joaquin, scheduled to open in 2024/25. [Footnote 15: San Joaquin Regional Rail Commission. Valley Rail. https://www.sjrrc.com/valley-rail/]	
455-13	Impact TRANS-2: Conflict with a Program, Plan, Ordinance or Policy Addressing the Circulation System Sac Metro Air District appreciates the review of circulation plans noted in the DEIR (Chapter 20 starting on page 20-45) for analyzing conflicts (SACOG 2020 Metropolitan Transportation Plan/Sustainable Communities Strategy [Footnote 16: SACOG, 2020 MTP/SCS, November 18, 2019: https://www.sacog.org/2020-metropolitan-transportationplansustainable-communities-strategy], the Great California Delta Trail Master Plan [Footnote 17: Delta Protection Commission, State of California, Great California Delta Trail Master Plan, January 2020: https://delta.ca.gov/wp-content/uploads/2022/01/GDT-Master-Plan-508.pdf], and the Sacramento County Active Transportation Plan [Footnote 18: Sacramento County Active Transportation Plan, June 2022: https://sacdot.saccounty.gov/Pages/Active%20Transportation.aspx]). DWR should also consider reviewing SACOG's Sacramento Region Trail Network Action Plan [Footnote 19: Sacramento Region Trail Network Action Plan, SACOG, approved August 2022: https://www.sacog.org/post/sacramento-region-trail-network-action-plan-approved] prior to implementing the project. Although the project is not expected to conflict with circulation related plans noted in TRANS-2, Sac Metro Air District recommends all roadways and intersections modified by the project (listed in Appendix 20A starting on page 20A-2, Chapter 20 starting on page 20-29, and Chapter 3) should be supportive	The commentor's statement regarding reviewing circulation plans located within SMAQMD is consistent with the documents included in the transportation analysis in Chapter 20, Transportation, of the Draft EIR. DWR has reviewed the Sacramento Region Trail Network Action Plan, which was adopted by the Sacramento Area Council of Governments (SACOG) on August 18, 2022, and has added reference to the document to Chapter 20 in the Final EIR. A combination of transportation management plans (described in Mitigation Measure TRANS-1) and improvements to the transportation system would be developed in coordination with the State of California and local agencies to reduce potential traffic safety hazards at key intersections and emergency access to Delta communities within Sacramento Metro Air Management District. Impacts TRANS-3 and TRANS-4 address potential construction impacts as they relate to access, roadway improvements, and emergency access. Prior to construction, Geometric Approval Drawings would be developed by DWR for review, comment, refinement, and approval in consultation with the applicable transportation entities, including Caltrans for state and federal roadway and intersection (vehicles, pedestrians, and bicyclists) facilities, and local agencies for local roadway and intersection (vehicles, pedestrians, and bicyclists) facilities.

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	and consistent with the regional improvements as described in the plans mentioned above as well as local agency plans and roadway standards. All roadways improved by the project should also implement rural complete street best practices [Footnote 20: United States Department of Transportation, Federal Highway Administration, Small Towns and Rural Multimodal Networks, December 2016: https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/small_towns/fhwahep17024_lg.pdf]. Roadways and bridges modified by the project should provide adequate shoulder widths to allow for bicycle and pedestrian travel. Proposed new and existing shoulders should include rumble strips between the shoulder and vehicle travel lane [Footnote 21: United States Department of Transportation, Federal Highway Administration, Small Towns and Rural Multimodal Networks, December 2016: Chapter 3 Visually Separated Facilities, page 3-4https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/small_towns/fhwahep17024_lg.pdf]. This provision should explicitly apply to the Highway 160 rerouting and the improvements to Lambert Road in Sacramento County. Signalized intersections modified by the project should include provisions for bicycle detection. [Footnote 22: National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide; Signal Detection and Actuation: https://nacto.org/publication/urban-bikeway-design-guide/bicycle-signals/signaldetection-and-actuation/]	
455-14	Electric Vehicle (EV) Charging at Park and Ride Lots Sac Metro Air District staff commends the installation of EV chargers [Footnote 23: Project confirmed inclusion in DEIR Chapter 3, page 3-57 line 26-27 and Chapter 20, page 20-32	The I-5/Hood Franklin Road Park-and-Ride Lot will be designed to provide an appropriate number of parking spaces for construction workers to transfer to an alternative fuel transit vehicle. The number of electric vehicle charging stations (portable or permanent) and inclusion of on-site battery

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	line 8.] at the proposed park and ride lots for construction workers. The Interstate 5 and Hood-Franklin Road park and ride lot in Sacramento County should include enough parking spaces equipped with EV chargers to ensure e-vehicle users can arrange charging while on duty. Portable solar chargers may provide a feasible option for EV charging if the park and ride lot is expected to be demolished after construction of the project. If the park and ride lot will remain after project construction, Sac Metro Air District recommends DWR include the installation of battery storage along with EV charging stations.	storage to smooth out charging load profiles will be determined before the I-5/Hood Franklin Road Park and Ride Lot is constructed. DWR has not made a final determination as to whether the Park-and-Ride facility will remain after project construction and will coordinate with Caltrans and Sacramento County on this decision.
455-15	Environmental Commitments and Best Management Practices: Environmental commitments related to both off-road heavy-duty engines and on-road haul trucks in Appendix 3B (EC-7 and EC-8, pages 3B-18 - 3B-19) include a statement that "DWR will consider use of electric or hybrid-electric vehicles over diesel counterparts to the extent they become commercially available and earns a track-record for reliability in real-world construction conditions and become cost effective." Sac Metro Air District recommends these environmental commitments consider all zero emission vehicles and technologies, including hydrogen. With the State's commitment to zero emission transportation by 2045 and adoption of supporting regulations such as the Advanced Clean Trucks Regulation, the availability of zero emission vehicles and technologies are increasing. Sac Metro Air District's incentive program staff have years of experience funding and promoting zero emission vehicles, charging, and fueling infrastructure. Public and private entities are involved now in demonstration projects for hydrogen fuel cell trucks and building fueling stations in the region to expand the hydrogen sector. Zero emission vehicles should be even more available in the timeframe of Delta Conveyance	DWR has revised Commitments EC-7 and EC-8 to include additional commitments for zero-emission equipment and vehicles during and after construction. The revised Environmental Commitments include performance standards for use of these technologies, consistent with current state goals, regulations, and priorities. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion regarding the revisions and DWR's overall approach to air quality mitigation. The revisions to Appendix 3B, Environmental Commitments and Best Management Practices, do not result in a new significant environmental impact or substantial increase in the severity of an environmental impact or require additional mitigation measures to which DWR was unwilling to commit.

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	construction. As a State agency, DWR should include a stronger commitment to the use of zero emission vehicles, aligning with State goals, and to help drive more investment in vehicles and fueling infrastructure in the region and to support the Delta Conveyance project.	
455-16	Community Benefits Program The Sac Metro Air District recommends the Community Benefits Program explicitly include the Isleton-Stone Lake trail on the former Walnut Grove Branch Line rail corridor, as described in the Great California Delta Master Plan [Footnote 24: Delta Protection Commission, State of California, Great California Delta Trail Master Plan, January 2020; page 3.19: https://delta.ca.gov/wp-content/uploads/2022/01/GDT-Master-Plan-508.pdf] as a potential Community Benefits infrastructure project (Chapter 34, pages 34-5 and 34-6, and Appendix 3G). Additionally, Sac Metro Air District is supportive of "leave behind" infrastructure and new infrastructure that will improve transportation connectivity and provide opportunities for more trips by bicycle and walking in Delta communities (expanded shoulders, rumble strips, access roads with bike lanes, taking slower moving ag equipment off main roads and onto access roads, new sidewalks, and trails).	As described in Appendix 3G, Community Benefits Program Framework, the Delta Community Fund could support potential actions that would enhance recreation and could include projects identified in the Great California Delta Trail Master Plan such as the Isleton-Stone Lake Trail. A specific reference to the Isleton-Stone Lake Trail has been added to Appendix 3G. The comment in support of "leave behind" infrastructure and new infrastructure that will improve transportation connectivity does not raise significant environmental issues related to the analysis of impacts discussed in the EIR. As described in Appendix 3G, decisions regarding specific actions to be funded will be made following the completion of the CEQA process and after continued engagement with the community.
455-17	Please contact me at (279) 207-1122 ext. 1214 or pphilley@airquality.org if you have any questions regarding these comments.	This information provides clarification on the submittal of the comment letter. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
456-1	The Trinity County Fish and Game Advisory Commission has voted to oppose the Delta Tunnel Project as currently planned. The Commission is particularly concerned about the drawn-downs to the Sacramento River and their potential effect on the already stressed Trinity River.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general opposition to the project and for a discussion of areas upstream of the north Delta intakes; and Common Response 9, Hydrologic Modeling and Approach, which discusses the reasonable representation of project operations in the hydrologic model (CalSim 3),

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		including modeled representation of areas upstream of the north Delta intakes. The Delta Conveyance Project would not increase water demand on the Trinity River. As stated in Chapter 2, Purpose and Project Objectives, the basic objective of the Delta Conveyance Project is to restore and protect the reliability of SWP water deliveries. The Delta Conveyance Project is not proposing changes to operations or amount of storage provided by upstream facilities.
456-2	The environmental impact statement says that the tunnel will drawn an additional 500,000-acre feet from the Sacramento River in normal years, and 200,000 – 300,000-acre feet in dry years. An average of 50% of Trinity River's water is already diverted to the Sacramento River for downstate water customers. As a result, the Trinity River's salmon and trout population has drastically dropped to the point that their survival is threatened.	As stated in Chapter 2, Purpose and Project Objectives, the basic objective of the Delta Conveyance Project is to restore and protect the reliability of SWP water deliveries. The Delta Conveyance Project is not proposing changes to operations or amount of storage provided by upstream facilities. The EIR evaluates environmental impacts and proposed mitigation measures regarding multiple environmental resources in the Delta, including Chapter 12, Fish and Aquatic Resources. The potential impacts on fish and aquatic resources would be mitigated to a less-than-significant level.
456-3	We propose that the Delta Tunnel Project be postponed until we have be assured the Trinity River is adequately protected. In that event the Commission will reconsider our opposition to the project. Thank you for your time on this matter.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general opposition to the project. As stated in Chapter 2, Purpose and Project Objectives, the basic objective of the Delta Conveyance Project is to restore and protect the reliability of SWP water deliveries. The Delta Conveyance Project is not proposing changes to operations or amount of storage provided by upstream facilities. Therefore, project impacts on the Trinity River are not anticipated.

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462-1	The City of Antioch submits the following comments on the Delta Conveyance Project EIR. In 2020, the Department of Water Resources (DWR) and Antioch entered into an agreement ("2020 Agreement") to mitigate the impacts of the State Water Project on Antioch's water rights and supply. Under the terms of the 2020 Agreement, DWR agreed to provide funding towards Antioch's construction and operation of a Brackish Water Treatment Plant. The 2020 Agreement further provided that DWR would not engage in any action that would interfere with the City's Treatment Plant. The City's Brackish Water Treatment Plant also meets the goals of the State's Water Resilience Portfolio and was intended in part to supply water for domestic and municipal use during prolonged periods of drought. The 2020 Agreement is DWR's legal obligation to control salinity at Antioch under Water Code section 12202 et al. and SWRCB Decisions 990, 1275 et al. The 2020 Agreement is in the possession of the DWR and should be part of the administrative record. The Draft EIR fails to disclose DWR's contractual/legal obligation to Antioch under the 2020 Agreement and also fails to provide any analysis as to the potential impacts of the Delta Conveyance Project on Antioch's Brackish Water Treatment Plant as required by the 2020 Agreement (including but not limited to impacts during droughts). DWR should work with Antioch to analyze potential adverse impacts to the City's Treatment Plant and to the 2020 Agreement. If such impacts are identified, to then either modify the Conveyance Project to avoid any such impacts or to mitigate such impacts.	DWR knows of the 2020 Agreement with the City of Antioch, and it is included in the record (City of Antioch and California Department of Water Resources 2020). The EIR discloses potential impacts on water quality in the San Joaquin River at Antioch in Chapter 9, Water Quality. Modeled concentrations of boron (Impact WQ-2), bromide (Impact WQ-3), chloride (Impact WQ-4), mercury (Impact WQ-6), organic carbon (Impact WQ-8), and selenium (Impact WQ-10) with detailed modeling output in tabular and graphical format are provided in the Chapter 9 appendices. Qualitative assessment is provided for other constituents. Impacts from project operations on water quality were determined to be less than significant. The analysis shows that all regulatory requirements regarding salinity control would be maintained under operating conditions. In addition, the EIR includes the City's project in Appendix 3C, Defining Existing Conditions, No Project Alternative, and Cumulative Impact Conditions, as a project to consider under the No Project Alternative and in the cumulative project list. DWR will coordinate with the City of Antioch as the design of the Delta Conveyance Project progresses to address any concerns the City may have regarding the City's Brackish Water Treatment Plant and DWR's obligations under the 2020 Agreement. As disclosed in the EIR, potential impacts on water quality from project operations were found to be less than significant, including those that may occur within in the vicinity of Antioch's Brackish Water Treatment Plant.

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	Thank you for your consideration.	
463-1	Request is made to DWR and all entities and persons responsible for comment review, analysis and the final EIR - EIS report/statement to show DWR's responses in the final report/statement to each of the comments submitted by the District [Clarksburg Fire Protection District].	Comments submitted on the Delta Conveyance Project Draft EIR will be responded to and available for review in the Final EIR. All commenters on the Draft EIR will be notified when the Final EIR is available for review.
463-2	This letter is written to provide comments to the Draft Environmental Impact Report and the Draft Environmental Impact Statement issued by the Department of Water Resources, in consultation with the United States Corps of Engineers, issued July 2022. These comments are submitted by the Clarksburg Fire Protection District, a Special Independent District, organized under the laws of the State of California ("Clarksburg Fire" or the "District"). Organized in 1946, the mission of Clarksburg Fire is (1) to provide fire protection for all properties, structures and residents of the District, (2) to participate in beneficial mutual aid agreements with neighboring fire districts, as well as with County, State, and Federal agencies, and (3) to provide first response services in the event of accident or medical emergency within the District, supported by regular community outreach and education ("Mission of Clarksburg Fire"). Clarksburg Fire responded to 257 calls for emergency assistance, year to date, in 2022. As an example of the accomplishment of the Mission of Clarksburg Fire, on October 27, 2019, a high-wind event, 19 of the District's firefighters responded to 25 separate calls answering and arriving on-scene to provide emergency responses to a wide array of requests for help. From time-to-time the District draws water from the Sacramento River and from the sloughs and canals	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	running through the District. The service district and geographical area over which Clarksburg Fire has responsibility covers approximately 33,000 acres in the southern portion of Yolo County and is generally described as the land, improvements and residents marked by Babel Slough Road on the north, the Yolo County line on the south, the Sacramento River on the east, and the Sacramento Deep Water Ship Channel on the west (the "District Area"). A map [See Exhibit 1] of the District Area is enclosed with these comments and this review.	
463-3	Clarksburg Fire [Clarksburg Fire Protection District] owns three parcels of real property located at 52910 Clarksburg Avenue, Clarksburg, County of Yolo, California 95612 (mailing address above) and also described as Yolo County Assessor's Parcel Numbers 043-240-013, 043-240-014, and 043-240-036 ("Clarksburg Fire District Property"). Located on the Clarksburg Fire District Property are two buildings: the main fire station (originally built in 1948 and since remodeled and updated) and the fire annex.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
463-4	Clarksburg Fire receives funding and support from a share of property taxes collected within the District (which is dependent on property values and assessments), from a Proposition 218 benefit assessment, from developmental impact fees, and from grants, members of the Clarksburg Community and the North Delta in general. The District enjoys widespread support from the people of the Clarksburg District and the North Delta and works to maintain that high level of support. In existence and functioning continuously for nearly 75 years, Clarksburg Fire is an essential part of the cultural and historical	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	fabric of the Clarksburg community and provides essential support as part of the cultural and rural neighborhood values of the Delta (ref. Public Resource Code§ 85054). As an expression of these values the District organizes two annual parades (4th of July and Christmas) and supports a firefighters' association. The firefighters' association puts on public dinners and other community support activities. Clarksburg Fire is an interested party (CEQA Guidelines, § 15086).	
463-5	The proposed Delta Conveyance Project as described in the Notice of Preparation ("Project") presents a series of substantial direct and indirect effects (including environmental effects), socioeconomic effects, and cumulative effects both on Clarksburg Fire, on the Mission of Clarksburg Fire, and on Clarksburg Fire District Property.	Chapter 3, Description of the Proposed Project and Alternatives, provides a clear and detailed description of the project and alternatives. Potentially significant environmental impacts, including cumulative impacts, of the project and proposed mitigation measures are evaluated in Chapters 7-32 of the EIR. Please refer to the Executive Summary table titled Summary of Delta Conveyance Project Impacts and Mitigation Measures, which summarizes the impacts, mitigation measures, and impact significance after mitigation for all resource topics evaluated in the EIR. Please refer to Chapter 17, Socioeconomics, regarding potential effects on socioeconomics. Please also refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.
463-6	As an example of the indirect impact and socioeconomic negative effect of the Project, the District [Clarksburg Fire Protection District] will suffer substantial disruptions, or cessations, in operation because of the Project through increased traffic, increased noise, disruption in well water operations and availability, septic and wastewater operations and availability, and on the use of the Clarksburg Fire District Property as an historical District and operation within and as	Please refer to Chapter 17, Socioeconomics, regarding potential effects on socioeconomics. As described in Chapter 17, the potential socioeconomic effects analyzed are not expected to be adverse, with the exception of losses in regional employment and income attributable to losses in agricultural production. Constructing and operating the project are expected to benefit the regional economy. Chapter 21, Public Services and Utilities, describes how construction and

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	part of the Clarksburg Community, the Delta Community and California.	operations and maintenance activities could affect public services and utilities, including fire protection, emergency response, and water and wastewater service providers and infrastructure. As described in the Chapter 21 section titled Impacts of the Project Alternatives on Public Services and Utilities, the project would not cause significant impacts on public services or utilities within the study area. Although Clarksburg Fire Protection District is outside the public services and utilities study area, the EIR considers Clarksburg Fire Protection District with respect to effects on public services and utilities as it may provide secondary services to agencies in the area. Please refer to the section titled Study Area in Chapter 21 and Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the study area boundaries. As described in Chapter 3, Description of the Proposed Project and Alternatives, DWR would enter into mutual aid agreements with emergency services agencies in the project area. Please also refer to Chapter 8, Groundwater Resources, Chapter 19, Cultural Resources, Chapter 20, Transportation, and Chapter 24, Noise and Vibration, regarding impacts on groundwater, cultural resources, transportation, and noise, respectively. As noted in the Executive Summary table titled Summary of Delta Conveyance Project Impacts and Mitigation Measures, impacts on groundwater resources would be less than significant, while impacts on cultural resources, transportation, and noise are potentially significant and unavoidable even with mitigation.
463-7	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the	The Delta Conveyance EIR has been prepared in compliance with CEQA and evaluates the full range of potential impacts that may result from construction and operation of the proposed project and its alternatives. Please refer to Common Response 3, Alternatives Development and Description, regarding the level of detail provided for the facility and construction descriptions, which is adequate for the purposes of the environmental analysis.

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	NOP Comment Letters were: - Construction methods must be analyzed, and alternative construction methods must be utilized, as demonstratable mitigation, which will not damage the Clarksburg Fire District Property and its ability to accomplish the Mission of the Clarksburg Fire District in any significant way.	The Executive Summary table titled Summary of Delta Conveyance Project Impacts and Mitigation Measures summarizes the proposed mitigation measures, and additional discussion of each impact and mitigation measure is provided under the referenced resource-specific chapter. Please also refer to Appendix 3B, Environmental Commitments and Best Management Practices, for a detailed description of environmental commitments. Please refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.
463-8	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: - Impact on the Project's impact on the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property.	Please refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.
463-9	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were:	Potentially significant environmental impacts and proposed mitigation measures related to zoning and land uses are evaluated in Chapter 14, Land Use. As described in Chapter 14, the project would result in a less than significant impact on existing land uses. Please refer to the section titled Study Area in Chapter 14 regarding the study area for impacts on land use, which includes the unincorporated community of Clarksburg.

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	- The impacts on the zoning and land uses authorized by law on the parcels where the Clarksburg Fire District Property is located, including complete description and analysis of all land use conflicts and mitigation for each land use conflict.	
463-10	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: - The impacts on the continued and future support of the District, on the Mission of Clarksburg Fire and on Clarksburg Fire Property from the Clarksburg Community and the North Delta, including the impacts of any de-population in the District, the Clarksburg Community and/or the North Delta, and on the economies of these areas, as a result of the construction, operations, and management of the Project.	The EIR includes an evaluation of economic effects attributable to the project in Chapter 17, Socioeconomics. As discussed in Chapter 17, employment changes resulting from construction and operations of the project are not expected to result in significant changes in population and housing in the Delta region. Refer to the table in Chapter 17 titled Population by County and Area, 2010-2060 for a summary of population and growth trends between 2010 and 2060 based on data from the California Department of Finance. Please refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.
463-11	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: - Whether, and how or how-not, the Project will benefit the District, support the Mission of Clarksburg Fire, the Clarksburg Community and North Delta.	Please refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District. As described in Chapter 3, Description of the Proposed Project and Alternatives, efforts were taken by DCA to avoid and minimize impacts. Please refer to the Efforts to Minimize Delta Community Effects technical memoranda in the Engineering Project Reports regarding the engineering and design modifications made to reduce Delta community effects (Delta Conveyance Design and Construction Authority 2022a, 2022b). Information from the technical memoranda Efforts to Minimize Delta Community

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		Effects is discussed in the Technical Appendices to the EIR as well as in Chapter 14, Land Use. Chapter 35, Public Involvement, discusses and summarizes the approach and highlights the results of the activities conducted by the DCA to minimize local community effects through engagement of interested parties and consideration in design and operations. Furthermore, as described in Appendix 3G, Community Benefits Program Framework, the Community Benefits Program would include the Delta Community Fund and Economic Development and Integrated Benefits to address local effects that may occur, beyond the mitigation requirements of CEQA.
463-12	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: Whether, and how or how-not, alternative locations for the proposed intakes, and all other proposed components of the Project, would lessen impacts on the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property than the currently proposed northernmost proposed intake.	The Department of Water Resources followed CEQA requirements when identifying alternatives to be considered for evaluation in the EIR. As described in Common Response 3, Alternatives Development and Description, CEQA requires lead agencies to develop project objectives to inform the identification of the project and a reasonable range of potentially feasible alternatives, including alternative locations. CEQA requires an EIR to include a reasonable range of alternatives that meet most of the basic project objectives, are potentially feasible, would avoid or substantially lessen one or more of the significant effects of the project, and will foster informed decision making and public participation. As demonstrated in the EIR and Common Response 3, the EIR includes a reasonable range of alternatives. Common Response 3 provides an explanation of the alternatives screening process and how project objectives are used to identify potential alternatives to the proposed project. The purposes and project objectives of the Delta Conveyance Project are presented in Chapter 2, Purpose and Project Objectives, of the EIR. Appendix 3A explains how DWR considered other potential alternatives

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		with different intakes, but none of those alternatives met screening criteria and, therefore, were not carried forward for detailed review in the EIR. Please refer to Delta Conveyance Final Draft Engineering Project Report, Part 1 of 2, Central and Eastern Options (Delta Conveyance Design and Construction Authority 2022d), for a summary of the intake site selection process. Intake locations were previously intensively analyzed for the BDCP/California WaterFix Project and re-evaluated for the analysis of the Delta Conveyance Project. For the Delta Conveyance Project, DWR also assessed alternative intake locations upstream and downstream, and found that these alternate locations did not meet the project objectives and/or did not have the potential to substantially lessen or avoid significant environmental effects of the project, which are the screening criteria for whether alternatives should move forward for further evaluation in the EIR. Screening criteria for assessing intake site suitability included proximity to existing development, number of structures and residences within the permanent footprint, and potential impacts from construction traffic and new roads and road improvements. Please refer to the Intake Site Identification and Evaluation technical memoranda in the Engineering Project Report for detailed information on site selection criteria (Delta Conveyance Design and Construction Authority 2022c).
463-13	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project	Please refer to response to comment 463-12 regarding the intake site selection process.

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	brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: - Show how sites, other than each of the three proposed intakes, considered by the Fish Facilities Technical Team were determined to be less impactful on the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property.	
463-14	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: - Show how visual and noise disturbance, as well as construction-related impacts to the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property will be minimized.	Potentially significant environmental impacts resulting from project construction and operation, as well as the mitigation measures proposed to reduce such effects, are evaluated in Chapters 7–32 of the EIR. Chapter 24, Noise and Vibration, Impact NOI-1 analyzes the potential for the project to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project. This impact is mitigated through Mitigation Measure NOI-1, which would reduce noise impacts to less than significant levels; however, if property owners do not participate in the mitigation measure, the impact would remain significant. A detailed description of environmental commitments is included in Appendix 3B, Environmental Commitments and Best Management Practices, which also includes measures related to noise reduction. Chapter 18, Aesthetics and Visual Resources, Impact AES-1 analyzes the project's impacts on visual character and quality in the study area. This impact is mitigated through Mitigation Measures AES-1a, AES-1b, and AES-1c. Mitigation Measures AES-1a through AES-1c meet CEQA requirements; however, even after implementation, the impact would remain significant. Cross-references to Mitigation Measures NOI-1, AES-1a, AES-1b, and AES-1c are included in the table titled Summary of Delta Conveyance Project Impacts and Mitigation Measures in the Executive Summary.
463-15	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the	DWR has been in coordination and consultation with federal, state, and local agencies, utility providers, and other interested parties throughout the development of the EIR. Please refer to Chapter 35, Public Involvement, regarding the outreach activities conducted to engage local agencies and other interested parties throughout the EIR process. Please

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	impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: - Substantive consultation, including disclosure and discussion of all alternatives and mitigation measures for the Project, with local Clarksburg Community land use agencies and advisory bodies as applied to the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property.	refer to Common Response 2, Public Outreach Activities, regarding public outreach requirements under CEQA and notification methods about the Draft EIR.
463-16	On April 16, 2020 (see Attachment 1) [Attachment 1] and on October 20, 2020 (see Attachment 2) [Attachment 2], the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: - State and analyze changes in the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property caused by the Project, including, without limitation, changes in community cohesion, a reduction of opportunities for maintaining face-to-face relationships, and disruptions to the functions of Clarksburg Community and North Delta community organizations and gathering places, such as the Clarksburg Fire District.	Chapter 14, Land Use, addresses the land use and planning issues raised by the commenter that are included in the CEQA Guidelines Appendix G. As described in Chapter 14, the impacts analyzed would result in no impacts, or less-than-significant impacts. Community cohesion is not included in Appendix G of the CEQA Guidelines and, so, is not analyzed specifically in the EIR. However, aspects of community cohesion and other issues described by the commenter are addressed in Chapter 14, Land Use, as well as in Chapter 17, Socioeconomics, and Chapter 18, Aesthetics and Visual Resources. For example, ECON-3 in Chapter 17 analyzes effects on community character within the Delta, which are expected to be minor.
463-17	On April 16, 2020 (see Attachment 1 [ATT 1]) and on October 20, 2020 (see Attachment 2 [ATT 2]), the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the	Chapter 20, Transportation, evaluates potentially significant impacts on transportation resulting from the project alternatives. As described in Chapter 20, although most potential impacts could be mitigated to a less-than-significant level, the project is expected to increase average VMT to a level that could be significant and unavoidable even with the implementation of mitigation. Please refer to Impacts TRANS-3 and TRANS-

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	DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: Whether, and how or how-not, traffic patterns and changes caused by the Project will impact the District, the Mission of Clarksburg Fire and the Clarksburg Fire District Property.	4 in Chapter 20, Transportation, which address potential construction impacts as they relate to access, roadway improvements, and emergency access. A combination of transportation management plans (described in Mitigation Measure TRANS-1) and improvements to the transportation system would be developed in coordination with State of California and local agencies to reduce potential effects related to traffic safety hazards and emergency access on Delta roadways serving project alternatives' construction sites.
463-18	On April 16, 2020 (see Attachment 1 [ATT 1]) and on October 20, 2020 (see Attachment 2 [ATT 2]), the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: Whether, and how or how-not, the Project will cause a decline in property values in the District, the Clarksburg Community and the North Delta.[Footnote 1: The District notes that property values in part contribute to the fiscal sustainability of the District through the assessments on property within the District related to the share of property truces collected by the District for its operations.] Whether, and how or how-not, the Project will cause blight and property abandonment in the District, the Clarksburg Community and North Delta.	Social and economic impacts such as those associated with property value, are outside the scope of CEQA unless they result in physical impacts. Nonetheless, the EIR does include discussion of these effects in Chapter 17, Socioeconomics. ECON-3 discusses the potential effects on community investment and property values. ECON-4 discusses effects on property tax revenues and local government fiscal conditions associated with properties in the construction footprint. As described in Chapter 17, Socioeconomics, the potential effects analyzed are not expected to be adverse effects. Chapter 18, Aesthetics and Visual Resources, Impact AES-1 analyzes the project's impacts on visual character and quality in the study area. This impact is mitigated through Mitigation Measures AES-1a, AES-1b, and AES-1c; however, even after implementation, the impact would remain significant. Please refer to Common Response 7, Implementation Considerations, regarding DWR's property acquisition process. As stated in Common Response 7, DWR's goal is to acquire the necessary property rights for project purposes through negotiations with affected property owners. As such, it is not reasonably foreseeable that the Delta Conveyance Project would result in abandoned properties or blight associated with abandoned properties. Additionally, because development of new structures in the Delta is generally not allowed, it is also not reasonably foreseeable that owners would abandon their properties.

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463-19	On April 16, 2020 (see Attachment 1 [ATT 1]) and on October 20, 2020 (see Attachment 2 [ATT 2]), the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: Whether the Project will invest in public facilities and infrastructure throughout the District, the Clarksburg Community and North Delta to mitigate the impacts of the Project.	As described in Appendix 3G, Community Benefits Program Framework, the Community Benefits Program would include the Delta Community Fund and Economic Development and Integrated Benefits to address local effects that may occur, beyond the mitigation requirements of CEQA. Please refer to Common Response 7, Implementation Considerations, for additional information regarding implementation of the Community Benefits Program.
463-20	On April 16, 2020 (see Attachment 1 [ATT 1]) and on October 20, 2020 (see Attachment 2 [ATT 2]), the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: Whether, and how or how-not, the Project will enhance and protect the District, the Mission of Clarksburg Fire and on Clarksburg Fire District Property, the Clarksburg Community and the North Delta (Public Resource Code§ 85054).	Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives, including DWR's continuing commitment to operate the State Water Project, as modified to include the Delta Conveyance Project if approved, in compliance with all state and federal water quality and environmental laws. See also Appendix 3E, Delta Reform Act Considerations, which discusses the Delta Reform Act's coequal goals and details on how the practical effect of many of the proposed mitigation measures in the EIR and environmental commitments in the EIR would protect Delta values. Please also see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, for information on the relationship of the project to the Delta Reform Act and the Delta Reform Act's discussion of coequal goals. Please also refer to responses to comments 463- 16 through 463-18 regarding potential impacts and response to comment 463-19 regarding the community benefits program.
463-21	On April 16, 2020 (see Attachment 1 [ATT 1]) and on October 20, 2020 (see Attachment 2 [ATT 2]), the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR	Please refer to response to comment 463-10 regarding socioeconomic impacts.

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	and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: State and analyze the socioeconomic impacts of the Project on the District, on the Mission of Clarksburg Fire, on Clarksburg Fire District Property, and on the Clarksburg Community and the North Delta.	
463-22	On April 16, 2020 (see Attachment 1 [ATT 1]) and on October 20, 2020 (see Attachment 2 [ATT 2]), the District [Clarksburg Fire Protection District] submitted Scoping Comments to DWR and USCOE, respectively (NOP Comment Letters). The NOP Comment Letters stated that each of the impacts described in the NOP Comment Letters needed to be fully analyzed in the DEIR. The specific impacts of the Project brought to the attention of DWR and USCOE in the form of the NOP Comment Letters were: Whether, and how or how-not, the Project (including its construction, operation and maintenance) would conflict with the District, on the Mission of Clarksburg Fire and on the Clarksburg Fire District Property. Each of the above [impacts in comment 7 through this comment (comment 22)] were, and still are, considered significant, material, important and substantial, as related to the District, to the Mission of Clarksburg Fire and to the Clarksburg Fire Property.	The Delta Conveyance Project EIR adequately evaluates the potential impacts from the construction and operation of the project in accordance with CEQA requirements. The issues and concerns raised in comments 463-7 through 463-22 have been adequately evaluated, as applicable, per CEQA. Please refer to responses to comments 463-7 through 463-22 for responses to the specific issues raised.

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	The DEIR/DEIS failed to analyze any of the above impacts with the legally required specificity. For example, the DEIR/DEIS failed to analyze the critical impact last listed in the impacts above [referring to the beginning of this comment] (whether, and how or how-not, the Project will conflict with the District, the mission of the District or the District Property).	
463-23	Chapter 21, Appendix 21A. Public Safety. Although the DEIR lists the District [Clarksburg Fire Protection District] as a fire protection district operating, and with responsibilities, within the Project area, it is clear that the DEIR/DEIS commits only to emergency response within the Project itself. As admitted by the DEIR/DEIS at 21-27, lines 1-5: Temporary impacts on fire protection services could also occur as a result of increased demand associated with construction work areas and activities. The construction of new water conveyance facilities, such as intakes and shafts, could increase the need for fire protection services related to protecting construction property or responding to potential construction-related accidents associated with hazardous materials spills, contamination, or fires.	Please refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, regarding the EIR's consideration of the Clarksburg Fire Protection District, and regarding DWR's commitment to enter into mutual aid agreements with emergency services agencies. With regard to exposure to hazardous materials, spills, contamination, or fires, please see Chapter 25, Hazards, Hazardous Materials, and Wildfire. The concerns raised in the comment are addressed in Chapter 25 under Impact Haz-1, Impact Haz-2, Impact Haz- 6 and Impact Haz- 7. As discussed under these impacts, Environmental Commitment EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; EC-4b: Develop and Implement Stormwater Pollution Prevention Plans; Mitigation Measure HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate; Mitigation Measure TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan; and EC-5: Develop and Implement a Fire Prevention and Control Plan would be implemented to avoid or reduce potential impacts. As such, these potential impacts are found to be less than significant or less than significant with mitigation. As described in Chapter 25, Hazards, primary emergency response services, including fire protection, would be provided by the construction contractors. Onsite emergency response facilities with firetruck and full-

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		time crew would be provided by the project during construction at the intakes, tunnel launch shafts, Southern Complex and Bethany Complex. These crews would also provide emergency response services to the tunnel reception and maintenance shafts. Also, see Chapter 21, Public Services and Utilities, for a description of these facilities and a list of other fire protection agencies located in or near the project area that would be available to assist in the event of a large-scale fire. Please refer to Impacts TRANS-3 and TRANS-4 in Chapter 20, Transportation, which address potential construction impacts as they relate to access, roadway improvements, and emergency access. A combination of transportation management plans (described in Mitigation Measure TRANS-1) and improvements to the transportation system would be developed in coordination with State of California and local agencies to reduce potential effects related to traffic safety hazards and emergency access on Delta roadways serving project alternatives construction sites.
463-24	Before the issuance of each permit, as a reasonable mitigation measure, the District [Clarksburg Fire Protection District] will require the Project contractor to prepare and obtain approval from the District of an Emergency Response Plan that goes beyond the physical footprint of the Project, and extends into the District to provide for, and cover, all reasonable impacts within the District caused by the Project.	DWR will obtain all necessary permit approvals prior to construction and/or operation of project.
463-25	Water Code Section 85054. Concerning the "coequal goals", the two goals which DWR consistently espouses to the public and any interested party as the basis for the Project, Water Code § 85054 mandates that "The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place." (Emphasis added.) Analysis in the DEIR/DEIS of the impacts of the Project,	Please refer to response to comment 463-20 regarding the project's purpose and objectives, the Delta Reform Act's coequal goals, and details on how the practical effect of many of the proposed mitigation measures in the EIR and environmental commitments in the EIR would protect Delta values.

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	including each of the alternatives, should be analyzed in light of the statutory mandate stated in Section 85054. It appears that the DEIR/DEIS did not do so, and certainly did not do so in a way in which a reasonable person would understand.	
463-26	Groundwater Table Impact. The District [Clarksburg Fire Protection District] believes that de-watering planned for the construction of the Project will greatly lower the ground water table, making the well at the District Fire Station, and the wells relied on in the District to re-fill water tanks on its apparatuses, greatly reduced and possibly at times unavailable to replenish during fire events.	DWR fully evaluates the construction-related groundwater impacts of the Delta Conveyance Project in the EIR. Common Response 10, Surface Water Quality and Groundwater Resources, provides additional clarifying information regarding the methodology and information used to adequately and appropriately evaluate construction-related impacts described in Chapter 8, Groundwater. As described in Common Response 10 and Chapter 8 (in the section titled Methods for Analysis), the Delta Conveyance Project construction-related impacts are evaluated using existing groundwater conditions and hydrogeology, standard design and construction methods (Delta Conveyance Design and Construction Authority 2022d, 2022e), and anticipated changes in groundwater elevations, storage, and quality during construction. As described in Common Response 10, cutoff walls would be designed to applicable standards depending on the unique site-specific conditions and the location of the facility being constructed. Cutoff walls are designed and used to minimize the need for dewatering and the movement of groundwater outside of the cutoff walls. Given this, and the other information provided in Common Response 10, construction would not result in substantial changes to groundwater levels. Furthermore, the analysis in Impact GW-1 and Impact GW-2 shows that under construction groundwater levels would generally be maintained at the level of existing conditions during the use of cutoff walls or dewatering. Finally, the EIR includes Mitigation Measure GW-1, which requires monitoring during construction and adjustments to construction activities as needed, depending on the groundwater level monitoring results.
463-27	Chapter 20, Transportation. The DEIR at 20-29, lines 14-15, states that no construction traffic will be allowed in Yolo County except on 1-80, or for persons or vehicles traveling	As described in Chapter 3, Description of the Proposed Project and Alternatives, and further discussed in Chapter 20, Transportation, construction traffic would follow specifically identified construction routes

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	from homes or businesses in Yolo County. The DEIR does not state how this standard will be enforced. If there is an accident involving a Project constructor worker or vendor traveling on South River Road between the Courtland (Paintersville) Bridge and the Freeport Bridge, will that person be cited? How will that person be cited if there is no law enforcing the DEIR standard at 20-29, lines 14-15? Absent enforcement, it appears that workers and vendors, among others, associated with the Project will dramatically increase traffic flows in the District [Clarksburg Fire Protection District], which in turn will greatly increase the environmental impacts and burdens on the District. The DEIR sets forth no analysis, discussion or mitigation for the impacts caused by increased traffic flows within the District which are caused by the Project. It is patently unreasonable for DWR to simply state, without enforcement, that no construction traffic will be allowed in all of Yolo County other than on 1-80 or for persons or vehicles traveling from homes or businesses in Yolo County. The District submits that DWR' s statement at 20-29, lines 14-15, without environmental analysis and proposed mitigation is a fatal flaw.	which in some cases, require roadway improvements to accommodate construction truck traffic. Adhering to these identified construction routes will be required by the construction contractor as a condition of the project's approval. Limiting construction traffic to specific routes is intended to enhance public safety and reduce traffic congestion.
463-28	Public Has Been Materially Deprived of the Opportunity to Give Comment. As stated in the California CEQA Guidelines at§ 15201, public participation is an essential part of CEQA. DWR has been in control of means of receiving comments, and has been the primary entity in control of informing the public of the Project, the DEIR and DEIS, and related information. DWR has misinformed and misled the public in relation to the public's ability to provide comments to the DEIR and DEIS in the following ways:	In support of the public comment period for the Draft EIR, DWR developed several helpful resources as noted in the comment. Please refer to Chapter 35, Public Involvement, and Common Response 2, Public Outreach Activities, regarding the public meetings and outreach activities conducted throughout the EIR process to provide public information and encourage public participation and comment. The absence of information about how to submit comments on one informational piece does not constitute a failure to provide a meaningful opportunity to give comments. Information about how to submit comments was provided in numerous ways, including

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	a. The 29-page document titled "Draft Environmental Impact Report Explained", which DWR states on its website (deltaconveyanceproject.com) is a "companion to the Draft EIR to help members of the public better understand the Delta Conveyance Project" among other things. At page 28 of the document a full page is devoted to informing the public that effective comments are important to help DWR refine or improve the analysis of environmental impacts and feasible mitigation. However, nowhere on Page 28 does DWR inform the public where members of the public may submit their comments. (See Attachment 3 [ATT 3]; the cover page, and page 29 [Should be page 28], of the document.)	in the legal notice published in numerous newspapers, the website, the email announcement, the flyer, the overview factsheet, the mailer, and the tips for commenting factsheet. In regard to the portion of the comment requesting additional information, the Department of Water Resources (DWR) responded to all requests for additional information in a timely manner within the comment period.
463-29	Public Has Been Materially Deprived of the Opportunity to Give Comment. As stated in the California CEQA Guidelines at§ 15201, public participation is an essential part of CEQA. DWR has been in control of means of receiving comments, and has been the primary entity in control of informing the public of the Project, the DEIR and DEIS, and related information. DWR has misinformed and misled the public in relation to the public's ability to provide comments to the DEIR and DEIS in the following ways: b. The telephone number for questions or needing assistance in receiving information, commenting on or otherwise understanding the DEIR and DEIS listed on the DWR website (deltaconveyanceproject.com) is: (916) 866-924-9955. However, through December 13, 2022, for presumably approximately five months, when calling that telephone number, a recording is played informing the listener about the "Bay Delta Conservation Plan", or the "BDCP" as the person giving voice to the message repeatedly says. The undersigned	Please refer to Chapter 35, Public Involvement, and Common Response 2, Public Outreach Activities, regarding the public meetings and outreach activities conducted throughout the EIR process to provide public information and encourage public participation and comment. As described in Common Response 2, a phone line and email were established for questions about the project and information requests were able to be submitted to the DWR comment email. DWR responded to information requests in a timely manner directly to the commenter during the public comment period. DWR received and responded to messages left on the hotline during the comment period, as noted in the comment. Errors in the hotline outgoing message were corrected as soon as DWR was made aware of the issue. Because a telephone hotline is not required by CEQA, errors in the outgoing message do not constitute a failure to provide meaningful opportunity to provide comments on the Draft EIR.

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	Chair called to verify and check the above on December 13, 2022, at 9: 18 a.m. The undersigned Chair left a voice mail message for DWR to call back, which a "Katy" at DWR did at 11 :12 a.m., the same day. The afternoon of December 13, 2022 the undersigned Chair called the information number again. The outgoing voice message by DWR had been changed so that no information at all was given, and only an invitation to leave a message was spoken. (See, Attachment 4 [ATT 4], a printout of the DWR website dedicated to the DEIR and DEIS, where at the bottom of the last page of the Attachment the phone number appears highlighted in yellow.) c. When listening to the recording referenced in the subparagraph above the person giving voice refers the listener to the BDCP website for further information. That website is given over the recording by DWR as: www.baydeltaconservationplan.com. The baydeltaconservationplan.com website does not exist. (See Attachment 5. [ATT 5])	
463-30	Public Has Been Materially Deprived of the Opportunity to Give Comment. As stated in the California CEQA Guidelines at§ 15201, public participation is an essential part of CEQA. DWR has been in control of means of receiving comments, and has been the primary entity in control of informing the public of the Project, the DEIR and DEIS, and related information. DWR has misinformed and misled the public in relation to the public's ability to provide comments to the DEIR and DEIS in the following ways: d. The District [Clarksburg Fire Protection District] understands that four ways to submit comments are detailed on the DWR website for the Project. But, as made clear in statutes and case	Please refer to Chapter 35, Public Involvement, and Common Response 2, Public Outreach Activities, regarding public outreach requirements under CEQA, notification methods about the Draft EIR, and the outreach activities conducted throughout the EIR process to provide public information and encourage public participation and comment. DWR made every attempt to reduce or eliminate barriers for participation, including but not limited to ensuring that all website materials were provided in an accessible manner and provided resources at numerous public libraries. DWR provided summary materials in a ready-friendly manner and provided information multiple ways. In addition to providing multiple ways to comment, DWR also provided materials in multiple languages and translated virtual meetings. The comment assertion that

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	law surrounding the Americans with Disabilities Act, barriers of any kind, especially preventable and unnecessary barriers as described in the three subparagraphs above [Comments 28 and 29] have a chilling effect, serving only to suppress the ability of members of the public from providing comment, aid and insight to DWR in relation to the Project.	DWR materially deprived of the opportunity to provide comments is contradicted by the substantial evidence provided in Chapter 35, Public Involvement demonstrating that DWR sought to encourage and solicit comments in many ways.
463-31	Many of the residents of the District [Clarksburg Fire Protection District], and throughout the Delta, are elderly and not "computer literate". These neighbors communicate by telephone and read documents. When false information, as described above, is put out for months by DWR, the District is of the opinion, knowing its residents, that many of the residents of the District, and presumably of the public at large, have been deprived by DWR of the ability to comment on the DEIR and DEIS. In the opinion of the District, this flaw is fatal, does not meet minimum legal requirements, requiring the DEIR and DEIS to be re-noticed.	Please refer to response to comment 463-30 regarding public outreach requirements under CEQA, notification methods about the Draft EIR, and the outreach activities conducted throughout the EIR process to provide public information and encourage public participation and comment.
463-32	The District [Clarksburg Fire Protection District] also notes that although the Governor and the California Department of Public Health has reduced COVID restrictions, DWR has made no attempt to hold public meetings, with health protocols in place, to receive public comments and disseminate information. The failure to hold public meetings, consistent with health protocols, is consistent with the false and legally insufficient opportunity for the public to comment on the DEIR and DEIS.	Please refer to Chapter 35, Public Involvement, and Common Response 2, Public Outreach Activities, regarding the public meetings and outreach activities conducted throughout the EIR process to provide public information and encourage public participation and comment.
463-33	[ATT 1: Exhibit 1: Map of Clarksburg Fire Protection District Boundary and Sphere of Influence]	The commenter provided this attachment and exhibit for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter. DWR has reviewed all comments and will consider all comments in its decision-making process.

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463-34	[ATT 1]: This letter is written to provide scoping comments to the Notice of Preparation of Environmental Impact Report for the Delta Conveyance Project issued by the Department of Water Resources, dated January 15, 2020 (“NOP”). These comments are submitted by the Clarksburg Fire Protection District, a Special Independent District, organized under the laws of the State of California ("Clarksburg Fire" or the "District”). Organized in 1946, the mission of Clarksburg fire is to provide fire protection for all properties, structures and residents of the District, to participate in beneficial mutual aid agreements with neighboring fire districts as well with County, State, and Federal agencies, and to provide first response services in the event of accident or medical emergency within the District ("Mission of Clarksburg Fire”). Clarksburg Fire responded to 263 calls in 2019. As an example of the accomplishment of the mission of Clarksburg Fire, on October 27, 2019, a high-wind event, 19 of the District’s firefighters responded to 25 discrete calls answering and arriving on-scene to provide emergency responses to a wide array of requests for help. The District draws from time-to-time from water located in the Sacramento River and in the sloughs and canals running through the District. The service district and geographical area over which Clarksburg Fire has responsibility covers approximately 23,000 acres in the in the southern portion of Yolo County and is generally described as the land, improvements and residents marked by Babel Slough Road on the north, the Yolo County line on the south, the Sacramento River on the east, and the Sacramento Deep Water Ship Channel on the west (the	This attachment is a duplicate of the letter submitted to DWR during the scoping period. Scoping comments were reviewed and considered in the development of the EIR, as documented in Appendix 1A, July 2020 Delta Conveyance Project Scoping Summary Report and Addenda. The comments in this attachment have been responded to from the perspective of the EIR.

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	"District Area"). A map of the District Area [See ATT 1: Exhibit 1] is enclosed with these comments and this review.	
463-35	[ATT 1]: Clarksburg Fire owns three parcel of real estate located at 52910 Clarksburg Avenue, Clarksburg, County of Yolo, California 95612 (mailing address above) and also described as Yolo County Assessor's Parcel Number 043-240-013, 043-240-014, and 043-240-036 ("Clarksburg Fire District Property"). Located on the Clarksburg Fire District Property are two building: the main fire station (originally built in 1948 and since remodeled and updated) and the fire annex.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
463-36	[ATT 1]: Clarksburg Fire received funding and support from a share of property taxes collected within the District (which requires maintenance of property values and assessments), from a Proposition 218 benefit easement, from developmental impact fees, and from grants, members of the Clarksburg Community and the North Delta in general. The District also needs, enjoys and endeavors to maintain and keep the support of the people of the Clarksburg District and the North Delta. In existence and functioning continuously for nearly 75 years, Clarksburg Fire in an essential part of the cultural and historical fabric of the Clarksburg community and provides essential support as part of the cultural and rural neighborhood values of the Delta (ref. Public Resource Code section 85054). In addition to fulfilling the Mission of Clarksburg Fire, through the firefighters' association the District supports public dinners, two annual parades (4th of July and Christmas) and other community support activities. Clarksburg Fire is an interested party (CEQA Guidelines section 15086).	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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463-37	[ATT 1]: The proposed Delta Conveyance Project as described in the NOP ("Project'') presents a series of substantial direct and indirect effects (including environmental effects), socioeconomic effects, and cumulative effects both on the Clarksburg Fire, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property.	Please refer to response to comment 463-5 regarding a clear and detailed description of the project and alternatives, the EIR's analysis of potentially significant environmental impacts and proposed mitigation measures, and potential effects on socioeconomics. Please also refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.
463-38	[ATT 1]: As an example of the indirect impact and socioeconomic negative effect of the Project, the District will suffer substantial disruptions, or cessations, in operation because of the Project through increased traffic, increased noise, disruption in well water operations and availability, septic and wastewater operations and availability, and on the use of the Clarksburg Fire District Property as an historical District and operation within and as part of the Clarksburg Community, the Delta Community and California.	Please refer to response to comment 463-6 regarding impacts on transportation, noise, cultural resources, and socioeconomics. Please also refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.
463-39	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Construction methods must be analyzed, and alternative construction methods must be utilized, as demonstratable mitigation, which will not damage the Clarksburg Fire District Property and its ability to accomplish the Mission of the Clarksburg Fire District in any significant way.	Please refer to response to comment 463-7 regarding environmental commitments, mitigation measures, and the level of detail provided for the description of construction and mitigation. Please also refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.
463-40	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement:	Please refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.

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	Impact on the Project's impact on the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property.	
463-41	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: The impacts on the zoning and land uses authorized by law on the parcels where the Clarksburg Fire District Property is located, including complete description and analysis of all land use conflicts and mitigation for each land use conflict.	Please refer to response to comment 463-9 regarding impacts on zoning and land use.
463-42	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: The impacts on the continued and future support of the District, on the Mission of Clarksburg Fire and on Clarksburg Fire Property from the Clarksburg Community and the North Delta, including the impacts of any de-population in the District, the Clarksburg Community and/or the North Delta, and on the economies of these areas, as a result of the construction, operations, and management of the Project.	Please refer to response to comment 463-10 regarding the EIR's analysis of socioeconomic effects, including changes in employment, population, and growth trends. Please also refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's consideration of Clarksburg Fire Protection District.
463-43	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Whether, and how or how-not, the Project will benefit the District, support the Mission of Clarksburg Fire, the Clarksburg	Please refer to response to comment 463-11 regarding efforts to avoid and minimize impacts, as well as address local effects that may occur, beyond the mitigation requirements of CEQA. Please refer to response to comment 463-6 regarding the EIR's analysis of impacts on public services and utilities resulting from construction and operation of the project and alternatives, as well as regarding the EIR's

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	Community and North Delta.	consideration of Clarksburg Fire Protection District.
463-44	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Whether, and how or how-not, alternative locations for the proposed intakes, and all other proposed components of the Project, would lessen impacts on the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property than the currently proposed northernmost proposed intake.	Please refer to response to comment 463-12 regarding the EIR's consideration of a reasonable range of potentially feasible alternatives, including alternative locations, the alternatives screening process, and the intake site selection process.
463-45	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Show how sites, other than each of the three proposed intakes, considered by the Fish Facilities Technical Team were determined to be less impactful on the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property.	Please refer to response to comment 463-12 regarding the EIR's consideration of a reasonable range of potentially feasible alternatives, including alternative locations, the alternatives screening process, and the intake site selection process.
463-46	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Show how visual and noise disturbance, as well as construction-related impacts to the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property will be minimized.	Please refer to response to comment 463-14 regarding impacts on noise and visual resources and the mitigation measures proposed to reduce such effects.

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463-47	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Substantive consultation, including disclosure and discussion of all alternatives and mitigation measures for the Project, with local Clarksburg Community land use agencies and advisory bodies as applied to the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property.	Please refer to response to comment 463-15 regarding public outreach requirements under CEQA, notification methods about the Draft EIR, and outreach activities conducted to engage local agencies and other interested parties throughout the EIR process.
463-48	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: State and analyze changes in the District, on the Mission of Clarksburg Fire and on Clarksburg Fire District Property caused by the Project, including, without limitation, changes in community cohesion, a reduction of opportunities for maintaining face-to-face relationships, and disruptions to the functions of Clarksburg Community and North Delta community organizations and gathering places, such as the Clarksburg Fire District.	Please refer to response to comment 463-16 regarding impacts on recreation, land use, and socioeconomics, which considers the project's effects on community character and recreation.
463-49	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Whether, and how or how-not, traffic patterns and changes caused by the Project will impact the District, the Mission of Clarksburg Fire and the Clarksburg Fire District Property.	Please refer to response to comment 463-17 regarding impacts on transportation and efforts to reduce effects on transportation in Delta communities.

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463-50	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Whether, and how or how-not, the Project will cause a decline in property values in the District, the Clarksburg Community and the North Delta [Footnote 1: District notes that property values in part contribute to the fiscal sustainability of the District through the assessments on property within the District related to the share of property truces collected by the District for its operations.] Whether, and how or how-not, the Project will cause blight and property abandonment in the District, the Clarksburg Community and North Delta.	Please refer to response to comment 463-18 regarding the EIR's analysis of socioeconomic effects, including potential effects on community investment and property values, and impacts on aesthetics and visual resources.
463-51	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Whether the Project will invest in public facilities and infrastructure throughout the District, the Clarksburg Community and North Delta to mitigate the impacts of the Project.	Please refer to response to comment 463-19 regarding efforts to address local effects that may occur, beyond the mitigation requirements of CEQA.
463-52	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Whether, and how or how-not, the Project will enhance and protect the District, the Mission of Clarksburg Fire and on	Please refer to response to comment 463-20 regarding the project's purpose and objectives, the Delta Reform Act's coequal goals, and details on how the practical effect of many of the proposed mitigation measures in the EIR and environmental commitments in the EIR would protect Delta values.

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	Clarksburg Fire District Property, the Clarksburg Community and the North Delta (Public Resource Code§ 85054).	
463-53	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: State and analyze the socioeconomic impacts of the Project on the District, on the Mission of Clarksburg Fire, on Clarksburg Fire District Property, and on the Clarksburg Community and the North Delta.	Please refer to response to comment 463-10 regarding socioeconomic impacts.
463-54	[ATT 1]: In connection with the comments above [Comment 34 through Comment 38], the following, without limitation, needs to be fully analyzed in your Draft Environmental Impact Report/Draft Environmental Impact Statement: Whether, and how or how-not, the Project (including its construction, operation and maintenance) would conflict with the District, on the Mission of Clarksburg Fire and on the Clarksburg Fire District Property. Each of the above are considered significant, material, important and substantial, as related to the District, to the Mission of Clarksburg Fire and to the Clarksburg Fire Property.	The Delta Conveyance Project EIR adequately evaluates the potential impacts from the construction and operation of the project in accordance with CEQA requirements. The issues and concerns raised in comments 463-7 through 463-22 have been adequately evaluated, as applicable, per CEQA. Please refer to responses to comments 463-7 through 463-22 for responses to the specific issues raised.
463-55	[Attachment 2: The Clarksburg Fire Protection District's submitted Scoping Comments to USACE for the Notice of Preparation of the DEIS]	The commenter provided this attachment for reference purposes in support of their comments. Please refer to Chapter 1, Introduction regarding the Federal NEPA compliance process and the role of the Army Corps of Engineers as the NEPA lead agency for the EIS. As noted in Chapter 1, the EIR and EIS are separate documents.

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463-56	[Attachment 3: A map of the Clarksburg Fire Protection District boundary and sphere of influence, as well as the cover page and page 28 of Draft Environmental Impact Report Explained document]	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter. DWR has reviewed all comments and will consider all comments in its decision-making process.
463-57	[Attachment 4: a printout of the DWR website dedicated to the DEIR and DEIS, where at the bottom of the last page of the Attachment the phone number appears.]	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter. DWR has reviewed all comments and will consider all comments in its decision-making process.
463-58	[Attachment 5: Screenshot showing the baydeltaconservationplan.com website does not exist.]	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter. DWR has reviewed all comments and will consider all comments in its decision-making process.
466-1	The City of Elk Grove (City) has reviewed the July 2022 Delta Conveyance Project Draft Environmental Impact Report (DEIR) prepared by the California Department of Water Resources (DWR), and developed comments focused on the project's potential impacts to stormwater management programs, water quality, groundwater impacts, traffic impacts, and coordination with the City's Kammerer Road Extension project. The City has several concerns regarding the DEIR's analysis of the Project's potential impacts on local groundwater resources and the ability of Groundwater Sustainability Agencies (GSAs) to achieve sustainability. The City provides these comments in the spirit of improving the DEIR to ensure it evaluates the environmental impacts of the Project and the ability of the GSAs to achieve sustainability pursuant to the Sustainable Groundwater Management Act (SGMA). The City has identified several significant comments around issues that could have profound effects on our stormwater management programs and local communities. The City	The commenter raises several general concerns related to impacts on local groundwater resources, consistency with California's Sustainable Groundwater Management Act (SGMA), effects on local stormwater management programs, segmenting the state and federal portions of the project, the range of climate change models for the No Project Alternative, effects from cyanobacteria harmful algal blooms (CHABs), Delta methylmercury waste load allocation compliance, and consistency with the state's antidegradation policy and water quality regulation. For detailed responses regarding these resource topics in Letter 466 see responses contained in this table. Please see Chapter 8, Groundwater, for an analysis of the project's impacts on groundwater, which were all determined to be less than significant. Please see Chapter 20, Transportation, regarding information on selected study areas and the analysis of potential transportation impacts. Please see response to comment 466-2 regarding the Kammerer Road Extension Project. Please see Common Response 8, Relationship to Other Plans, Projects,

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	identified insufficiencies in the characterization of impacts due to segmenting the State and Federal portions of the project, evaluation of a range of climate change models for the "No Project Alternative", evaluation of water quality impacts related to modeling, harmful algae blooms, delta methylmercury waste load allocation compliance, and upstream water quality, demonstration of consistency with antidegradation policy and water quality regulation, and the proposed monitoring and modeling actions.	Policies, and Programs, for a description of the project in relation to the SGMA. Please also see Common Response 8 regarding an antidegradation analysis and the relationship to the project. Chapter 21, Public Services and Utilities, Impact UT-2 analyzes the project's impact on existing service systems, including stormwater drainage, which was determined to be less than significant. Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, for an explanation of the analysis of the project as a whole and why the CEQA analysis is not "segmented" for having separate state and federal components. Please see Common Response 10, Surface Water Quality and Groundwater Resources, for a description of the approach to the CHABs analysis and the ability of the Delta Simulation Model II (DSM2) to accurately model Delta water quality. Additionally, please see Chapter 9, Water Quality, Impact WQ-14 for an analysis of the effects of CHABs resulting from facility operations and maintenance of the project. Impact WQ-14 was determined to be less than significant. Please see Chapter 9, Impact WQ-6 for a detailed quantitative analysis of methylmercury supported by modeling output in Appendix 9H, Mercury, the impact of which was determined to be less than significant. Please see Common Response 6, Climate Resilience and Adaption, for a description of the adequacy of the climate change analysis presented in the EIR.
466-2	COORDINATION WITH KAMMERER ROAD EXTENSION PROJECT: THE PROJECT SHOULD COORDINATE WITH THE CITY'S KAMMERER ROAD EXTENSION PROJECT	This comment primarily describes improvements on Kammerer Road and requests coordination. The Kammerer Road Extension Project is an interim phase of Segment A1

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	The City [City of Elk Grove] is developing the Kammerer Road Extension project which would require improvements to the I-5/Hood Franklin interchange and bridge overcrossing. The Delta Conveyance Project should coordinate with the City to ensure that if the projects do overlap, both projects can be constructed and the park and ride/shuttle can operate as intended.	of the larger Capital SouthEast Connector project. The Kammerer Road Extension Project would extend two lanes of Kammerer Road west of Bruceville Road to a connection with the two-lane Hood Franklin Road and the I-5 / Hood Franklin Road interchange (City of Elk Grove 2023). The connection of Kammerer Road to Hood Franklin Road would occur east of the I-5 / Hood Franklin Road interchange and near the approximate location of the proposed Delta Conveyance Project Park and Ride facility. The Interstate 5 / Hood Franklin Road Park and Ride Lot will be designed to provide an appropriate number of parking spaces for construction workers to transfer to an alternative fuel transit vehicle. DWR will coordinate with Caltrans and the City of Elk Grove to determine if construction of the separate projects overlap, if both projects can be constructed, and if the park and ride facility can operate as intended.
466-3	TRAFFIC IMPACTS: 2. THE TRAFFIC ANALYSIS IN THE DEIR HAS SEVERAL ERRORS IN SEGMENT DESCRIPTIONS Several of the roadway segments in Appendix 20A have incorrect descriptions, including the incorrect number of travel lanes. The discrepancy in the number of travel lanes affects the level of service (LOS) analysis. The City [City of Elk Grove] understands that Appendix 20A is for "informational purposes only" since LOS can no longer be used for evaluating project impacts under CEQA, but these descriptions will affect other traffic analysis. The segment descriptions in question are summarized below: [See exhibit 1]	The following I-5 improvements in the vicinity of the City of Elk Grove were under construction but not yet open to traffic when the data collection and 2020 Existing Conditions analysis were completed. • Northbound I-5 widening from 2 to 3 lanes between Hood-Franklin Road and Elk Grove Boulevard. • Northbound I-5 widening from 3 to 4 lanes (3 general purpose + 1 high occupancy vehicle [HOV]) between Elk Grove Boulevard and Laguna Boulevard. • Southbound I-5 widening from 3 to 4 lanes (3 general purpose + 1 HOV) between Cosumnes River Boulevard and Laguna Boulevard. • Southbound I-5 widening from 2 to 3 lanes between Laguna Boulevard and Elk Grove Boulevard. Two tables in Appendix 20A, Delta Conveyance 2020 Traffic Analysis, have been modified to include a discussion of the I-5 freeway improvements that were under construction in 2020 but did not open to traffic until October 2021: the table titled Roadway Study Segments Analyzed and the table titled Existing 2020 Conditions Roadway Segment Level of Service.

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		This correction in the segment descriptions did not change the overall results of the Level of Service analysis, which is provided for informational purposes only.
466-4	[Exhibit 1: Table summarizing the roadway segments for which the descriptions in the EIR differ from those presented by the City of Elk Grove.]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
466-5	IMPACTS TO BIOLOGICAL RESOURCES: THE DEIR DOES NOT ADEQUATELY CONSIDER UNDERGROUND BIOLOGICAL IMPACTS In Chapter 13 Page 50 under section 13.3.1.2, the document states that "The construction of the tunnels, using tunnel boring machines, do not have the potential to cause impacts on terrestrial biological resources, except for the construction of the shafts and the storage of the RTM, which are listed separately below." The City of Elk Grove doesn't see how potential for vibrations, collapse of underground wildlife burrows and refugia, and effects to tree root systems are addressed in this statement.	The effects of tunneling are addressed in Chapter 13, Terrestrial Biological Resources, in the impact analyses for ground-dwelling species, such as California tiger salamander, western spadefoot, California red-legged frog, and California black rail. As described in the impact analyses, because of the depth at which the tunnel would be constructed, and because the deep soil cover over the tunnel would effectively dampen and absorb propagated energy from the tunnel crown and the tunnel floor, no significant noise and vibration effects from the operation of the tunnel boring machine are expected. For additional information regarding the effects of tunneling on the ground surface please see the Tunneling Effects Assessment technical memorandum in the Engineering Program Report (Delta Conveyance Design and Construction Authority 2022b).
466-6	THE DEIR DOES NOT ADEQUATELY CONSIDER THE EFFECT ON TERRESTRIAL WILDLIFE AND PLANTS The document does not fully cover the effect on water resources for terrestrial wildlife species and plants. It discusses habitat loss in detail but does not go into the potential to deplete surface water features, which in turn is a loss of foraging opportunity/drinking for terrestrial wildlife. The main question is, do the permanent impacts calculated include permanent loss or reduction of any surface water features which plants and wildlife may rely on? Water supply may be	Chapter 5, Surface Water, indicates project operations would not substantially alter river flow rates. Please see the modeling results from Chapter 5 in Appendix 5A, Modeling Technical Appendix Section B, Hydrology and Systems Operations Modeling, Attachment 3, CalSim 3 Modeling Results, which indicate that flows upstream of the Delta in the Sacramento, Feather, and American Rivers under all project alternatives are not expected to change substantially beyond the existing variation in flows. As discussed in several locations in Chapter 13, Terrestrial Biological Resources, based on the Chapter 5 modeling results, project operations would not substantially alter river flows on the Sacramento and San Joaquin Rivers. Therefore, the project is not anticipated to alter habitat for

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	discussed in other sections, but should also be directly addressed in Chapter 13 as it relates to wildlife.	terrestrial biological resources including plants and wildlife relative to existing conditions. Please also see Common Response 9, Hydrologic Modeling and Approach, regarding the modeling used in analysis.
466-7	THE DEIR DOES NOT ADDRESS POTENTIAL LOSS OF HABITAT CONNECTIVITY The document focuses on physical losses of habitat and does so in an appropriate manner. Mitigation seems to correctly address habitat loss; however, the City of Elk Grove has concerns about habitat connectivity being addressed. If mitigation for various species and impacts occurs via the variety of options in the different locations presented, there is still a potential for habitat connectivity to be lost. The City of Elk Grove would like to see that mitigation is aiming to increase or maintain habitat connectivity so that wildlife populations are not discouraged from dispersing to or cut off from neighboring areas, such as Elk Grove.	The comment assertion that the EIR does not adequately address habitat connectivity is not consistent with the analysis contained in the EIR. Chapter 13, Terrestrial Biological Resources, provides an analysis of the impacts of the project on habitat connectivity, including mitigation measures to reduce impacts to a less-than-significant level. Please see Impact BIO-53 for a discussion of impacts on terrestrial and wildlife connectivity and a description of mitigation measures to avoid and reduce impacts on connectivity. Please see Common Response 11, Terrestrial Biological Resources and Compensatory Mitigation Plan, for further discussion on wildlife and habitat connectivity, including details of the analysis, mitigation measures, and revisions made to the EIR in responses to comments received. None of the revisions resulted in a new significant environmental impact or substantial increase in the severity of an environmental impact or required additional mitigation measures to which DWR was unwilling to commit. Habitat connectivity within the study area and surrounding regions, including Elk Grove, would be maintained.
466-8	IMPACTS TO CULTURAL RESOURCES: BUILT OUT AREAS OF THE CITY OF ELK GROVE SHOULD BE REMOVED FROM THE DELTA TRIBAL CULTURAL LANDSCAPE (TCL) There is no clarification/justification as to why the fully developed/built out areas of the City of Elk Grove were not excluded from this boundary as the character defining features of the TCL do not seem to be present in these areas. The presence of an CRHR [California Register of Historical Resources] eligible TCL within the fully built out areas of Elk Grove would impede the City's ability to perform maintenance	DWR conducted detailed and meaningful Tribal consultation with participating Tribes where information was shared through Tribal consultation meetings and engagement, records reviews, ethnographic research, and field visits. DWR took into consideration the Tribal perspectives shared through consultation when applying the California Register eligibility criteria. This way, DWR's understanding of the Tribal significance of the resource was reflected in the assessment of the Delta as a Tribal cultural landscape (TCL) and the boundary of the TCL was delineated to account for the Delta as the overarching geographic area embodying the TCL. Numerous ecological and human-made resources that are character-defining features of the Delta TCL are located within this boundary, but not everything within the boundary is a character-defining feature of the eligible landscape.

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	/improvements on existing infrastructure which could be processed under a Categorical Exemption, such as maintenance/improvements to curb ramp, sidewalks, pavement rehabilitation, signal, trails, drainage levees, etc. The City of Elk Grove requests that these areas be removed from the boundary of the Delta TCL: a. The fully built out areas within the City of Elk Grove, including: i. Area located between the west/east termini of I-5 and Franklin Blvd and the north/south termini of Laguna Blvd (including parcels adjacent to the north side of Laguna Blvd) and Elk Grove Blvd[.] Ii. Area located between the west/east termini of I-5 and East Taron Drive and the north/south termini of Elk Grove Blvd and Snowy Egret Dr.	Chapter 32, Tribal Cultural Resources, section titled the Sacramento–San Joaquin Delta Tribal Cultural Landscape, describes that the Delta TCL may include areas subject to urban development but that from a Tribal perspective still retain integrity. Please refer to Common Response 16, Tribal Cultural Resources, for a discussion of the Delta TCL boundary and for further context on the Tribal consultation that informed the definition of the Delta TCL.
466-9	Impacts to Water Quality and Stormwater Management: Insufficient Characterization of Impacts Due to Segmenting the State and Federal Portions of the Project. The EIR fails to comply with CEQA segmenting guidelines for consideration of "the whole of the action" (CEQA Section 15378 a). The EIR considers only the State Water Project portion of the larger Delta Conveyance Project and does not directly consider the federal elements as stated in Chapter 1 (Introduction) and Chapter 3 (Description of the Proposed Project and Alternatives, page 3-1): For the Delta Conveyance Project (project), DWR is preparing a	The comment assertion that DWR did not consider the whole of the action is not consistent with the information provided in the EIR. DWR properly defined the project as a whole in Chapter 3, Description of the Proposed Project and Alternatives, and evaluated it as such throughout the EIR. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the appropriate and required analysis of the project as a whole and the NEPA process related to the preparation of the Environmental Impact Statement (EIS) by the USACE, the level of project design, engineering, and potential need for subsequent environmental review. The EIR recognizes and considers all known state and federal actions and requirements (i.e., NEPA, CWA, Rivers and Harbors Act, Endangered Species Act, etc.) that would be needed for the project. These are shown in Chapter 1, Introduction, in the section titled Intended Uses of this Final EIR and Agency Roles and

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	standalone Draft EIR that will not be prepared jointly with a federal agency's National Environmental Policy Act (NEPA) compliance document. As explained in Chapter 1, a separate Environmental Impact Statement (EIS) will be prepared to meet the requirements of NEPA, with the U.S. Army Corps of Engineers (USACE) as the lead agency. CEQA Guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations) define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. Segmenting a project into two or more pieces and evaluating each piece in a separate environmental document could understate the overall project impacts. Segmenting a project may also hinder developing comprehensive mitigation and compensatory strategies.	Responsibilities, under the subsection Federal Agencies.
466-10	While the City [City of Elk Grove] understands that the Delta Conveyance Project is complex from an engineering, environmental compliance, and operation standpoint, segmenting a project by proponents that will share facilities and operations will lessen cumulative impacts unless the EIR and EIS are prepared in close collaboration. Public review at separate times does not allow for an adequate and consistent evaluation of project impacts, especially when additional details are forthcoming in the EIS. The City requests that the EIR and EIS public review period be simultaneous and that the EIR review time be effectively lengthened to cover the EIS public review period.	Please refer to Common Response 2, Public Outreach Activities, regarding the duration of the comment period and DWR's extension of the comment period. DWR acknowledges the request that the EIR and EIS public review periods be the same. The EIS public review commenced immediately after the close of the EIR public review period. Please refer to Chapter 1, Introduction, regarding the intended uses of the EIR and agency roles and responsibilities regarding the use of the EIR for the U.S. Army Corps of Engineers' NEPA compliance. Additionally, Chapter 4, Framework for the Environmental Analysis, discusses how the EIR has been developed to include information and analysis approaches that are useful for the purposes of NEPA compliance. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the

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		appropriate scope of analysis of the project as a whole, compliance with State CEQA Guidelines Section 15378(a), and the separate NEPA analysis performed by the U.S. Army Corps of Engineers. This includes a discussion of the review periods for each document, the Delta Conveyance Project EIR and the EIS for the project prepared by the U.S. Army Corps of Engineers, which is not under the control or purview of DWR. There are no requirements to publish or run concurrent public review periods and each was available for an adequate time for each agency to receive comments from interested parties. The process that was followed for the Delta Conveyance Project EIR is consistent with CEQA guidelines.
466-11	INSUFFICIENT EVALUATION OF A RANGE OF CLIMATE CHANGE MODELS FOR "NO PROJECT ALTERNATIVE" The City [City of Elk Grove] recognizes that the extent of climate change impacts introduces significant uncertainty in operation of the Delta Conveyance Project. As stated in the EIR, two of the purposes for the Delta Conveyance Project are: "To help address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events" and "to provide operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations." (page ES-7) The EIR assessed effects of climate change for a No Project Alternative (2040) scenario compared to project alternatives in 2040, however the model only includes a "conservative climate change and sea level rise assumption" (pg. 4-5), described as the “H++”, a worst-case scenario: While no current guidance exists for use of specific climate scenarios under CEQA, per the California Ocean Protection	The sensitivity analysis summarized in Appendix 30A, CalSim 3 Results Sensitivity to 2040 Climate Change and Sea Level Projections, demonstrates the reliability of the climate change and sea level rise analysis presented in the EIR. Based on the results of the sensitivity analysis, DWR concluded that the climate change analysis contained in the EIR is sufficient and no further analyses are necessary because any subsequent analysis of project impacts on environmental resources under differing climate change and sea level rise scenarios would be similar to the analyses already contained in the EIR. While not required to do so by CEQA, DWR evaluated climate change impacts in several locations in the EIR using multiple climate change scenarios and timeframes for informational purposes for the benefit of all audiences. As noted in the comment, the sensitivity analysis summarized in Appendix 30A is not required by CEQA and is not used in support of the CEQA findings provided in Chapters 7-32 of the EIR. However, as noted above, the sensitivity analysis validates the climate change analysis contained in the EIR and demonstrates that no additional analyses are necessary. Please refer to Chapter 4, Framework for the Environmental Analysis, regarding the approach to CEQA analysis. DWR decision makers will consider all information in the EIR when determining how to move forward.

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	Council, the H++ scenario, or extreme risk aversion scenario, is recommended and relevant for high-stakes, long-term decisions and for projects with a lifespan beyond 2050 that have a low risk tolerance (Chapter 30, Climate Change). Based on this scenario, an extreme assumption for sea level rise of 1.8 feet was modeled for the No Project Alternative 2040 operations. [page 3C-10] The recommended use of the extreme climate change H++ scenario may be reasonable for certain types of long-range planning where decision making, and design requires conservative estimates to ensure protection of life and property but is not necessary to make relative comparisons of project impacts. In the case of the Delta Conveyance Project EIR water quality impact evaluation, the H++ scenario minimizes the relative impact of the Delta Conveyance Project compared to a more moderate average climate change estimate. In addition to the sea level rise, the H++ scenario also implements extreme temperature and other water quality conditions that tend to mask the water quality impacts of Delta Conveyance. Since one purpose of the project is to provide operational flexibility, the impacts of the changes of the operations are not adequately forecasted or fairly evaluated using only the worst-case climate change assumptions.	Please see Common Response 9, Hydrologic Modeling and Approach, regarding selection of climate change scenario for inputs and use of the best available tools, specifically the section describing models and uncertainty. Water quality modeling and the use of DSM2, a water quality modeling tool, is addressed in Common Response 10, Surface Water Quality and Groundwater Resources.
466-12	The EIR identifies uncertainty in future conditions and uses the extreme H++ No Project Alternative. The uncertainty in the extent of climate change and how it affects Delta Conveyance Project water quality impacts are not specifically addressed. The description of the potential changes in storage in reservoirs assumes that the project alternatives as compared	The finding that there would be no substantial changes in upstream reservoir storage under the Delta Conveyance Project compared to the No Project Alternative is based on CalSim 3 modeling results, which represent the No Project conditions and project proposed operations appropriately. Please see Common Response 9, Hydrologic Modeling and Approach, regarding modeled representation of future conditions and climate change,

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	to the no project alternative would not be substantial: …..CalSim 3 modeling results for project alternatives show small average end-of-month storage changes for the full simulation period for Trinity Lake, Shasta Lake, Lake Oroville, and Folsom Lake, relative to existing conditions, thus there would not be substantial, if any, changes to reservoir seasonal thermal profiles, biochemical processes, or dilution capacity within the reservoirs (Appendix 5A).	modeled representation of CEQA baseline existing conditions, climate change assumptions as input into CalSim 3, and use of modeling results for comparative purposes. Chapter 9, Water Quality, fully discloses the methods used in conducting that analysis. Appendix 9L, Water Quality 2040 Analysis, provides an assessment of expected changes in water quality under the 2040 climate change scenario.
466-13	The understanding of harmful algal blooms (HABs) in the Delta is a focus for the State Water Resources Control Board, the Central Valley Water Quality Control Board, and multiple Delta Stakeholder groups. These agencies and stakeholder groups are using real-time analysis tools to better understand conditions where HABs occur. If the State Water Project (SWP) diversion volumes increase in the northern Delta due to the Delta Conveyance Project, basic thermodynamics and hydraulics tell us that water temperatures will increase, and residence times will decrease compared to the "No Project Alternative" when climate change is not considered. The monthly evaluation conducted in this EIR, where changes are compared against an extreme climate change assumption, results in the relative impacts being minimized. Moreover, the EIR does not evaluate or propose water quality monitoring and management tools be deployed to both detect and mitigate the potential water quality changes affecting HAB formation in localized areas.	The water quality analysis in Chapter 9, Water Quality, is based on hydrologic conditions with no climate change per the requirements of CEQA. The impacts described in Impact WQ-14, cyanobacteria harmful algae blooms (CHABs) indicate that the five primary environmental factors affecting formation of CHABs, which includes temperature, would not substantially change under project operations and therefore impacts were determined to be less than significant and mitigation measure are not required. DSM2 modeling results in Appendix 9E, Cyanobacteria Harmful Algal Blooms, show daily average temperatures for all assessment locations would be negligibly different under all project alternatives relative to existing conditions. The water quality analysis in Appendix 9L, Water Quality 2040 Analysis, is based on hydrologic conditions with climate change and shows there would be no substantial difference between potential impacts due to project operations under climate change conditions relative to the information disclosed in Chapter 9. Finally, please refer to Chapter 30, Climate Change, the section titled Impacts of the Project Alternatives with Climate Change, for a discussion of potential impacts associated with the project alternatives, and which of those impacts may exacerbate climate change effects. Given the above, the EIR contains information regarding water quality conditions for a range of

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		climate conditions. Please refer to 466-14 regarding monitoring programs.
466-14	The City [City of Elk Grove] requests that a broader range of climate change conditions be evaluated in such a way that Delta Conveyance Project water quality impacts can be quantified. The proposed project should include a commitment to develop stakeholder-involved monitoring and assessment tools that can be used to evaluate water quality impacts and compliance with water quality standards, including Basin Plan objectives and TMDL [Total Maximum Daily Load] requirements that can accurately identify the impact of the operation of the Delta Conveyance Project. These tools should consider compliance with the Delta Methylmercury TMDL and all known causes of impairment of beneficial uses.	Please see response to comment 466-13 regarding range of climate change conditions evaluated throughout the EIR. Regarding the request for stakeholder-involved monitoring and assessment, there are currently on-going water quality monitoring programs for the Delta, required by the regulating agencies (e.g., Central Valley Regional Water Quality Control Board). For example, DWR is required to participate in the mercury control program (Phase 1 and 2) as part of the Delta TMDL. DWR is considered a "discharger" of mercury to the Delta and participated in Phase 1 (pilot studies, which included monitoring) and Phase 2 (not yet implemented) of the Delta Mercury Control Program. As described in Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, the Mitigation Monitoring and Reporting Program (MMRP) for the Delta Conveyance Project will include all mitigation measures for impacts identified as a result of constructing or operating the approved alternative. The MMRP will verify mitigation measures are incorporated effectively. The actions identified by the comment are broader than those related to the impacts disclosed in Chapter 9, Water Quality, and required by the mitigation measure(s) identified for water quality. As described in Appendix 3G, Community Benefits Program Framework, a Delta Community Fund will include water and air quality as potential resource categories for potential actions that could be funded. For example, those resource categories include actions with the objective to enhance air and water resources needed to support healthy communities, such as addressing local issues with pollutants (e.g., water quality monitoring).
466-15	INSUFFICIENT WATER QUALITY MONITORING METHODS AND RESULTS The EIR considers water quality modeling on a monthly time step basis which is inadequate to assess all aquatic life	The water quality modeling to support analyses in Chapter 9, Water Quality, was conducted for boron, bromide, chloride, electrical conductivity (EC), organic carbon, mercury, and selenium. Water quality modeling was also conducted for temperature, velocity, and residence time to support the cyanobacteria harmful algal bloom (CHAB) analysis. Levels of boron in

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	beneficial uses (i.e., exposure periods less than one month). The EIR quantified changes in concentrations but does not describe the technical basis for not identifying impacts or an evaluation of project impacts during critical water quality conditions for aquatic life beneficial uses. Water quality modeling is a critical tool to estimate Delta Conveyance Project impacts and was performed in the EIR. The EIR used CalSim 3 flow inputs and DSM2 to estimate water quality impacts for all quantitative assessments: Modeling was conducted using CalSim 3 to quantify river inflows to the Delta under existing conditions and the alternatives. The modeling of constituent concentrations (or levels) within the Delta under existing conditions and the alternatives relied on output from the DSM2, a one-dimensional mathematical model for dynamic simulation of hydrodynamics, water quality, and particle tracking throughout the Delta. DSM2 can directly model EC and DOC, and also outputs the fraction of each Delta source water (e.g., Sacramento River, San Joaquin River, San Francisco Bay) at selected Delta locations. Details of the DSM2 modeling, including model development, input, and limitations, are provided in Appendix 5A, Modeling Technical Appendix. (page 9-33) This technical approach to assess water quality conditions is insufficient because 1) the evaluation time-step is not protective of aquatic life beneficial uses, 2) locations near to the proposed diversions are not reported, and 3) a number of constituents are not evaluated quantitatively.	Delta source water are of primary concern to agricultural uses, not aquatic life uses. Bromide, chloride, and organic carbon concentrations in Delta source waters are of primary concern to drinking water uses, not aquatic life uses. Mercury is of primary concern for bioaccumulation, not short-term exposure to aquatic life. The Bay-Delta Water Quality Control Plan has an EC objective for protection of fish and wildlife expressed as a 14-day running average, and EC modeling results were compared to this objective on this time scale. Selenium is of concern to aquatic life on shorter time scale than one month; however, all Delta assessment location concentrations are well below applicable aquatic life criteria as described in Impact WQ-10 (selenium) and project operations could not make selenium concentrations be above criteria. Hence, the water quality modeling was conducted at appropriate time-steps to determine impacts on beneficial uses. For CHABs, channel velocity was evaluated on a 15-minute time-step and water temperature was evaluated on daily and monthly time-steps. The CHAB impact analysis concludes that the project alternatives would not affect the factors associated with CHAB formation in the Delta: water temperature, nutrients, turbulence, or mixing clarity. There could be some increases in residence time at some Delta locations in some months, but these increases would not be sufficient to cause increased frequency or magnitude of CHABs. The assessment locations were focused on the Delta, where project operations would have the potential to alter water quality. Locations near the proposed diversion were not assessed because, as described in Chapter 9, the project alternatives would not affect surface water quality in the reservoirs and rivers upstream of the Delta. This conclusion is supported by modeling output in Appendix 5A, Modeling Technical Appendix, and analysis included in the Upstream of Delta Water Quality Analysis technical memorandum (Robertson-Bryan Inc. 2023; cited in Appendix 9L, Water Quality 2040 Analysis, in the section titled Impacts of the Project Alternatives on Water Quality in Waters Upstream of the Delta at 2040),

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		which is part of the EIR administrative record, showing little to no change in upstream reservoir storage and river flows. Where some changes were modeled to occur (Oroville Reservoir and Feather River), those changes would not affect upstream water quality. Please see Common Response 10, Surface Water Quality and Groundwater Resources, regarding the use of monthly average modeling results in the water quality impact analysis. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the scope of the study area evaluated in the EIR for different resources, including fish and aquatic life. Please refer to Common Response 3, Alternatives Development and Description, regarding Delta Conveyance Project operations, which does not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes. Please refer to Common Response 9, Hydrologic Modeling and Approach, regarding modeled representation of upstream effects and operations criteria. Given the above, the evaluation of potential water quality changes and impacts is adequate and based on substantial evidence presented in the EIR. The record and provides sufficient disclosure of the lack of impacts upstream for decision makers to understand.
466-16	The water quality modeling was performed and reported using an insufficiently coarse time-step (monthly) to adequately assess impact on beneficial uses, especially protection of aquatic life acute and chronic exposures. The EIR explains that this deficiency is a limitation of using CalSim 3 data, however,	Please see response to comment 466-15 regarding the adequacy of water quality modeling conducted for the EIR to assess impacts on beneficial uses and the constituents of concern related to aquatic life and water quality objectives used in the evaluation. Chapter 12, Fish and Aquatic Resources, also evaluates constituents of concern, as appropriate, due to the

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	the EIR could perform additional post processing based on water quality distributional information to determine estimated maximum and central values and associated confidence intervals. Omission of this analysis results in an inadequate evaluation of aquatic life beneficial uses. The City [City of Elk Grove] requests that the quantitative evaluation consider shorter averaging periods to ensure protection of aquatic life using the maximum and central values and associated confidence compared to the relevant water quality objectives.	construction or operation of the project (e.g., Impact AQUA-2 and water temperature, CHABs, and metals; Impact AQUA-6 and selenium).
466-17	LOCATIONS NEAR THE PROPOSED INTAKES AND UPSTREAM ARE NOT CONSIDERED IN WATER QUALITY MONITORING The section of the Sacramento River from the proposed intake to the upstream legal boundary of the Delta (I Street Bridge) is not considered in the evaluation specifically through water quality modeling or quantitative or qualitative assessments. Because the proposed intake will increase tidal effects upstream there will be increases in reverse flow periods and salinity intrusion that is not specifically addressed. The EIR should include model results in the immediate vicinity of the proposed diversions up to the I Street Bridge using a more detailed three-dimensional model. Discharge evaluations for the publicly operated treatment plant (POTW) in this vicinity have performed similar evaluations. The objective of the study should be to determine the near-field effect on flow and water quality for protection of aquatic life and municipal drinking water beneficial uses.	Please see response to comment 466-15 regarding the analysis of water quality effects upstream of the Delta and in the vicinity of the project intakes.

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466-18	THE DEIR DOES NOT ADEQUATELY ADDRESS HARMFUL ALGAE BLOOMS The EIR modeling identified longer residence times in Delta sloughs and low-grade tributaries that might exacerbate HAB conditions (P 9-27): To date, monitoring for cyanotoxins has been dependent on funds that support bloom response, special projects, or opportunistically at other Delta locations when the Central Valley Water Board or local entities respond to reports of CHAB presence. As such, Delta CHAB and cyanotoxin monitoring has generally been inconsistent and incomplete in terms of geographic coverage, which makes it difficult to assess changes over time. Nevertheless, the California Cyanobacteria and Harmful Algal Bloom Network Harmful Algal Bloom incident report portal and published studies suggest that cyanotoxins are increasing since they were first detected in the Delta. Multiple EIR modeled site locations had increases in residence time and temperature suggesting future HAB impairment amplification by the project alternatives. The EIR asserts that the mean increases are too small (<10%) relative to the mean residence time to have a significant effect on HAB growth: While some modeled increases in residence time under the project alternatives are longer than 24 hours, all modeled increases are less than 10%, relative existing conditions (page 9-171) Multiple locations in the EIR state that residence time modeling is a coarse estimate and that HAB growth is not	As described in response to comment 466-19, Chapter 9, Water Quality, provides a complete analysis of the project impacts on CHABs in the Delta. This included an assessment of water temperatures, velocity, and residence time at numerous locations throughout the Delta using DSM2 modeling. The comment assertion that the residence time modeling approach supporting the CHABs analysis in Chapter 9 is inadequate is not consistent with the current scientific understanding of cyanobacteria growth and the formation of CHABs in the Delta. Please see Common Response 10, Surface Water Quality and Groundwater Resources, regarding the appropriateness of the residence time modeling and calculations performed to support the CHABs analysis in Impact WQ-14. As described in Common Response 10, DSM2 is the best available tool for simulating Delta hydrodynamics and water quality in the Delta.

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	entirely understood: Residence time within portions of an open waterbody can vary based on such site-specific conditions, which DSM2 cannot model. Hence, the output from DSM2 for the open water areas can only provide a rough estimate of residence time for the entire waterbody and a general indication of whether the project alternatives would be expected to increase or decrease residence times for the entire open waterbody and does not provide any information about site-specific conditions in the open waterbodies that may be important for CHABs. Hence, DSM2 cannot provide definitive residence time estimates for open waterbodies or definitive estimates for changes in residence time due to the project alternatives for open waterbodies. (page 9-159) …the relationship between residence time (or increases in residence time at a specific location) and the size of microcystis blooms (should a bloom occur at the site) would be expected to vary substantially by location within the Delta and by year due to how the factors listed above and other environmental factors vary temporally and spatially. (page 9-175) Given these EIR uncertainties and other literature, the EIR should quantitatively evaluate the occurrence of HABs that considers both quantitative error and infrequent HAB occurrences that may still impair beneficial uses. The EIR assessment evaluates mean conditions and up to the 90th percentile occurrence for residence time, but does not estimate the error in these estimates or evaluate the low	

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	occurrence (e.g., 99th percentile) condition which could trigger a HAB.	
466-19	Moreover, the EIR evaluation does not explicitly evaluate the future climate change conditions where other HAB favorable factors are more frequent, making residence time the limiting factor. Instead, the EIR concludes that because only residence time is increased and the project does not substantially change other factors, the Delta Conveyance Project has no significant negative impact on HAB growth: Because these other four parameters of water temperature, turbulence and mixing, nutrient levels, and water clarity and associated irradiance are key to the initiation of blooms and subsequent growth, the project alternatives would not be expected to cause more frequent CHABs anywhere in the Delta, relative to existing conditions. (page 9-173 to 9-174) In the climate change scenario where these other factors may well increase in any localized area, the Delta Conveyance Project residence time increase could have significant HAB impacts that are not addressed in the EIR. As an example, the current (August 2022) San Francisco Bay HAB occurrences are indicative of additional potential impacts with more diverted flows. The City [City of Elk Grove] requests that the EIR evaluate whether residence time and temperature increases attributed to the Delta Conveyance Project will increase the likelihood of HAB blooms regardless of climate change scenarios and whether the Delta Conveyance Project impacts will amplify HAB occurrence under climate change scenarios.	Chapter 9, Water Quality, provides a complete analysis of the project impacts on CHABs in the Delta. This included an assessment of water temperatures and residence time at numerous locations throughout the Delta using DSM2 modeling. Monthly and daily average temperatures for all assessment locations would be negligibly different than those under existing conditions. The water quality impact analysis concludes that there could be some increases in residence time in some locations of the Delta in some months (Impact WQ-14). These increases would not be sufficient to alter cyanobacteria dynamics such that they would negatively affect any beneficial use. The EIR concluded that project alternatives would not affect water temperature, nutrients, turbulence and mixing, water clarity, or residence time to cause substantially increased frequency or magnitude of CHABs. Impacts to CHABs would be less than significant. Please see Appendix 9L, Water Quality 2040 Analysis, Impact WQ-14 that uses Delta hydrology at 2040 compared to 2020 to address impacts of climate change on CHABs. The assessment concludes there would not be a substantial increase in the frequency or severity of CHABs due to implementation of the project alternatives.

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466-20	The City [City of Elk Grove] requests that the operators of the Delta Conveyance Project commit to funding Delta RMP [Risk Management Program] and the Regional Water Board nutrient and HAB monitoring, management, and mitigation studies. The studies related to flow and residence time modification in the Delta are directly relevant to the Delta Conveyance Project and management of other Delta resources by local stakeholders.	DWR currently participates in the Delta RMP and is expected to continue to participate. Please see response to comment 466-14 regarding mitigation measure(s) related to water quality and the Delta Community Fund described in Appendix 3G, Community Benefits Program Framework. The Delta Community Fund could be used to fund actions related to water quality, such as actions with the objective to enhance water resources needed to support healthy communities (e.g., addressing local issues with pollutants).
466-21	DELTA METHYLMERCURY WASTELOAD ALLOCATION COMPLIANCE The Basin Plan as amended by Resolution R5-2010-0043 for the Delta Methylmercury Total Maximum Daily Load (TMDL) identified DWR as an "open water" source of methylmercury: Open water allocations are assigned jointly to the State Lands Commission, the Department of Water Resources, and the Central Valley Flood Protection Board as applicable. DWR operations are a significant contributing source to the methylmercury impairment in the Delta in nearly every subbasin and has waste load allocations that will require loads to remain the same or decrease significantly (Table A. Methylmercury Load and Waste Load Allocations for Each Delta Subarea by Source Category, Resolution R5-2010-0043, page 20). There is discussion in the EIR of how the Delta Conveyance Project and the Compensatory Mitigation Plan (CMP), which creates restoration areas known to methylate mercury, will address waste load compliance. The City [City of Elk Grove] requests that the EIR evaluate Delta Methylmercury TMDL compliance relevant to the Delta	The project would be in compliance with DWR's wasteload allocations in the Delta Methylmercury TMDL. Project operations would not create new sources of mercury or methylmercury in the Delta. The quantitative analysis of mercury and methylmercury presented in Chapter 9, Water Quality, Impact WQ-6, supported by model outputs in Appendix 9H, Mercury, found there would be little to no change in Delta water column concentrations of total mercury and fish tissue concentrations of methylmercury. Furthermore, project operations would not increase mercury loading to the Delta. Chapter 5, Surface Water, describes how there would be consistent decreases in long-term average flows in all months for the Sacramento River north of Courtland (i.e., downstream of the proposed north Delta intakes) due to project diversions. Thus, Sacramento River diversions associated with the project would reduce mercury and methylmercury loads in the north Delta. The Compensatory Mitigation Plan with implementation of Mitigation Measure WQ-6 would also be in compliance with DWR's wasteload allocations in the Delta Methylmercury TMDL. Mitigation Measure WQ-6 directs the development and implementation of a mercury management and monitoring plan to minimize the generation of methylmercury within the new tidal habitats. A performance standard is included to implement

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	Conveyance Project and how DWR actions will ensure compliance with the final Basin Plan waste load allocations in the EIR.	adaptive management actions to reduce methylmercury generation in the tidal habitats if monitoring data shows statistically significant and higher average mercury concentrations in tissues of fish collected from within and immediately adjacent to the new tidal habitat. Finally, DWR is required to participate in the mercury control program (Phase 1 and 2) as part of the Delta TMDL, and participated in Phase 1 (pilot studies, which included monitoring) and Phase 2 (not yet implemented) of the Delta Mercury Control Program.
466-22	Moreover, the Basin Plan specified that DWR was to prepare an evaluation of methylmercury control measures, which was not included in their detailed monitoring and modeling report (Delta Mercury Control Program Phase 1 Tidal Wetlands and Open Water Methylmercury Control and Characterization/Control Reports – Independent Scientific Review. A report to the Delta Science Program. page 61): According to the workplan, there was no intention of a full control measures evaluation, which was thus not part of the study design. If further analyses of existing data or further studies conclude that indeed tidal wetlands are not important sources of MeHg to the Delta, then control measures would not be needed. Such a conclusion is not yet supported. The “open water” category of the Delta Methylmercury TMDL sources is one of the largest contributors as shown in Figure 1 [Exhibit 2]. The EIR does not adequately address methylmercury control or compliance with Basin Plan waste load allocations. The City [City of Elk Grove] requests that DWR develop modeling tools to evaluate management actions that consider	Please see response to comment 466-21 regarding the effect of project operations and the Compensatory Mitigation Plan on mercury and methylmercury loading to the Delta relative to load allocations in the Delta Methylmercury TMDL and Central Valley Regional Water Quality Control Board’s Basin Plan.

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	a range of potential climate change scenarios, since the operation of compensatory mitigation projects (i.e., restoration areas) will increase methylmercury loading and open water management is the largest controllable contributor to the Delta methylmercury source load.	
466-23	[Exhibit 2: Pie chart. Basin Plan Amendment for Methyl and Total Mercury in the Sacramento-San Joaquin Delta Estuary, February 2008]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
466-24	UPSTREAM WATER QUALITY The EIR Water Quality Chapter 9 Appendix 9L (page 1, lines 1 to 6) summarizes that upstream water quality will not be impacted by any of the project alternatives: Because the project alternatives would not have substantial, if any, effects on water quality constituents in waterbodies upstream of the Delta, the constituent-specific assessments do not have a separate discussion for this region (refer to Upstream of Delta Water Quality Analysis [Robertson-Bryan, Inc. 2022]). The City [City of Elk Grove] reviewed a copy of the July 2022 technical memorandum "Upstream of Delta Water Quality Analysis" (RBI, 2022) and identified several specific evaluation insufficiencies or incorrect findings. The most significant flaw in the mostly qualitative analyses is that only reservoir level and outflow changes on the upstream condition are considered for water quality in "study area rivers”" In fact, water quality will be impacted significantly during critical periods related to lower flow rates and increased residence time. The upstream evaluation identifies changes in flow rate as a	Please see response to comment 466-15 regarding the analysis of water quality effects upstream of the Delta included as part of the record for the EIR. As noted in that response and multiple Common Responses (e.g., Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, and Common Response 3, Alternatives Development and Description), the Delta Conveyance Project's operations do not include changes to State Water Project or Central Valley Project operations upstream of the proposed north Delta intakes, thus the effects on upstream rivers related to water quality and fish would not occur or would be highly limited. Therefore, monitoring and or mitigation measures are not needed nor applicable upstream of the north Delta intakes. Regarding the request for stakeholder-involved monitoring and assessment, please see response to comment 466-14.

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	primary driver of Delta Conveyance Project impacts, but does not consider the impact of enhanced reverse flow conditions upstream of the I Street Bridge due to the diversion and lower American River flow: River flow rates also can affect physical processes, such as temperature gradients, erosion processes that drive TSS [total suspended solids] and turbidity levels, and turbulence that affect reaeration processes. The primary mechanism by which the project alternatives could affect water quality within study area rivers is through changes in flow rates. (RBI, 2022 page 6) Changes in the other constituents (i.e., boron, bromide, chloride, EC, mercury, organic carbon, selenium, and pesticides) would be unlikely to occur from changes in river flow rates and instead would be more likely to change from external source contributions, which would not be affected by the project alternatives. (RBI, 2022 page 7) The upstream evaluation summarized potential flow impacts on the American River as follows: …..a decrease of 7% in August of below normal years under Alternatives 2c and 4c. (RBI, 2022 page 7) and, The greatest decrease in modeled monthly average flow rates during these water year types occurs in May of critical years, which has a decrease of 5% under Alternatives 2b, 2c, 4b, and 4c. And a decrease of 4% under Alternatives 1, 2a, 3, 4a, and 5. (RBI, 2022 page 7) Because the modeling average period was only provided on a	

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	monthly basis, critical one-day or seven-day periods were not evaluated. A shorter averaging period would result in more extreme occurrences and more significant impacts. Decreases in flow and residence time of 4-7% are significant during June through October, especially for the occurrence of HABs in the American River. The City [City of Elk Grove] requests that the EIR identify and assess the impacts of Delta Conveyance Project operations during critical aquatic life conditions and critical flow and sensitive periods. The City requests that the Delta Conveyance Project include implementation of a monitoring and assessment program to support management effectiveness assessments and protect water quality upstream of the proposed diversions and in the Delta (also see Comment No. 14). [Comments 26-30]	
466-25	Additionally, decreases in American River flows will generally increase downstream Sacramento River concentrations of other constituents as the American River generally dilutes upstream Sacramento River concentrations (salinity, solids, etc.). There is no quantitative assessment of this impact during critical periods to support all beneficial uses.	Please see responses to comments 466-15 and 466-24 regarding the analysis of water quality effects upstream of the Delta included as part of the record for the EIR.
466-26	INSUFFICIENT DEMONSTRATION OF CONSISTENCY WITH FEDERAL AND STATE ANTIDEGRADATION POLICY Antidegradation policies have been issued at both the federal and State of California (State) level. These policies are intended to protect existing water quality and associated beneficial uses. The federal policy is expressed as a regulation in 40 CFR section 131.12 and requires protection of existing in-stream uses and	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the relationship of the State Antidegradation Policy to the EIR and the CEQA process. Please also see Common Response 10, Surface Water Quality and Groundwater Resources, for information on how antidegradation policies were considered when formulating thresholds of significance for use in the EIR. As described in those Common Responses, the thresholds used in Chapter 9, Water Quality, are related to state and federal antidegradation policies, and application of antidegradation policy will be considered by the State Water

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	water quality necessary to protect those uses. The federal policy also requires maintenance and protection of water quality beyond that required to support propagation of fish, shellfish and wildlife, and recreation (i.e., meet "fishable, swimmable" standards) when high water quality exists, unless a state finds that lower water quality is necessary to accommodate important economic and social development. The State policy, adopted in 1968 as a resolution of the State Water Resources Control Board (State Water Board, Resolution 68-16), addresses the need to maintain high quality waters in California consistent with maximum benefit to the people of the State. USEPA Region 9 [Footnote 1: USEPA Region 9. Guidance on Implementing the Antidegradation Provisions of 40 CFR 131.12. June 3, 1987. http://water.epa.gov/scitech/swguidance/standards/adeg/upload/Region9_antideg_guidance.pdf] and the State Water Board [Footnote 2: Attwater, William, Chief Counsel, State Water Resources Control Board. Federal Antidegradation Policy. Memorandum to Regional Board Executive Officers. October 7, 1987] also provided guidance on implementing the antidegradation provisions. These guidance documents specify that diversion projects, such as the Delta Conveyance Project, meet antidegradation requirements. The USEPA Region 9 guidance document specifies that actions subject to antidegradation requirements include "3. Other 'major Federal actions' (pursuant to NEPA and the Endangered Species Act)" and "4. Water quantity/water rights actions which affect water quality." The EIR is insufficient because it does not specify how the Delta Conveyance Project fulfills the requirements in the federal and state policies.	Board with respect to DWR's application to change the points of diversion in their water right permits.

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	Specific Findings in EIR Supporting Need for Complete Antidegradation Analysis The EIR includes a screening on a constituent-by-constituent basis to identify problematic constituents, but it does not provide findings on antidegradation or a justification for not considering antidegradation. For this screened subset of problematic constituents, the EIR CEQA findings are based on quantitative or qualitative assessment comparisons to water quality objectives. The constituent-by-constituent evaluation and screening process does not address antidegradation analysis requirements. There are numerous instances where the EIR should trigger a detailed antidegradation analysis, which would require an evaluation of whether the proposed project is to the benefit of the people of the State as compared to an alternative. The EIR, however, fails to adequately make this demonstration or consider the balance of water quality and socioeconomic impacts.	
466-27	Methylmercury The EIR found that restoration areas constructed as part of the Delta Conveyance Project Compensatory Mitigation Plan would create potentially significant impacts: Measurable increases in methylmercury concentrations in waters and fish within and near the new tidal habitats could potentially occur. Methylmercury is CWA Section 303(d)-listed within the Delta. As such, if the new tidal habitats have higher aqueous methylmercury concentrations than surrounding	Please see response to comment 466-26 regarding the antidegradation policy and analysis, as related to the project. Mitigation Measure WQ-6 is in the EIR to address increased methylmercury concentrations that may occur with implementation of the CMP.

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	Delta water, they could make the existing CWA Section 303(d) mercury-related impairment discernably worse. Because mercury is bioaccumulative, elevated water-borne methylmercury concentrations that could occur in new tidal habitats would bioaccumulate in aquatic organisms that could, in turn, pose increased health risks to wildlife or humans consuming those organisms, relative to existing conditions. Thus, in an abundance of caution, DWR has determined that the impact of new tidal habitats created in accordance with the CMP on mercury concentrations in Delta organisms residing within the wetlands and immediately adjacent Delta waters is potentially significant. (page 9-114 lines 41-46 and page 9-115 lines 1-5, emphasis added) Therefore, the EIR identifies methylmercury impacts to an already methylmercury-impaired water, but does not perform a complete antidegradation analysis including a characterization of the water quality impacts and a socioeconomic demonstration of why any identified degradation is in the best interest of the people of the State of California compared to measures to fully mitigate degradation.	
466-28	Harmful Algae Blooms The EIR identifies factors that contribute to harmful algal blooms in the Delta: There are five primary environmental factors that provide favorable conditions for Microcystis to outcompete other phytoplankton in the water column of Delta waters. 1) Water temperatures higher than 19°C (66.2°F).	The EIR used DSM2 to model residence time at several locations throughout the Delta. Depending on location and month, the project alternatives result in increases, decreases, or no change in modeled residence time. In the example provided by the commenter, an increase in median residence time of 2 to 6 hours in residence time (like shown in Appendix 9E, Cyanobacteria Harmful Algal Blooms, in the table titled Franks Tract, Time [in hours] to Flush 90 Percent of Water from the Location, July) is not sufficient to increase the magnitude or severity of CHABs, or cause conditions to be more conducive to a bloom forming, relative to existing conditions. The greatest increases in residence time would occur in the central Delta, in Discovery Bay, where there are already

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	2) Low channel velocities resulting in low turbulence and mixing. 3) Long residence times, which allow cells produced to remain in or near a site rather than being flushed downstream. Long residence times result in accumulation of higher cell densities, which can result, in turn, in higher cyanotoxin concentrations. 4) Water column irradiance and clarity greater than 50 micromoles per square meter per second (µmoles/m2/s). 5) Sufficient nutrient availability (nitrogen and phosphorus levels). (page 9E-3) The EIR stated that residence time will increase at a number of locations (e.g., page 9E-97, Table 9E-3-4-2) due to the Delta Conveyance Project, however, upstream conditions and conditions proximate to the proposed diversion were not evaluated. This increase in residence times will likely result in increases in occurrences of HABs, as residence time are often the limiting factor in HAB occurrence in the Delta and upstream of the Delta. The EIR does not quantify upstream impacts to residence time, although decreased American River average flow rates (page 7, RBI 2022) were identified in the EIR. The EIR does not consider HAB water quality impacts for antidegradation purposes.	very long residence times (i.e., 2 to 5 weeks under existing conditions). Increases in residence time for the project alternatives may contribute to more Microcystis cell and colony production and accumulation/aggregation in Discovery Bay due to a 1- to 2-day increase in residence time in July at this location. However, an additional day or two of residence time at Discovery Bay (a location that already has annual CHAB events) would not cause Microcystis blooms to substantially increase in size or last substantially longer, relative to existing conditions. This is because the other four environmental drivers would not change under project alternatives, competition with other algae, grazing losses, virus losses would continue, the area would continue to be tidally influenced and experience both tidal and wind induced velocity that would interfere with the life history strategy of Microcystis. Please see responses to comments 466-15 and 466-24 regarding the analysis of water quality effects upstream of the Delta included as part of the record for the EIR.
466-29	Salinity The EIR demonstrated that the Delta Conveyance Project will increase salinity at many locations in the Delta (pages 9-104 to 9-107) beyond existing conditions. This water quality impact is not considered for antidegradation purposes.	Chapter 9, Water Quality, Impacts WQ-3 (bromide), WQ-4 (chloride), and WQ-5 (electrical conductivity) present analysis showing that the modeled increases in these salinity parameters would be less than significant. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding an antidegradation analysis and the relationship to the project.

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466-30	The City [City of Elk Grove] requests that DWR perform a complete antidegradation analysis according to the state and federal guidance, particularly for constituents identified as having potentially significant increases such as methylmercury, salinity, and HABs with consideration to the current regulations and management programs such as the Delta Methylmercury TMDL, Central Valley Salinity Alternatives for Long-Term Sustainability (CV-Salts), and California's Freshwater and Estuarine Harmful Algal Bloom Program.	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding an antidegradation analysis and the relationship to the project.
466-31	INSUFFICIENT PROPOSED MONITORING AND MODELING ACTIONS The EIR does not propose an ongoing means to track impacts to water quality, especially methylmercury and HABs [Harmful Algal Blooms] or evaluate mitigation actions (see Comment No. 2 - water quality).[comments 18-23] Section 3.18, Adaptive Management and Monitoring Program, identifies monitoring and assessment as a requirement for the Delta Conveyance Project (page 3-159): "CEQA requires a lead or responsible agency to adopt a program of monitoring or reporting when making findings requiring mitigation or project revisions to mitigate or avoid a significant impact in conjunction with approving a project, to ensure that the mitigation or project revisions are implemented (CEQA Guidelines §15097)." The EIR also indicates the elements of such a monitoring program (page 3-160): "The plans would outline key uncertainties for tidal wetlands, channel margin, riparian, and floodplain restoration projects	Please see response to comment 466-14 regarding mitigation measure(s) related to water quality and the Delta Community Fund described in Appendix 3G, Community Benefits Program Framework. The Delta Community Fund could be used to fund actions related to water quality, such as actions with the objective to enhance water resources needed to support healthy communities (e.g., addressing local issues with pollutants). Furthermore, DWR will develop the Mercury Management and Monitoring Plan described in Mitigation Measure WQ-6, which will include monitoring and adaptive management with the goal of minimizing generation of methylmercury that may occur with implementation of the Compensatory Mitigation Plan. All other impacts on water quality constituents from implementation of the project alternatives would be less than significant and do not require mitigation. In addition, the Operations Adaptive Management and Monitoring Plan (OAMMP) will detail the process for informing additional studies and for modifying select operations and design elements of the north Delta diversion facilities to help better understand and address uncertainties concerning effects of the proposed project on listed fish species (see Chapter 3, Description of Proposed Project and Alternatives, and Common Response 3, Alternatives Development and Description, for more

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	intended to benefit listed terrestrial and fish species and offset potential effects of the project. Effectiveness monitoring and research studies would be necessary to examine the ecological function of planned restoration. These site-specific adaptive management plans for habitat creation and restoration would track progress toward management objectives, to improve understanding of restoration effectiveness, and to trigger remedial actions as needed to adjust management to achieve mitigation goals." The Partnership agrees that a monitoring and effectiveness assessment program is critical to manage the Delta Conveyance Project operation. However, this monitoring and effectiveness program should consider additional primary and secondary impacts from the Delta Conveyance Project that may occur from other DWR actions and actions by other local agencies, such as the potential impacts to HABs, methylmercury, and salinity discussed above from reduced flows. This expansion of the scope is necessary because of the complexity of the Delta water quality issues, the scale of the project, and potential water quality issues the Delta Conveyance Project operation may cause or exacerbate in the future climate change scenarios.	information regarding the OAMMP and adaptive management). In addition to new monitoring studies associated with the OAMMP, data collected from ongoing monitoring (water quality, fisheries, etc.) through established programs (e.g., the Interagency Ecological Program) would be used, to the extent feasible, to examine the broader scale ecological changes and help assess potential changes due to the project. Finally, please see Common Response 6, Climate Resilience and Adaption, for a discussion of the 2040 climate change analysis.
466-32	The proposed “Community Benefits Program” (Chapter 34 and Appendix 3G) offers a potential opportunity to fund regional monitoring and modeling: The Community Benefits Program for the Delta Conveyance Project is one of three distinct but complementary processes intended to address effects within the local communities… (page 34-1)	As described in Appendix 3G, Community Benefits Program Framework, the Delta Community Fund could support potential actions that would enhance water and air quality which could include monitoring programs like that of the Delta Regional Monitoring Program (RMP). A specific reference to the Delta RMP has been added to Appendix 3G. As described in Appendix 3G, decisions regarding specific actions to be funded will be made following the completion of the CEQA process and after continued engagement with the community.

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	The EIR Chapter 34 text does not identify monitoring and modeling as a key possible component, however, community input notes in EIR Appendix 3G frequently identify monitoring and assessment programs as a community need. EIR Chapter 34 and Appendix 3G do not include references to participation in the Delta Regional Monitoring Program which is funded by local and state agencies inside and outside of the Delta.	
466-33	The City [City of Elk Grove] requests that EIR Chapter 3 (page 3-160) scope of the Delta Conveyance Project monitoring and effectiveness assessment program be broadened to incorporate management actions for all water quality programs (e.g., TMDLs, impairments, Basin Plan requirements) to support Regional Water Board and local agency protection of water quality.	Please refer to Chapter 9, Water Quality, which provides a detailed analysis of potential impacts of the Delta Conveyance Project on water quality constituents. In cases where significant impacts are identified, mitigation measures to reduce the impacts and meet water quality regulatory requirements are identified. The programs listed in this comment are not included in Chapter 3, Description of the Proposed Project and Alternatives, because these programs are not features of the proposed project or project alternatives. For further information about compliance with other state and federal programs, projects, and regulations, please see the table in Chapter 1, Introduction, titled Summary of Potential Agencies and Review, Approval, or Other Responsibilities, in Addition to Those under CEQA and the table titled Summary of Federal Agencies and Review, Approval, or Other Responsibilities, in Addition to Those under NEPA.
466-34	The City [City of Elk Grove] requests that EIR Chapter 34 and Appendix 3G be modified to include specific reference to the Delta RMP such that local communities and interests can participate in the Delta RMP through Community Benefits Program funding.	As described in Appendix 3G, Community Benefits Program Framework, the Delta Community Fund could support potential actions that would enhance water and air quality which could include monitoring programs like that of the Delta Regional Monitoring Program (RMP). A specific reference to the Delta RMP has been added to Appendix 3G. As described in Appendix 3G, decisions regarding specific actions to be funded will be made following the completion of the CEQA process and after continued engagement with the community.

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466-35	IMPACTS TO GROUNDWATER: THE DEIR FAILS TO IDENTIFY THE PROJECT'S IMPACTS ON GROUNDWATER AND THE ACHIEVEMENT OF SGMA'S SUSTAINABILITY REQUIREMENTS The purpose of Groundwater Sustainability Plans (GSPs) is to provide GSAs with a toolkit for ensuring their respective groundwater basins will reach long-term sustainability. These plans are submitted to DWR, and DWR determines whether a GSP complies with SGMA and is likely to achieve the sustainability goal for the basin. (See Wat. Code, §§ 10733-10735.) The DEIR provides some background information regarding GSPs in the project area. (DEIR, pp. 8-7 to 9.) Ironically, however, the DEIR fails to analyze the Project's impacts on achieving sustainability under the region's GSPs. Under the No Project Alternative analysis, the DEIR also determines that "Implementation of the GSPs and the resulting achievement of groundwater sustainability by 2040 or 2042 would result in stable groundwater levels and the active management of groundwater extractions within predetermined operating ranges." (DEIR, p. 8-21.) However, the DEIR does not adequately consider the sustainability indicators and impact criteria identified in the GSP. The CEQA Guidelines (Appendix G) thresholds for evaluating impacts to water resources include, among others, whether the proposed project would: I. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	The Delta Conveyance Project is not expected to affect the ability of groundwater sustainability agencies to comply with California's SGMA requirements. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs regarding consideration of SGMA and Groundwater Sustainability Plans (GSPs). The impact of the project on water quality is evaluated in the context of the water quality standards under the Clean Water Act. If portions of the dewatering flows and stormwater runoff are not needed on-site and storage units are full, the flows would be treated prior to discharge to adjacent waterbodies. Impact GW-2 evaluates the changes groundwater elevations across the region and Impact GW-7 assesses changes to groundwater gradient and their corresponding impacts on water quality. Neither Impact GW-2 nor Impact GW-7 found any changes to groundwater flow gradients to the neighboring subbasins. The potential impact of reduced recharge to underlying groundwater basins is addressed under Impact GW-4 and impacts are determined to be less than significant. Chapter 9, Water Quality, addresses consistency with the Water Quality Control Plan for the San Francisco Bay/Sacramento–San Joaquin Delta Estuary in Impact WQ-17.

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	II. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. III. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, CEQA requires the DEIR [to] evaluate the impact of the Project on the ability of GSAs to comply with SGMA and the GSP. In addition, DWR's role as both the regulatory agency in SGMA and as lead agency for the Project would result in rigorous analysis of regional GSPs. In violation of CEQA and the DWR role in SGMA, the DEIR makes no reference to any specific GSP in any of the groundwater subbasins that underlie the Project area. In addition, the DEIR does not cite or include any of the sustainability indicators developed in the GSP. For these reasons, the DEIR must be revised to identify and evaluate Project impacts on groundwater and the ability to comply with regional GSPs in the Project area before it can be adopted.	
466-36	THE DEIR LACKS A QUANTITATIVE ANALYSIS FOR CONSTRUCTION IMPACTS The DEIR lacks a quantitative analysis of groundwater impacts during construction of the project. DWR states that this approach was chosen because there is a "lack of an available analytical tool at the spatial scale required for the site-specific quantitative analysis." (DEIR, p. 8-13.) The lack of available tools is not a sufficient defense to failing to evaluate Project impacts required by CEQA. In addition, as one of the two State agencies overseeing the implementation of SGMA, DWR should	DWR fully evaluates the construction-related groundwater impacts of the Delta Conveyance Project in the EIR. Common Response 10, Surface Water Quality and Groundwater Resources, provides additional clarifying information regarding the methodology and information used to adequately and appropriately evaluate construction-related impacts described in Chapter 8, Groundwater. As described in Common Response 10 and Chapter 8 (section titled Methods for Analysis) the Delta Conveyance Project construction-related impacts are evaluated using existing groundwater conditions and hydrogeology, standard design and construction methods (Delta

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	be well suited to develop technical information that quantifies potential construction impacts. This type of analysis is needed in part because, as the DEIR recognizes, high salinity has been "attributed to poor-quality groundwater intrusion from the Delta caused by the decline of groundwater levels and worsened by sea level rise." (DEIR, p. 8-10.) Dewatering Activities Would Significantly Impact Groundwater Levels The DEIR states that there is potential for "temporary localized changes" due to dewatering at construction sites. (DEIR, p. 8-1.) The DEIR later states that dewatering events could temporarily reduce stream gains or increase stream losses, but that DWR would use slurry cutoff walls to reduce the amount of groundwater entering the construction site. (DEIR, p. 8-30.) This analysis discloses two different Project impacts (stream losses and slurry cutoff walls) but fails to properly evaluate either. The DEIR must be revised to evaluate the impacts of dewatering and the use of slurry cutoff walls, each of which are different impacts of the Project on interconnected surface waters. The DEIR concludes that "the impacts of these dewatering events on interconnected surface waters would occur during the construction period and would be short term in nature, and would be minimized through construction practices, including Mitigation Measure GW-1[.]" (DEIR, p. 8-30.) However, the failure to identify, disclose, and evaluate quantified construction impacts create significant uncertainty regarding	Conveyance Design and Construction Authority 2022c, 2022d), and anticipated changes in groundwater elevations, storage, and quality during construction. As described in Common Response 10, cutoff walls would be designed to applicable standards depending on the unique site- specific conditions and the location of the facility being constructed. Cutoff walls are designed and used to minimize the need for dewatering and the movement of groundwater outside of the cutoff walls into the construction site. Given this, and the other information provided in Common Response 10, construction would not result in substantial changes to groundwater levels or groundwater water quality. Furthermore, analysis in Impact GW-1 and Impact GW-2 shows that under construction groundwater levels would generally be maintained at the level of existing conditions during the use of cutoff walls or dewatering. As the proposed project and project alternatives would not result in a substantial change in groundwater levels, they would also not result in a substantial change in groundwater salinity associated with a decline in groundwater levels. And, if unanticipated changes to groundwater levels occurred during construction, the changes would be localized and in the immediate area of the construction. The EIR also includes Mitigation Measure GW-1, which requires monitoring during construction and adjustments to construction activities as needed, depending on the groundwater level monitoring results. Although it is determined that the project would not impact groundwater quality, Mitigation Measure GW-1 has been revised to include monitoring of electrical conductivity at select locations during construction to provide data confirming the conclusions in the EIR. Impact GW-1 and Impact GW-2 remain less than significant prior to the implementation of the revised mitigation measure, as described in Chapter 8.

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	the extent of dewatering events that would occur during construction, and where that water would go. The DEIR vaguely asserts that these impacts would be "short term in nature," and would be minimized through mitigation, therefore the impact would be less than significant. These conclusions are not supported by the DEIR and therefore must be revised. By its own estimate, the Project would take up to 13 years to construct, including over four years for each intake. (DEIR, p. 3-131 to 133.) This is not a short period of time but is the majority of the time for which GSAs [Groundwater Sustainability Agencies] have to achieve sustainability under SGMA [Sustainable Groundwater Management Act]. Without quantification of the amount of groundwater that may be dewatered during this period, it is impossible for the public to understand the potential impacts to groundwater or the surrounding surface water bodies (e.g., Sacramento River, Snodgrass Slough complex, levee drains, local agricultural and stormwater infrastructure, and septic fields) that would receive dewatering, stormwater runoff, and decant water during this period or whose flows and capacities would be substantially altered as a result of the project. (DEIR, p. 9-44.)	Impact GW-1 evaluates the changes in stream gains and losses during construction based on known construction methods and design of facilities. Construction methods evaluated may be related, and thus considered in the impact analysis together, to fully evaluate impacts. Since cutoff walls are designed and used to minimize need for dewatering and the movement of groundwater outside of the cutoff walls, dewatering and cutoff walls are evaluated in Impact GW-1 for each of the facilities. For example, dewatering at the tunnel shaft locations would be limited to removing residual water once the tunnel shafts are completed and considered watertight. Most of the shafts would be constructed in wet conditions and dewatering would only be needed once the shafts are completed and sealed. As described in the Engineering Project Reports, at the intakes, tunnel shafts, and Southern Complex, all water from dewatering activities and stormwater runoff on the construction site would be collected, treated, and stored on-site to reduce the need for off-site water sources and to avoid increased peak runoff flow rates from the construction sites. The dewatering flows and stormwater runoff flows would be treated in self-contained on-site trailers (similar to freight trailers used for tractor-trailer rigs). Similar trailers would be used for on-site storage of the treated dewatering flows and stormwater runoff for future use. Based upon the size of the site and types of on-site activities, 20 to 50 trailers would be located on the construction site. If portions of the dewatering flows and stormwater runoff are not needed on-site and storage units are full, the flows would be treated prior to discharge to adjacent waterbodies. Please also refer to Impact FP-2 in Chapter 7, Flood Protection, regarding the discharge of water from dewatering activities and stormwater runoff. Water collected during construction would be released in a manner that would not increase peak flow rates in local drainage channels.

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466-37	With respect to project impacts during construction, the DEIR references a "lack of an available analytical tool at the spatial scale required for the site-specific quantitative analysis." (DEIR, p. 8-13.) A qualitative assessment, however, is inappropriate for a project of this scale and does not excuse a violation of CEQA requirements. The site-specific local aquifer characteristics, seasonal gradients, and other elements, using a locally calibrated, site-scale model, with project physical features such as cutoff walls, dewatering pumping, "recharge" drainage networks, and all other expected project activities must be developed and analyzed in the DEIR. The absence of any local quantification of impact effectively renders the DEIR's analysis inadequate.	Please see responses to comments 466-36 regarding the appropriate and adequate CEQA evaluation of construction-related impacts on groundwater including dewatering and the use of cutoff walls and implementation of Mitigation Measure GW-1. Operational impacts on groundwater resources in the Delta and adjacent groundwater basins were evaluated using the DeltaGW Model, as described in Common Response 10, Surface Water Quality and Groundwater Resources.
466-38	For instance, as mentioned above [comment 36], cutoff walls planned during project construction (see DEIR, p.8-29) would directly disconnect portions of one or more aquifers from the South American subbasin. These aquifers are a major source of groundwater to the subbasin, and the groundwater modeling prepared for the South American GSP included this inflow as water that supports the ongoing sustainability of this subbasin. The effects of creating a permanent lateral barrier through the implementation of a lateral "deep cutoff wall" (DEIR, p. 8-29) does not appear to be analyzed. In addition to that impact, dewatering would remove the remaining groundwater, intentionally creating a cone of depression, and potentially creating a hydraulic barrier that exacerbates the impacts of the cutoff wall. No assumptions for the estimated area of these impacts, annual and total volume of dewatering, impacts to the subbasin groundwater monitoring network and its sustainability indicators, or any other matter of substance to	Please refer to response to comment 466-36 regarding the adequacy of the CEQA assessment methods used in the groundwater analysis, a discussion of dewatering activities, and the incorporation of information provided by the Engineering Project Reports (Delta Conveyance Design and Construction Authority 2022c, 2022d). As noted in the reports, seepage cutoff walls would be constructed around the intakes as would be incorporated into the new flood control levees. In addition, please refer to Chapter 3, Description of the Proposed Project and Alternatives, for a discussion regarding construction and dewatering timeframes. Additional details can be found in the Engineering Project Reports associated with the project. Dewatering estimates are available in the Dewatering Estimates for Intake Facilities and Southern Forebay Emergency Spillway technical memorandum (Delta Conveyance Design and Construction Authority 2022a). The walls would not disconnect the South American Subbasin from aquifers because they would only surround the intake facilities. Please refer to Common Response 1, CEQA Process, General Approach to

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	groundwater sustainability are provided in the DEIR. There is a proposed monitoring network, GW-1: Maintain Groundwater Supplies in Affected Areas, but this does not appear to contemplate the assessment and mitigation of impacts to inflows of the subbasin. Instead, GW-1 provides some form of undefined monitoring, with no thresholds of significance or relationship to impacts on the GSA's [Groundwater Sustainability Agency] monitoring network and GSP sustainability criteria. This measure fails to meet basic mitigation requirements of CEQA. (See CEQA Guidelines, § 15126.4.) In contrast, under the current regulations, a single new agricultural production well proposed in the subbasin requires more analysis in order to meet GSP [GW Sustainability Plan] consistency requirements than the DEIR provides for the massive tunnel project. (See Governor's Drought Executive Order N-7-22, Action 9 [March 28, 2022].)	Analysis, and Other Environmental Review Issues, regarding mitigation requirements and performance standards for mitigation measures. The assertion that the mitigation approach presented in the EIR for groundwater impacts is inadequate and does not meet CEQA requirements is not consistent with the contents of the EIR. Mitigation Measure GW-1 has been revised in the Final EIR to clarify that monitoring wells will be selected or installed based on location, type, and depth to ensure monitoring is appropriate for the area. None of the revisions to Mitigation Measure GW-1 resulted in a new significant environmental impact or substantial increase in the severity of an environmental impact or required additional mitigation measures to which DWR was unwilling to commit. Mitigation Measure GW-1 meets the CEQA requirement for mitigation because it first describes the outcome expected to be avoided by groundwater monitoring (i.e., if the results of groundwater monitoring described above indicate that the difference between average groundwater elevation declines in monitoring wells inside the area of influence of dewatering and control [background] monitoring well outside the area of influence is more than 10% of the depth of the shallowest known well inside the area, which approximates the natural variability that can occur across an area) and then it describes the type of actions that would be required if that outcome to be avoided occurs (i.e., change construction practices by reinjecting groundwater; deepen or modify wells; secure temporary water supply). The monitoring frequency described in the mitigation measure was selected based on common groundwater level monitoring frequencies and to be sufficient to detect appreciable changes in groundwater levels in a manner that is timely enough to implement the mitigation measure. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding California's SGMA and how GSPs were considered. This Common Response states that there are no conflicts with the GSPs related to SGMA-related thresholds or undesirable groundwater

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		effects. Please also see Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW model for analysis of local impacts. The spatial scale for the evaluation of interconnected surface waters is discussed in Common Response 10. Operational impacts on groundwater resources in the Delta and adjacent groundwater basins are evaluated using the DeltaGW model. The DeltaGW Model includes the simulation of project features including the cutoff walls associated with the tunnel and intakes, described in Chapter 8, Groundwater, in the section titled Use of the DeltaGW Model for Evaluation of Impacts of Project Operations. Impact GW-2 evaluates the changes in groundwater elevations across the region, and Impact GW-7 assesses changes to groundwater gradient and their corresponding impacts on water quality. Neither Impact GW-2 nor Impact GW-7 found any changes to groundwater flow gradients to the neighboring subbasins.
466-39	The DEIR Fails to Evaluate the Project's Construction Impacts on Wells The Draft EIR states, "localized impacts [during project construction and maintenance] could affect water wells near the project sites," but fails to quantitatively assess these water level and quality impacts and points to post-impact mitigation measures as a solution rather than identifying water wells of concern and preventative measures (Draft EIR Ch. 8, P. 8-1, lines 26-31). The failure to identify localized well impacts is a result of the DEIR's failure to identify accurate location and screened depth of dewatering wells for intake construction or tunnel shaft construction. The Draft EIR notes "dewatering could result in short-term lowered groundwater levels locally	Please refer to response to comment 466-36 regarding the adequacy of the assessment methods used in the groundwater analysis and the incorporation of information provided by the Engineering Project Reports (Delta Conveyance Design and Construction Authority 2022c, 2022d). As described in Chapter 8, Impact GW-1, piezometers would be installed outside the slurry wall and/or sheet pile walls to allow monitoring of potential groundwater level impacts on neighboring supply wells during construction. If monitoring identifies impacts on groundwater levels, then DWR would implement Mitigation Measure GW-1. This measure includes installing and operating groundwater recharge and extraction wells around the external perimeter of each intake cutoff wall system. This will allow the discharge of captured dewatered water back into the subsurface if local external effects on neighboring supply wells due to dewatering beyond

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	at neighboring supply wells," but does not provide the necessary simulation results to demonstrate there would not be significant impacts. (Draft EIR Ch. 8, P. 8-42, lines 25- 27). It is unclear how the DEIR included or evaluated dewatering in the model when assessing impacts.	average seasonal variation are observed. Please refer to Chapter 3, Description of the Proposed Project and Alternatives, for a discussion regarding construction and dewatering timeframes. Additional details can be found in the Engineering Project Reports associated with the project. Dewatering estimates are available in the Dewatering Estimates for Intake Facilities and Southern Forebay Emergency Spillway technical memorandum (Delta Conveyance Design and Construction Authority 2022a) in the Engineering Project Reports associated with the project (Delta Conveyance Design and Construction Authority 2022c, 2022d).
466-40	Accurate municipal well locations and construction information (e.g., pump depth) were not used in the DEIR and the impact of the project on shallow domestic wells was not directly quantified (Draft EIR Ch. 8, P. 8-40, lines 6-11). The DeltaGW model used to evaluate potential impacts of the Project on shallow groundwater users such as GDEs and shallow wells may be too coarse spatially to determine local impacts accurately. (Draft EIR 8.3.1.1 p. 8-14, lines 15-17.) The model should be spatially refined near areas of concern from construction impacts. The Online System of Well Completion Reports ("OSWCR") shows a total of 3,565 production wells have been installed in the Delta. (DEIR, p. 8-19.) OSWCR also provides domestic well information, which would be critical for a substantive analysis, particularly as it relates to disadvantaged and under-served/represented communities. The DEIR does not appear to use or rely on information from OSWCR. Based on this sampling of wells, the DEIR uses a 20-foot decline as the threshold of significance. (Ibid.) However, the OSWCR database excludes artesian wells and wells developed before 1977.	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW Model for analysis of local impacts and the inclusion of local wells in the modeling analysis. Please also see response to comment 466-36 and Common Response 10 regarding the adequacy of the analysis related to construction impacts. As described in Appendix 8A, Delta Groundwater Model: Development and Calibration, in the section titled Well Perforation, well construction information from the Online System of Well Completion Report (OSWCR) was used to determine the depth of pumping simulated in the model. The production wells used in the analysis include all wells that produce water (domestic, irrigation, public supply, and industrial), and excludes monitoring wells and wells identified as "other" in the OSWCR database. As described in Chapter 8, Groundwater, Impact GW-3, the exact locations of wells in the OSWCR database are not known and only the PLSS section number of wells is included. As a result, DeltaGW Model results were evaluated at the centroid of each PLSS section to determine the total number of supply wells that could be affected by project operations due a decline in groundwater elevations when comparing the simulated

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	Those two categories of wells are probably more likely to be impacted by groundwater declines of less than 20 feet than those reported to DWR. There are at least 3,565 wells in the project area. However, the DEIR does not include any discussion regarding the Project's potential of impact on these wells. The DEIR must be revised to include an impact analysis depicting wells that may be impacted, under what conditions they would be impacted and the length of time they would be impacted, due to the project's construction.	groundwater levels of alternatives with the existing conditions. The Chapter 8 figure titled PLSS Sections with Supply Wells within 3 Miles of the Delta Region shows the spatial coverage of supply wells considered in the impact analysis. Potential impacts on wells in the project area are described in Chapter 8, Impact GW-3 and summarized in the Chapter 8 table titled Number of Supply Wells with Decline in Groundwater Elevations Relative to Existing Conditions. Additionally, the section titled Alternatives Impacts in Appendix 8B, Impact Analysis: Groundwater Model Results, details the groundwater changes expected at supply wells under each alternative. As described in Impact GW-3, the greatest decline in groundwater elevations relative to existing conditions is 2-3 feet at any well in the region. While wells installed before 1977 were not included in the analysis, the potential impacts across the entire region are covered by through the spatial coverage of wells installed after 1977, as shown in the Chapter 8 figure titled PLSS Sections with Supply Wells within 3 Miles of the Delta Region.
466-41	THE DEIR FAILS TO ANALYZE LONG-TERM OPERATIONAL IMPACTS TO GROUNDWATER LEVELS AND PROJECT IMPACTS ON MEETING SUSTAINABLE LEVELS PURSUANT TO SGMA As explained above [comment 35], the DEIR is deficient for failing to adequately recognize the importance of SGMA, the legal requirements of SGMA, and the well-documented challenges of maintaining sustainability in the South American subbasin if inflows were significantly altered, all of which are under the purview of DWR. To the extent program-scale groundwater modeling was undertaken for the project, it appears to be inadequate for the purposes of impact analysis, and as a result, the DEIR purports to rely on qualitative assessments.	The comment assertions regarding the groundwater streamflow interaction impacts are assertions about the California WaterFix project and are being inappropriately applied to the Delta Conveyance Project. The Delta Conveyance Project EIR includes a quantitative (not qualitative) analysis of these impacts and reaches different findings from those described in the comment. The comment assertion that the EIR does not adequately analyze impacts on groundwater recharge is not consistent with the contents of the EIR. The EIR fully evaluates construction and operational-related impacts on groundwater for purposes of CEQA compliance. Common Response 10, Surface Water Quality and Groundwater Resources, provides additional supporting information regarding the methodology employed to assess construction-related impacts on groundwater.

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	The DEIR's qualitative analysis fails to consider the project's operational impacts on groundwater recharge. As was described in expert testimony in the State Water Resources Control Board's California WaterFix water rights hearings, "Lowering the flow volume by diverting water through the proposed intakes would cause a corresponding lowering of the surface water elevation." (Written Testimony of John Lambie, P.E., P.G., C.E.G., p. 5.) [Footnote 3: See Written Testimony of John Lambie, P.E, P.G., C.E.G. from Hearing in the Matter of California Department of Water Resources and United States Bureau of Reclamation Request for a Change in Point of Diversion California WaterFix, attached here as Exhibit A [Lambie], available at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/COSJ%20et%20al/part2/SJC_223.pdf.] The lowering of surface water elevation is caused by the lowering of flow volume, which is a result of increased diversions. (Ibid.) These lower flows create changes in the river stage, which impacts surface water exfiltration and results in less groundwater recharge, as depicted in the conceptual figure below. [Footnote 4: Conceptual Model Depicting Surface Water and Groundwater Interaction, available at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/COSJ%20et%20al/part2/SJC_227.pdf.)] [see Exhibit 3]	The threshold for significance for Impact GW-1 was established using the DeltaGW model's simulated historical conditions for changes in stream gains and losses for individual streams. The 5% threshold is deemed reasonable because it is small relative to the historical variations in annual stream gains/losses, which ranges from 62% to 124% of average annual stream gains/losses over the historical period from 1974 to 2015 in stream reaches in the Delta region. Operations impacts on groundwater conditions and groundwater recharge are assessed through the use of the DeltaGW Model. The DeltaGW Model uses simulated stream stage to calculate stream gains and losses to the aquifer. In Chapter 8, Groundwater, Impact GW-1 impacts were determined using the simulated volumes of stream gains and losses under project alternatives. Recharge from the rivers to the neighboring subbasins is assessed under Impact GW-1. On average, the difference in stream-aquifer interaction between existing conditions and project alternatives is 0.62% or less. The greatest difference is 1.69%. Impact GW-2, which evaluates the changes groundwater elevations across the region, did not find any changes to groundwater flow gradients to the neighboring subbasins. Furthermore, change in groundwater storage for the Delta and neighboring basins is considered under Impact GW-4 and impacts are determined to be less than significant.
466-42	[Exhibit 3: Graphic labeled "Hydrologic conceptual model of impacts to groundwater recharge from Sacramento River to the South-American Groundwater subbasin and from the Mokelumne-River to the Eastern-San-Joaquin groundwater subbasin below the Delta cross-channel by the CWF-project proposed diversion and intake locations (points of diversion)"	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.

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	prepared by J. Lambie and not to scale.]	
466-43	Similar impacts [Lowering of flow volume that causes decreases in surface water elevation that would result in less groundwater recharge] would occur during operation of the DCP. The DEIR fails to identify and evaluate these impacts. Instead, the DEIR finds the impact less than significant because "Under all project alternatives, annual changes in simulated stream gains or losses in the Delta region as a percentage of total annual stream-aquifer interaction from the corresponding stream reach are less than 5%." (DEIR, p. 8-32.) Reliance on a 5% change from existing conditions, however, is arbitrary and unsupported. The DEIR states that it is "reasonable" because a 5% change is small compared to some historic variations in stream gains and losses. But as described in Mr. Lambie's testimony, the "[l]owering of a river's stage by even a very small amount can significantly reduce the surface area of the river over which surface water can exfiltrate to groundwater." (Lambie Testimony, p. 6.) The data in the DEIR provides inadequate information to determine the project's long-term impacts to groundwater and whether those impacts would negatively impact the South American Subbasin's ability to meet SGMA requirements.	Please see response to comment 466-41 regarding the California Water Fix being a different project from the current Delta Conveyance Project and the use of the threshold in the groundwater analysis of Impact GW-1. Please also see response to comment 466-42 regarding the analysis of the stream-aquifer interaction in Impact GW-1 and considerations of changes in groundwater storage for the Delta and neighboring basins in Impact GW-4.
466-44	THE DEIR FAILS TO EVALUATE PROJECT IMPACTS ON GROUNDWATER QUALITY The DEIR fails to identify and evaluate groundwater quality impacts. Instead, the DEIR uses groundwater levels as a proxy to evaluate groundwater quality. (Draft EIR 8B4.7.1 - p. 29). However, groundwater levels are a poor surrogate for water quality as small changes in groundwater levels can change gradients influencing vertical and horizontal flow path directions over time and space. The DEIR explains its failure for	The assertion that the EIR does not adequately analyze potential impacts on groundwater quality is not consistent with the contents of the EIR. The groundwater analysis conducted and reported in the EIR adequately discloses the project's impacts on groundwater quality for CEQA compliance purposes. Hydraulic gradients are calculated using groundwater levels and, therefore, the numerical flow model indirectly calculates changes in hydraulic gradient. In evaluating contaminant movement, advection is the primary process by which plume migration occurs (with dispersion and diffusion

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	directly evaluating groundwater quality impacts by pointing to the lack of transport model capability in IWFM. (Draft EIR Figures 8B.3 -8.B.11) However, this is not a sufficient reason for the failure and the DEIR must analyze potential contaminant migration or other project impacts on groundwater quality. The DEIR could rely on locally refined models and in some case, analytical models, with simplifying assumptions, to estimate and analyze potential groundwater quality impacts. The DEIR should be revised to include a direct evaluation of Project impacts on groundwater quality issues.	being secondary processes). As advection is the movement of contaminants driven by hydraulic gradients, and hydraulic gradients are calculated from groundwater levels, the use of groundwater levels as a proxy is an appropriate methodology. Hydraulic gradients and groundwater levels are sufficient for assessing groundwater quality. Common Response 10, Surface Water Quality and Groundwater Resources, provides additional clarifying information regarding the methodology and information used to adequately and appropriately evaluate construction-related impacts described in Chapter 8, Groundwater. As described in Common Response 10 and Chapter 8 (in the section titled Methods for Analysis), the Delta Conveyance Project construction-related impacts are evaluated using existing groundwater conditions and hydrogeology, standard design and construction methods (Delta Conveyance Design and Construction Authority 2022c, 2022d), and anticipated changes in groundwater elevations, storage, and quality during construction. As described in Common Response 10, cutoff walls would be designed to applicable standards depending on the unique site-specific conditions and the location of the facility being constructed. Cutoff walls are designed and used to minimize need for dewatering and the movement of groundwater outside of the cutoff walls. Given this, and the other information provided in Common Response 10, construction would not result in substantial changes to groundwater levels or groundwater water quality. Furthermore, the analysis in Impact GW-1 and Impact GW-2 shows that under construction groundwater levels would generally be maintained at the level of existing conditions during the use of cutoff walls or dewatering. As the proposed project and project alternatives would not result in a substantial change in groundwater levels, they would also not result in a substantial change in groundwater salinity associated with a decline in

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		groundwater levels. And, if unanticipated changes to groundwater levels occurred during construction, the changes would be localized and in the immediate area of the construction. The EIR also includes Mitigation Measure GW-1, which requires monitoring during construction and adjustments to construction activities as needed, depending on the groundwater level monitoring results. Although it is determined that the project would not impact groundwater quality, Mitigation Measure GW-1 has been revised to include monitoring of electrical conductivity at select locations during construction to provide data confirming the conclusions in the EIR. Impact GW-1 and Impact GW-2 remain less than significant prior to the implementation of the revised mitigation measure, as described in Chapter 8. None of the revisions to Mitigation Measure GW-1 resulted in a new significant environmental impact or substantial increase in the severity of an environmental impact or required additional mitigation measures to which DWR was unwilling to commit. Operational impacts on groundwater quality would be plume migration and/or introduction of saline waters, both of which can be evaluated using hydraulic gradients and groundwater levels. Please refer to Common Response 10 regarding the use of the DeltaGW model for assessment of groundwater quality. Common Response 10 discusses the migration of groundwater quality constituents (e.g., electrical conductivity), movement of known contaminant plumes, upwelling of groundwater quality constituents, and migration of saltwater form the Delta into the freshwater aquifer. Please see Chapter 8, which uses modeled groundwater elevation change results to inform qualitative analysis of potential impacts of degradation of groundwater quality in Impact GW-7. The results are summarized in the summary table titled Comparison of Impacts of Project Operations on Groundwater by Alternative. Refer to the Chapter 8 section titled Impacts of the Project Alternatives on Groundwater for the results of the impact

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		analysis, specifically the section under Impact GW-7. As described in Impact GW-7, modeled groundwater elevation changes near identified groundwater plumes in the study area (figure titled Location of Identified Groundwater Plumes in the Study Area) are limited to 1 to 2 feet between the baseline and alternatives, which is unlikely to cause a change in groundwater flow paths. Finally, construction impacts on water quality for surface water are evaluated in Chapter 9, Water Quality, Impact WQ-1.
466-45	INADEQUATE QUANTITATIVE ANALYSIS METHODS There is a substantial deviation between the quantitative analysis methods used for the GSP [Groundwater Sustainability Plan] and those used for the DEIR. The GSP uses the Integrated Water Resources Model of the Cosumnes, South American, and North American Groundwater Subbasins (CoSANA), which is built on the Integrated Water Flow Model (IWFM) framework. IWFM is supported by DWR for development of GSPs, with specific components to support development of sustainable management strategies as part of local planning and implementation measures for SGMA. CoSANA was developed by upgrading the data and computer code from the SacIWRM model and its predecessors, which have been in use since 1992. The model domain is limited to the three subbasins for which it is named. The finite element model grid contains 24,171 elements and 22,274 nodes with an average element area of 37 acres. CoSANA represents 51 modeled stream reaches representing 27 rivers, streams, and canals with 2,388 stream nodes. Node spacing along streams and rivers ranges from 2,210 feet to as close as 300 feet. The DEIR uses the Delta Groundwater Model, which is	The assertion that that the analysis methods used in the EIR is not adequate to address potential impacts on groundwater levels, groundwater supplies, water quality, integrated surface waters, and sustainable management of relevant subbasins is not consistent with the contents of the EIR. Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW Model for analysis of local impacts disclosed in the EIR. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of groundwater sustainability plans. As described in Common Response 8, the groundwater analysis contained in Chapter 8, Groundwater, found groundwater impacts to be less than significant and would not interfere with the implementation of GSPs. The DeltaGW model inherits the model grid from C2VSimFG (see Appendix 8A, Delta Groundwater Model: Development and Calibration). However, data from the CoSANA model was leveraged to improve the water budget calibration of the DeltaGW Model. Land Use, evapotranspiration, irrigation period, soil parameters, surface water diversions, urban demands and well pumping from the CoSANA model was mapped to the DeltaGW model and incorporated into the historical model to improve calibration.

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	essentially a cut-out of the California Central Valley Groundwater-Surface Water Simulation Model (C2VSim). The C2VSim model was developed to simulate groundwater and surface water interactions across the entire Central Valley. Similar to CoSANA, C2VSim is built on DWR's IWFM platform. However, the Delta Groundwater Model has 8,459 elements and 7,977 nodes, with an average element size of about 365 acres. The Delta Groundwater model covers an area that is approximately four times larger than the domain of the CoSANA model, with about one-third the number of nodes and elements and an average element size that is almost 10 times greater than that of CoSANA. Table 1 [see Exhibit 4] of this Technical Memorandum compares the CoSANA model with the Delta Groundwater Model. The DEIR specifically notes (page 8-13, lines 21-23) that the average element size in the Delta Groundwater Model is an order of magnitude (i.e., 10 times) larger than the area of many Project facilities. The DEIR also notes that, since the model used was adapted from an existing model, it was not configured to align the model elements or nodes with actual Project facilities (page 8-13, lines 24-25). In addition, the Delta Groundwater Model considers only three ISW reaches along the two major rivers, as opposed to the 27 rivers, streams, and canals simulated by CoSANA. Due to the configuration of the Delta Groundwater Model, the quantitative impact results presented in Section 8B.4 Groundwater Impact Analysis, in Appendix 8B of the DEIR, represent average values across individual model elements, which, as noted above, average 365 acres. Thus, if the change in groundwater level from dewatering at a construction site	

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	only affected 35 acres, that drawdown would be averaged in with the lack of effects across the remaining 330 acres of the model element, such that the reported effect from the Delta Groundwater Model would only be approximately 10 percent of the actual impact in the 35-acre affected area. Thus, substantial exceedances of the GSP's sustainability indicators could occur due to the Project but not be identifiable by the Delta Groundwater Model. Based on the differences between the two models, it is not possible for the DEIR analysis to adequately address the sustainability indicators identified in the GSP or the quantitative significance thresholds identified in the DEIR. As noted above, the CEQA Appendix G thresholds are well aligned with the GSP's sustainability indicators. Since the analysis methods in the DEIR are not sufficient to quantify the magnitude of the changes due to the Project, compared to baseline conditions, the DEIR is not able to adequately address potential impacts to groundwater levels, groundwater supplies, water quality, ISWs, and sustainable management of the Subbasin.	
466-46	[Exhibit 4: Table titled "Comparison of Model Parameters" for the Delta Groundwater Model and the CoSANA Model.]	The commenter provided this exhibit for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
466-47	INAPPROPRIATE RELIANCE ON QUALITATIVE ANALYSIS As stated in Section 8.3.1 of the DEIR, potential impacts related to construction and maintenance-related activities could only be evaluated qualitatively because the Delta Groundwater Model could not provide sufficient resolution at the spatial scale required for quantitative analysis at individual Project construction and surface operation locations. The DEIR	Please see responses to comments 466-36 and 466-37 regarding the appropriate and adequate evaluation of construction-related impacts on groundwater, including dewatering and the use of cutoff walls and implementation of Mitigation Measure GW-1. As described in these responses, Common Response 10, Surface Water Quality and Groundwater Resources, provides additional discussion regarding how the cutoff walls, which will be installed around the perimeter or each intake site, will help ensure that construction-related dewatering activities would not

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	specifically states (page 8-13, lines 19-21) that the Project's construction and maintenance-related effects were evaluated qualitatively due to the lack of an available analytical tool at the spatial scale required for the site-specific quantitative analysis. This statement in the DEIR is inconsistent with typical standards of practice related to evaluating the effects of subsurface construction and construction dewatering. There are numerous analytical tools available and in common use for assessing the drawdown caused by dewatering at individual construction sites. Thus, the qualitative analyses conducted in the DEIR do not meet standards of practice and do not provide substantive evidence under CEQA. Construction of the shafts would extend to depths of 166 feet below ground surface [Footnote 5: The shafts would extend 100 feet to the top of the tunnel excavation, the tunnel connection would be 36 feet long, and there would be a 30-foot-thick concrete bottom plug below the tunnel invert.] in areas where the groundwater surface is very shallow (typically within a few feet of the ground surface). The DEIR states that the shaft walls would be slurry walls that prevent movement of groundwater (see DEIR, p. 8-29, lines 12-13). However, the DEIR Project Description in Chapter 3 does not provide any information regarding the nature or construction of the slurry walls, which does not allow adequate public review of the potential impacts from shaft construction.	substantially affect groundwater levels adjacent to construction activities. Additional context about the rates and duration of construction dewatering are also discussed in Common Response 10. At the project intakes, deep cutoff walls would be constructed in the foundations of the sedimentation basin, outlet channel perimeter embankment, and the temporary levee, as well as at the back of the intake structure to isolate the internal subsurface from surrounding local groundwater for both construction and operations phases. Dewatering during operations and maintenance would occur very infrequently, likely decades between events. For tunnel shaft construction, diaphragm walls or slurry walls would be installed prior to construction of the vertical tunnel shafts. Then, the bottom of the tunnel shaft would be installed to seal the tunnel shaft from the surrounding groundwater aquifer. Dewatering at the tunnel shaft would only occur once at the end of the shaft construction and would be limited to the groundwater within the shaft. The shaft would remain impermeable to groundwater intrusion throughout tunnel construction and operations. Additional details regarding the construction of the slurry walls can be found in the Engineering Project Reports associated with the project (Delta Conveyance Design and Construction Authority 2022c, 2022d).
466-48	The DEIR does not consider dewatering-related drawdown zone of influence and any related soil consolidation and settlement. Unless controlled with appropriately designed and constructed engineering measures, such as reinforced impermeable shoring walls, the dewatering drawdown zone of influence has the potential to be very large and has the	DWR and DCA will appropriately design and engineer the project as indicated by the information in Engineering Project Reports associated with the project (Delta Conveyance Design and Construction Authority 2022c, 2022d) and the content and analysis contained in the EIR. The comment's suggestion that the project would not be appropriately designed and constructed is unfounded and an inaccurate mischaracterization of the

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	potential for significant secondary impacts such as soil consolidation and settlement. City's consultant, Geocon, conducted a screening-level quantitative analysis of the drawdown that would occur due to dewatering during installation of typical launch, maintenance, and reception shafts as depicted on Figure 3-7 of the DEIR (copied above in this document). The analysis used average depths to groundwater and aquifer properties as reported in the GSP. The screening level analysis indicates that drawdowns due to construction dewatering of the shafts could be in the range of 40 to 50 feet at a distance of 1,000 feet from the construction locations, and in the range of 10 to 30 feet at a distance of one mile from the construction locations. The potential drawdowns identified in the screening-level quantitative analysis exceed the sustainability indicators discussed above, demonstrating that the qualitative analysis used in the DEIR is inadequate and substantially understates potential impacts to groundwater levels, groundwater supplies, water quality, ISWs, and sustainable management of the Subbasin.	project. Please see response to comment 466-36 regarding the appropriate and adequate CEQA evaluation of construction-related impacts on groundwater including dewatering and the use of cutoff walls and implementation of Mitigation Measure GW-1. The EIR fully evaluates construction and operational-related impacts on groundwater for purposes of CEQA compliance. And as identified in response to comment 466-36, Common Response 10, Surface Water Quality and Groundwater Resources, provides additional supporting information regarding the methodology employed to assess construction-related impacts on groundwater. Background details regarding how geotechnical and soil considerations were considered as part of project design can be found in the Engineering Project Reports associated with the project (Delta Conveyance Design and Construction Authority 2022c, 2022d). Existing geotechnical information and data were reviewed during preparation of the Engineering Project Reports to perform preliminary evaluations of seismic, liquefaction, ground improvement, and dewatering considerations for the planning phase and EIR preparation. Geotechnical, soils, and additional field work investigation would be completed during the design phase prior to completion of the geotechnical and seismic design. Dewatering at the tunnel shafts would be limited. The tunnel shafts would be constructed to be water-tight before dewatering occurs. Therefore, the only "dewatering flows" at the tunnel shafts would be the remaining water within the tunnel shaft after the water-tight walls are constructed and the concrete bottom is placed and sealed. Most of the shaft construction would occur in "wet" conditions below the groundwater elevation and would not include dewatering prior to completion of the tunnel shaft. This engineering method would contain dewatering activities to within the tunnel shafts, essentially eliminating potential for drawdowns at any distance outside the shaft footprints and ameliorating commenter concerns regarding dewatering drawdowns during construction. As such, quantitative analysis is not needed. Please refer to Common Response 8,

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		Relationship to Other Plans, Projects, Policies, and Programs, for additional discussion about groundwater sustainability plans. The groundwater analysis found all impacts to be less than significant, and the Delta Conveyance Project would not interfere with the basin's ability to maintain sustainability.
466-49	Depending on the proximity of the construction facilities, the magnitude of drawdown associated with dewatering could also result in soil consolidation and subsidence of a magnitude that could affect underground utilities, roadways, and building foundations, if such facilities are present within the drawdown cones. The DEIR does not consider the potential for consolidation and related subsidence. As described in Impact GW-6: Damage to Major Conveyance Facilities from Land Subsidence, the only mechanism for subsidence that was evaluated in the DEIR is due to oxidation of organic soils (page 8- 53, lines 2-3). Geotechnical investigations to address the potential for soil consolidation and settlement due to dewatering and other construction activities are inappropriately deferred until after Project approval (see, for example, the discussion on pages 3-135 to 3-136 in Chapter 3 of the DEIR) such that no consideration of these effects and potential impacts is provided in the DEIR (see additional discussion of deferred mitigation below). As such, the DEIR analysis should consider conditions where partial or full dewatering to the bottom depth of the shafts may be required to complete shaft construction. Given the nature of the subsurface conditions described in the DEIR, the potential need for dewatering during shaft construction is a reasonably foreseeable Project outcome. In fact, Mitigation Measure GW-1 (MM GW-1) specifically refers to construction dewatering related to the north Delta intakes (page 8-34, line	Please see response to comment 466-36 regarding the adequate and appropriate evaluation of construction-related impacts and implementation of Mitigation Measure GW-1, which includes monitoring and management of groundwater levels, and response to comment 466-48 regarding geotechnical and soil considerations. Please see response to comment 466-47 regarding construction of vertical tunnel shafts, which notes, the shaft would remain impermeable to groundwater intrusion throughout tunnel construction and operations.

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	4). The DEIR should include mitigation measures or an adaptive management plan that addresses the potential for appreciable drawdowns outside of the construction zone perimeter for the shafts. Such mitigation measures or an adaptive management plan should include a detailed water level monitoring program to verify that drawdown in exceedance of defined sustainability criteria and/or soil consolidation criteria are not exceeded, along with specific and feasible corrective measures should such thresholds be surpassed.	
466-50	Finally, the sustainability indicators and monitoring thresholds presented in the GSP [Groundwater Sustainability Plan] for the Subbasin, along with the Thresholds of Significance presented in Section 8.3.1.2 of the DEIR (pages 8-19 to 8-20) are based on quantitative criteria. Thus, a qualitative analysis is insufficient to assess the potential to exceed the numerical thresholds and provides only speculative findings.	Please refer to Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of Groundwater Sustainability Plans and a discussion of SGMA-defined undesirable effects.
466-51	INCOMPLETE CONSIDERATION OF LAWS, REGULATIONS, AND PROGRAMS Section 8.2 of the DEIR makes no reference to the Water Quality Control Plan for the Sacramento and San Joaquin Valleys (typically referred to as the Basin Plan), which is administered by the Central Valley Regional Water Quality Control Board. The Basin Plan is the mechanism by which the State of California implements and enforces many of the federal laws and regulations noted in Section 8.2. However, the CEQA Appendix G criteria specifically refer to whether or not a proposed project would conflict with or obstruct implementation of a water quality control plan. Since Section 8.2 makes no reference to the Basin Plan, the DEIR is incomplete because no evaluation has been performed to determine whether the Project would conflict with or obstruct	The Relevant Laws, Regulations, and Programs section of Chapter 8, Groundwater, referenced in this comment highlights key laws and regulations relevant to the analysis in Chapter 8, and cross-references to Chapter 9, Water Quality, for additional relevant laws and regulations. Impact WQ-17 in Chapter 9 specifically addresses consistency of the project with water quality control plans. Please see responses to comments 466-36 and 466-37 regarding the appropriate and adequate evaluation of construction-related impacts on groundwater, including dewatering and the use of cutoff walls and implementation of Mitigation Measure GW-1.

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	implementation of that water quality control plan. Consideration of the Basin Plan requirements and water quality standards would likely alter the analysis and findings for Impact GW-7: Degradation of Groundwater Quality, especially in light of the substantial under-estimate in the DEIR of the affects that dewatering associated with construction facilities would have on groundwater levels, as discussed above.	
466-52	INCOMPLETE OR INCORRECT INFORMATION REGARDING THE PRESENCE OF GROUNDWATER CONTAMINATION PLUMES Figure 8-8 of the DEIR (copied below) reportedly shows the location of identified groundwater contamination plumes, as defined within the State Water Resources Control Board's Geotracker website within the area of analysis for the impact assessment. Figure 8-8 shows very few identified plume sites in the area of the north Delta intakes or along the central alignment. The figure below [see Exhibit 5] is a screen-capture image from the Geotracker map accessed on November 11, 2022 (https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=courtland%2C+ca) covering the Project area. It is immediately apparent that there are substantially more identified groundwater contamination plume sites present in the Project vicinity than shown on Figure 8-8 and considered in the DEIR.	The figure in Chapter 8, Groundwater, titled Location of Identified Groundwater Plumes in the Study Area identifies existing groundwater plumes defined within the State Water Resources Control Board's Geotracker site within a quarter mile radius of the project footprint. Additional plume sites cited in the comment fall outside the quarter mile radius and outside the influence of construction-related dewatering activities. As shown in the Chapter 8 figure, there are no active DSTC clean-up sites within the vicinity of the proposed intakes.
466-53	[Exhibit 5: Geotracker map showing groundwater contamination plumes accessed November 11, 2022.]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.

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466-54	RELIANCE ON DEFERRED ANALYSIS AND DEFERRED MITIGATION CEQA does not permit the analysis of potential impacts, and mitigation of those impacts, to be deferred until after certification of an EIR. The Thresholds of Significance presented in Section 8.3.1.2 of the DEIR (pages 8-19 to 8-20) provide quantitative criteria to determine whether a specific well would be affected, whether ISWs would be affected, and other potential effects of the Project. However, the DEIR does not evaluate these impacts but instead defers the analysis until after approval of the Project. For example, the first sentence of MM GW-1 states: "Prior to construction, the location of existing wells would be determined within the anticipated area of influence of project sites at which dewatering would occur during construction or maintenance." (page 8-34, lines 2-4). MM GW-1 also states that: "Initially, the area of influence would be considered to be within 0.5 mile of the dewatering areas for each site and will be validated or refined during the design phase." (Page 8-34, lines 6-8). These approaches represent a deferral of analysis in that existing well locations in the vicinity of Project facilities can be readily identified at this time. The proposed mitigation actions include deepening or modifying affected wells or providing a temporary water supply. Without knowing the number of potential wells that might be affected (i.e., are only a few wells affected or could many wells be affected?), the actual feasibility of the proposed mitigation cannot be properly assessed, along with the potential impacts of implementing the mitigation. In addition, the DEIR does not identify the source for an alternative water supply, whether alternative water	The assertion that the mitigation approach presented in the EIR for groundwater impacts is inadequate and does not meet CEQA requirements is not consistent with the contents of the EIR. Please see response to comment 466-38 regarding the CEQA adequacy of Mitigation Measure GW-1. DWR included Mitigation Measure GW-1 to further reduce less-than-significant impacts and allow DWR to monitor and address unanticipated changes in groundwater levels. Please see responses to comments 466-36 and 466-37 regarding the adequacy of the analysis contained in Chapter 8, Groundwater. Quantitative and qualitative analysis contained in Chapter 8 fully describes and discloses the type and magnitude of impacts under construction and operation of the project alternatives on groundwater. For example, numerical flow simulations using the DeltaGW Model indicate that impacts on the underlying groundwater basins and interconnected surface waters are not expected under planned operational conditions.

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	supplies are actually available, what disturbances or impacts might occur due to installation of piping to provide the alternative supply, or what effects drawing water from other sources may have on that resource. The following impacts rely on MM GW-1: • Impact GW-1: Changes in Stream Gains or Losses in Various Interconnected Stream Reaches; • Impact GW-2: Changes in Groundwater Elevations; • Impact GW-3: Reductions in Groundwater Levels Affecting Supply Wells; and • Impact GW-4: Changes to Long-Term Change in Groundwater Storage. As a result, the mitigation approach presented in the DEIR for these four impacts is inadequate and not consistent with CEQA requirements.	
466-55	INCOMPLETE ANALYSIS OF POTENTIAL SUBSIDENCE Impact GW-6 addresses potential damage to major conveyance facilities resulting from land subsidence. However, there are also numerous other utilities, highways, and private facilities that could also be affected by subsidence near the Project. The analysis of subsidence also overlooks the potential for localized differential subsidence due to the consolidation and settlement of soils in areas near construction dewatering. Evaluation of soil consolidation and settlement is often more typically considered in the Geology Section of an EIR. Any discussion of consolidation and settlement is in reference to tunnel boring. There is no consideration of the potential for soil consolidation and settlement due to construction of the vertical shafts and any related dewatering activities.	Chapter 11, Soils, Impact SOILS-3 provides an assessment of the potential for subsidence in the study area resulting from constructing and operating the proposed project and its alternatives. The analysis determined that hazards attributable to subsidence are considered less-than-significant impacts of the project. Chapter 8, Groundwater, Impact GW-6 addresses subsidence as a result of dewatering activities and concluded, similar to the analysis in Chapter 11, that such activities would not result in significant impacts. Additional details regarding the geotechnical and soil considerations can be found in the Engineering Project Reports associated with the project (Delta Conveyance Design and Construction Authority 2022c, 2022d). Diaphragm walls or slurry walls would be installed prior to construction of the vertical tunnel shafts. Then, the bottom of the tunnel shaft would be installed to seal the tunnel shaft from the surrounding groundwater aquifer.

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	The amount of drawdown of the groundwater surface that may occur due to construction dewatering based on the screening level analysis described above would likely result in appreciable soil consolidation and settlement in the fine-grained soils typical of the Project alignment. These settlements could affect underground utilities, roadways, rail lines, and building foundations. The DEIR does not consider such impacts. The lack of analysis of these potential impacts is a substantial deficiency.	Dewatering at the tunnel shaft would only occur once at the end of the shaft construction and would be limited to the groundwater within the shaft. The shaft would remain impermeable to groundwater intrusion throughout tunnel construction and operations. Existing geotechnical information and data were reviewed during preparation of this EPR to perform preliminary evaluations of seismic, liquefaction, ground improvement, and dewatering considerations for the planning phase and EIR preparation. Geotechnical, soils, and additional field work investigation would be completed during the design phase prior to completion of the geotechnical and seismic design.
466-56	INCOMPLETE ANALYSIS OF POTENTIAL EFFECTS ON SURFACE WATER Impact GW-1 considers the effects of the Project on a limited set of ISW stream reaches, as shown on Figure 8-5 of the DEIR. These reaches are limited to limited segments of the Sacramento River, the San Joaquin River, and Suisun Bay. In contrast, there are approximately 11,240 acres of GDEs in the southwestern part of the Subbasin. GDEs are part of ISWs. As required under SGMA, protecting and maintaining GDEs are one of the requirements for sustainable groundwater management, as addressed in the GSP [Groundwater Sustainability Plan] for the Subbasin. Since the DEIR does not acknowledge or consider the GDE ISWs in the Subbasin, it is not possible for the DEIR to demonstrate that the Project would not conflict with or impede implementation of the GSP. Given the potential magnitude of drawdown that could occur during construction dewatering, and the potential effects on groundwater levels and groundwater storage due to diversions from the Sacramento	The comment assertions related to groundwater dependent ecosystems (GDEs) being part of interconnected surface waters under SGMA are inaccurate. GDEs can be formed by habitat fed by interconnected surface waters but can also include other sources, such as groundwater near the surface. GDEs themselves are not a sustainability indicator under SGMA, whereas interconnected surface waters are. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of California's SGMA and GSPs. GDEs within in the context of SGMA are further discussed in Common Response 8. Interconnected surface water impacts were analyzed in Chapter 8, Groundwater, Impact GW-1 and found to be less than significant for all project alternatives for both construction and operations. Incorporating the slurry cutoff walls into the project design would minimize the impacts of dewatering on groundwater. The EIR concluded that the impacts of dewatering on groundwater were determined to be less than significant. Mitigation Measure GW-1 would further reduce the risk of impacts on interconnected surface waters and groundwater levels (see Impact GW-2) to negligible, further avoiding changes in groundwater levels and effects on GDEs.

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	River adjacent to the GDEs, it is quite likely that the Project would have a potentially significant impact on the GDEs. The DEIR analysis needs to be revised to adequately consider the effects of the Project on the GDEs in the Subbasin, and to identify appropriate and feasible mitigation measures if potentially significant impacts are identified.	Additional analyses on wetlands and other GDEs were described under Chapter 13, Terrestrial Biological Resources, particularly under Impacts BIO-4 through BIO-8 and Impact BIO-51. Impacts on all terrestrial biological resources were found to be less than significant or less than significant with mitigation.
466-57	INCONSISTENT BASIS FOR ANALYSIS Section 8.1.2 of the DEIR (at lines 20-23) states: "Because droughts are expected to be exacerbated by climate change, efficient groundwater basin management will be necessary to avoid additional overdraft and to take advantage of opportunities to store water underground and eliminate existing overdraft." However, the DEIR provides no technical analysis of data and/or no citations to other sources to support the statement that drought conditions are expected to be exacerbated by climate change. In addition, the presumption in the DEIR that drought conditions will be exacerbated in the future conflicts with the data used for the Delta Groundwater Model. Within Appendix 8B of the DEIR, it is stated that, due to climate change, the precipitation values used in the Delta Groundwater Model increased by six percent from 2020 to 2040 (Appendix 8B, page 8B-7, lines 24-32). The statement in Section 8.1.2 of the DEIR should be revised to better reflect the data used in the groundwater model to support the impact analysis.	The assertion that the EIR does not contain technical analysis or data and that it does not cite sources regarding to support future climate change scenarios is not consistent with the contents of the EIR. Chapter 30, Climate Change, documents the drought and climate change impacts. By 2050, extreme Delta drought conditions are projected to occur five to seven times more frequently (Delta Stewardship Council 2021:5–62). For both the surface water and groundwater analysis, models were run with inputs based on year 2040 (climate period 2026–2055) anticipated conditions. Ten CMIP5 global climate models and two GHG concentration scenarios were used to develop 20 climate model projections. These projections were then downscaled using the Localized Constructed Analogs method to develop the 2040 (2026–2055) central tendency climate change scenario, based on temperature and precipitation projections from the 20-model ensemble. Overall, all major watersheds are projected to be wetter, with average precipitation increases from 2.7% to 4.8%. The Sacramento River Basin is projected to experience a higher increase in long-term average precipitation than the San Joaquin River Basin. Appendix 30A, CalSim 3 Results Sensitivity to 2040 Climate Change and Sea Level Projections, documents the sensitivity of CalSim 3 results to climate change. CalSim 3 results serve as inputs to the groundwater analysis
466-58	Furthermore, reference to efficient groundwater basin management highlights the fact that the DEIR does not actually consider any of the sustainability indicators or monitoring thresholds presented in the GSP [Groundwater Sustainability Plan] for the Subbasin, or any other subbasin within the area of	Please refer to Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of GSPs. Please also refer to response to comment 466-35, which addresses the manner in which the groundwater impact analysis has complied with CEQA requirements.

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	analysis in the DEIR. As discussed above [comment 35], the GSPs provide appropriate numerical criteria as well as sustainability goals that define when impacts to the groundwater basin would be significant, and these criteria are consistent with CEQA Appendix G thresholds. As stated above, because of the lack of consideration, or even acknowledgement, of the GSPs, the DEIR analysis cannot properly address whether the Project would impede sustainable groundwater management or conflict with implementation of the GSP.	
466-59	NO ANALYSIS OF ANY POTENTIAL CHANGES IN GROUNDWATER LEVELS, GROUNDWATER STORAGE, OR GROUNDWATER QUALITY DUE TO DECREASED FLOWS IN THE SACRAMENTO RIVER ADJACENT TO THE SUBBASIN DOWNSTREAM OF THE INTAKES Section 3.16.7 of the Project Description for the DEIR presents details regarding the proposed operations criteria for water diversions from the Sacramento River at the intakes. These criteria are provided in Tables 3-14 and 3-15 of the DEIR. The existing and proposed diversion or operations criteria are based primarily on bypass flows appropriate to protect endangered fish species. However, the various Project alternatives include diversions that range from 3,000 cfs up to 7,500 cfs, as shown in Table 8-1 of the DEIR. Chapter 8 of the DEIR does not provide any analysis of the effects that such diversions could have on groundwater resources and sustainable management of the Subbasin. To provide some insight of the potential effects that the proposed diversions could have on groundwater, daily average flow data on the Sacramento River at Freeport was obtained	Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding consideration of California's SGMA and GSPs. Please see Common Response 10, Surface Water Quality and Groundwater Resources, regarding the suitability of the DeltaGW model for analysis of local impacts. Impacts to groundwater resources downstream of the intakes are assessed using the DeltaGW model which uses simulated stream stage to calculate stream gains and losses to the aquifer. In Chapter 8, Groundwater, Impact GW-1 impacts were determined using the simulated volumes of stream gains and losses under project alternatives. Recharge from the rivers to the neighboring subbasins is assessed under Impact GW-1. Groundwater elevation near and downstream of the intakes is assessed under Impact GW-2, and change in storage in the basin is assessed under Impact GW-4. All impacts were found to be less than significant.

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	from the Department of Water Resources' California Data Exchange Center website (cdec.water.ca.gov). The Freeport gage is referred to as Station FPT. The data from this station are used as the basis for assessing diversion and bypass criteria, as explained in Section 3.16.7 of the DEIR. Figure A below [see Exhibit 6] is a comparison of the average annual water-year [Footnote 6: A water year extends from October 1 of a calendar year to September 30 of the subsequent calendar year. For example, the 2015-2016 water year is the period from October 1, 2015, to September 30, 2016.] flows in the Sacramento River with the potential diversion rates from 2011 to 2022. The average annual flows during this period ranged from 7,691 cfs in 2020-2021 to 39,010 cfs in 2016-2017. These two water years correspond to the driest year and the wettest year ever recorded, respectively, in terms of precipitation in many parts of northern California within the Sacramento River watershed. As explained in Table 3-15 of the DEIR, diversions are subject to three different tiers, or levels, based on the flows in the river. Thus, the proposed maximum diversion rate for the different project alternatives could not occur all year long, and the maximum diversion rate may not even be achievable in some years. Daily average flow rate in the Sacramento River at Freeport for the median flow year shown on Figure A [see Exhibit 6] was plotted to better evaluate when each level might apply. Figure B [see Exhibit 7] below shows the daily average flows for 2017-2018 and also indicates the periods during which Levels 2 and 3 were achieved. Level 2 occurred for 15 days from March 30, 3018, to April 13, 2018. Level 3 conditions persisted for 8 days,	

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	from April 14, 2018, through April 21, 2018. Since these conditions were achieved between December through April, the diversion criteria shown would have typically applied to the river flows during the 2017-2018 water year [Footnote 7: The CDEC website does not report average daily flows for July 8-9, 2018, July 15 to August 22, 2018, and on Sept 8, 2018. Thus, there are several gaps in the data plotted on the Figure B.]. This discussion over-simplifies the diversion and operational process but provides an illustration of how the criteria may be used to assess potential effects on groundwater resources and sustainable management of the Subbasin. It is noteworthy that the largest potential diversions, under Level 3, would have occurred when the flow rate in the river was decreasing rapidly, as indicated on Figure B. While the larger pulses that preceded the Level 3 period may have been protective of fish and other aquatic resources, no effort is made in Chapter 8 of the DEIR to consider what effect the diversion and operations criteria may have relative to groundwater conditions, since the segment of the Sacramento River along the western boundary of the Subbasin is interconnected with groundwater. Due to the deficiencies of the groundwater model to be able to accurately assess effects at the scale of the intake structures and along the river, the DEIR should include a separate analytical assessment of the effects that reduced flows in the river would have on groundwater conditions. Without such an assessment, it is not possible for the DEIR to adequately address the significance criteria related to groundwater sustainability and whether the proposed project could conflict with or prevent implementation of the GSP.	

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466-60	[Exhibit 6: Comparison of Average Annual Sacramento River Flow with Proposed Diversions]	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
466-61	Exhibit 7 [Daily Average Flow at Freeport During the 2017-18 Water Year]:	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
466-62	In closing, the City [City of elk Grove] appreciates this opportunity to provide comments on the July 2022 Draft Environmental Impact Report for the Delta Conveyance Project and looks forward to coordinating with DWR on this project.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process. DWR is committed to working with all interested parties.
474-1	The Bay Area Air Quality Management District (Air District) reviewed the Department of Water Resources (DWR) Draft Environmental Impact Report (DEIR) for the Delta Conveyance Project (Project). The Project includes the construction, operation, and maintenance of new State Water Project (SWP) water diversion and conveyance facilities in the Delta that operate in coordination with the existing SWP facilities. The proposed new water conveyance facilities would divert up to 6,000 cubic feet per second (cfs) of water from two new north Delta intakes and convey it via a single tunnel on an eastern alignment directly to a new pumping plant and aqueduct complex between Byron Highway and Mountain House Road near Mountain House in the south Delta, discharging it to the Bethany Reservoir for delivery to existing SWP export facilities. The Bethany Reservoir (Bethany Complex) is the preferred alignment (Alternative 5) located within the Bay Area air basin. The Project has a construction schedule of approximately 12 to 14 years.	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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474-2	Air Quality Impacts Impact AQ-3 states that during construction, the Project will result in a significant impact due to emissions of fine particulate matter (PM2.5), coarse particulate matter (PM10) and oxides of nitrogen (NOx) exceeding Air District [Bay Area Air Quality Management District] thresholds. According to the DEIR, the DWR will implement best management practices (BMPs), a dust control plan and use Tier 4 engines and newer on-road and marine engines to reduce exhaust related emissions from construction. Exceedances of Air District thresholds would still occur with the Bethany Complex alternative however, resulting in a significant impact on regional air quality. DWR is therefore proposing to implement an off-site mitigation program (Mitigation Measure AQ-3) to mitigate construction emissions. Air District staff strongly recommend the implementation of all available on-site emission reduction measures before relying on an off-site mitigation measure program. Please include additional on-site mitigation language in the DEIR to ensure every effort is made by DWR to exhaust all on-site options before implementing an off-site mitigation program to reduce construction emissions. Additional mitigation measures to reduce construction emissions include the following: 1. Require construction vehicles to operate with zero-emission engines as commercially available	The comment summarizes content from Chapter 23, Air Quality and Greenhouse Gases, of the EIR, and requests DWR implement feasible onsite mitigation before emissions offsets. DWR recognizes the suggestion to achieve emission reductions through mechanisms other than offsets. The general approach to air quality mitigation for the project is first to implement onsite actions that eliminate or reduce emissions at the point of generation (see Appendix 3B, Environmental Commitments and Best Management Practices, and Mitigation Measures AQ-5 and AQ-9). Offsite measures, including offsets (see Mitigation Measures AQ-1 through AQ-3, AQ-6, and AQ-9) are pursued after application of all feasible onsite mitigation, consistent with the commenter's suggestion. Refer to Common Response 15, Air Quality and Greenhouse Gases, for additional discussion regarding the approach to air quality mitigation. The commenter requested that DWR consider four additional mitigation measures to reduce construction emissions. Each of these measures is considered herein. (1, 2) DWR has revised EC-7 and EC-8 to include additional commitments for zero-emission equipment and vehicles during and after construction (i.e., during project operation). The revised ECs include performance standards for use of these technologies, consistent with current state goals, regulations, and priorities. DWR will support contractor fleet transition through incentives for compliance. Refer to Common Response 15 for additional information on the revisions made to EC-7 and EC-8. (3) The project has been designed to maximize temporary power, where available on-site. As noted above, EC-7 has been revised to outline performance standards for zero-emission equipment (which may include hydrogen). EC-7 requires use of renewable fuel for diesel engines, and all diesel engines meet at least Tier 4 standards. (4) The "2-minute" standard for idling would not be manageable. Idle time in construction equipment applications is impossible to avoid, considering equipment warm up requirements, shut down requirements, and various application segments. For on-road vehicles, waiting at a signal light or railroad crossing

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	2. Require or incentivize zero emission trucks for facility operations to the greatest degree feasible 3. Use grid power for construction activities whenever possible; if grid power is not available, use alternative power such as battery storage, hydrogen fuel cells, or renewable fuels. If no other options are available, use Final Tier 4 diesel generators 4. Prohibit trucks from idling for more than two minutes or prohibit idling altogether 5. Require electric forklifts and install associated charging stations	can extend past 2 minutes. Pursuant to EC-7 and EC-8, all equipment and vehicles used to construct the project will comply with the statewide idling limit of 5 minutes. (5) EC-7 has been revised to prohibit use of fossil-fuel-powered forklifts at the start of each construction contract. Charging stations will be installed as needed to support equipment and vehicle electrification.
474-3	Impact AQ-6 states that Project construction would expose sensitive receptors to substantial toxic air contaminant (TAC) emissions. As you may know, the inhalation of TACs from construction emissions has the potential to create serious health risks. Although sensitive receptor TAC exposure for the Bethany Complex was determined to be less than significant and impacts are not predicted to exceed Air District [Bay Area Air Quality Management District] thresholds, we encourage DWR to facilitate, through its proposed online procurement program, the purchase and distribution of Minimum Efficiency Reporting Value (MERV) 15 air filters for Bethany Complex receptors as needed for the duration of Project construction as an additional measure to protect public health.	Chapter 23, Air Quality and Greenhouse Gases, Impact AQ-6, evaluates the potential for project construction to create health risks from receptor exposure to diesel particulate matter (DPM) and fine particulate matter (PM2.5). The analysis demonstrates that cancer risk would be below BAAQMD's health protective threshold at all receptors proximate to the Bethany Complex. Noncancer health hazards and PM2.5 concentrations are likewise not modeled to exceed any of BAAQMD's thresholds. Accordingly, no mitigation is required for construction of the Bethany Complex under Alternative 5. For Alternatives 2a and 4a, Impact AQ-6 identifies that DWR will provide financial assistance for air filters to residences impacted by construction of Intake A, which is the only location identified in the EIR where predicted health risks would exceed a local air district threshold (see Mitigation Measure AQ-6).
474-4	The Project is consistent with the State's goal of reducing greenhouse gas (GHG) emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045 (Executive Orders (EO) B-30-15 and B-55-18), and DWR's Climate Action Plan Phase 1: Greenhouse Gas Emissions Reduction Plan Update	The comment paraphrases content from Chapter 23, Air Quality and Greenhouse Gases, of the EIR. The paraphrased information is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	2020 (CAP Update 2020). The CAP Update 2020 assesses energy use and GHG emissions from the Project's operation and includes measures for GHG reduction consistent with long-term state climate targets. Project construction is not covered by DWR's CAP Update 2020 and therefore the DEIR evaluates project construction emissions and displaced purchased of electricity against a net zero threshold. The DEIR states the Project would not impede DWR's ability to achieve GHG mid and long-term reduction goals of at least 60 percent below 1990 levels by 2030 and supply 100 percent of electricity load with zero-carbon resources and achieve carbon neutrality by 2045. As stated in Impact AQ-9, total net additional estimated GHG emissions generated by Project construction and operation are 495,442 and 1,633,134 respectively for the Bethany Complex (Alignment 5). The DWR expects however that planned GHG emissions reduction measures, such as the use of renewable energy to operate the SWP and the increased efficiency of SWP pumps and generators through replacement and refurbishment that will be implemented as part of the CAP Update 2020, would reduce elevated GHG emissions below the 2045 target. As implementation of the CAP Update 2020 progresses and DWR begins oversight of Project activities and monitoring of measures to achieve its GHG reduction goals, Air District [Bay Area Air Quality Management District] staff recommends semi-annual rather than annual assessments of GHGs be performed to determine progress toward the 2030 and 2045 targets to ensure adjustments can be made including the adoption of	Mitigation Measure AQ-9 requires DWR to conduct annual reporting to verify and document that selected strategies achieve sufficient emissions reductions to mitigate project emissions to net zero. The annual reporting frequency is consistent with statewide GHG emissions and reduction programs. For example, CARB (2023) conducts an annual GHG inventory to track California's progress in reducing GHG emissions. The annual statewide inventory is also used to demonstrate attainment of statewide GHG targets (California Air Resources Board 2023). DWR (2020:61) also identifies an annual reporting frequency for monitoring performance of their climate action plan and emission reduction programs. Accordingly, Mitigation Measure AQ-9 meets the reporting obligation of larger statewide programs, including CARB's reporting protocol to determine statewide progress toward the 2030 and 2045 targets. The required annual reports are thus adequate, and revision to a semi-annual reporting frequency is not necessary to assess implementation of Mitigation Measure AQ-9 accurately and comprehensively.

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	new or additional measures.	
474-5	Certain aspects of the Project may require a permit from the Air District [Bay Area Air Quality Management District] (for example, back-up diesel generators). Please contact Barry Young, Senior Advanced Projects Advisor, at (415) 749-4721 or byoung@baaqmd.gov to discuss permit requirements. Any applicable permit requirements should be discussed in the DEIR.	This information provides clarification on the submittal of the comment letter. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
474-6	We encourage DWR to contact Air District [Bay Area Air Quality Management District] staff with any questions and/or to request assistance during the environmental review process. If you have any questions regarding these comments, please contact Andrea Gordon, Senior Environmental Planner at (415) 749-4940, or agordon@baaqmd.gov.	Similar to the comment above, this information provides clarification on the submittal of the comment letter. It is not a comment on the contents of the EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
478-1	On behalf of the undersigned agencies, we thank the Department of Water Resources (DWR) for the opportunity to provide comments on the Delta Conveyance Project Draft Environmental Impact Report (Draft EIR). The Inland Empire Utilities Agency (IEUA/Agency) is an innovative, forward-thinking Agency serving 242-square miles in western San Bernardino County. The Agency is committed to supporting the needs of its service area and safeguarding public health through its significant investments in developing a diversified water supply portfolio, developing reliable municipal/industrial wastewater collection and treatment services, and other related utility services in a regionally planned and cost-effective manner. IEUA's mission ensures long-term success for the region and its customer agencies which include Chino, Chino Hills, Cucamonga Valley Water District, Fontana, Fontana Water Company, Montclair, Monte Vista Water District, Ontario, and Upland.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	As a wholesaler member agency of the Metropolitan Water District of Southern California (Metropolitan), one of the 27 contracting agencies that receives State Water Project (SWP) supplies, Metropolitan provides SWP supplies to IEUA, and in turn, IEUA provides SWP supplies to its customer agencies. IEUA's region has experienced a decade of rapid population growth, expanding approximately 10% over the last 10 years while overall water usage has slightly decreased over the same time. The region's ability to stretch its water supplies for a growing population has been possible due to a continuous decrease in per person water use, indicated by gallons per capita per day (GPCD) dropping 30% between 2008 and 2020.	
478-2	Of Metropolitan's [Metropolitan Water District of Southern California], 26 member agencies, IEUA [Inland Empire Utilities Agency] is one of only three agencies that only receives SWP [State Water Project] supplies. Starting June 1, 2022, IEUA's customers have been subject to emergency supply allocations representing a 35% reduction in imported supplies due to the severe drought conditions and the resulting 5% SWP allocation. Through the development of a diversified portfolio of local and regional water supply investments and demand management programs, the IEUA service area has been able to successfully manage the current allocation. However, in 2023, Metropolitan is expected to establish an initial allocation of SWP supplies to IEUA that would represent a cut of 60% from normal year deliveries. This extraordinary lack of reliability is extremely alarming--the need for improvements on the SWP system has never been clearer. That is why IEUA, and the undersigned agencies, are writing in support of modernizing Delta conveyance as quickly as possible. Without it, our region is unacceptably at risk from the impacts to water supply	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	reliability from climate change, seismic risk and increasing regulatory constraints.	
478-3	Levels of SWP [State Water Project] Deliveries are Needed to Promote and Sustain Local Supply Development IEUA [Inland Empire Utilities Agency] purchases approximately 65 thousand acre-feet per year (TAFY) of imported water from the SWP, which enables the region to utilize a diverse portfolio of local supplies that have been developed over decades of time. IEUA's regional recycled water program is a prime example of local investments that have resulted in enhanced regional supply reliability. In partnership with its customer agencies, IEUA treats 100% of the wastewater it receives to a tertiary level to meet water management goals. While IEUA continues to explore opportunities to expand its recycled water program, production is limited to the availability of source wastewater supplies. Regional influent flows remain at 50 million gallons per day despite significant regional growth due to enhanced water use efficiency. An unintended consequence of declining wastewater flows associated with greater water-use efficiency (WUE) is increasing concentrations of Total Dissolved Solids (TDS), which is a regulated constituent in the local Chino Groundwater Basin (Basin). Absent the availability of low-TDS SWP water as a source drinking water supply, IEUA's wastewater supplies could exceed TDS limits and put the recycled water program at risk. The additional treatment required would undoubtedly increase the cost of recycled water beyond the cost of imported water, thereby making it less attractive.	Please refer to Common Response 6, Climate Resilience and Adaptation, regarding the project's anticipated water supply reliability benefits. The comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.

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	Groundwater recharge is another local source of water that plays a key role in providing the region with flexibility and resiliency. While the Basin recharges naturally though storm events and snowmelt, IEUA and regional stakeholders have taken a proactive approach to groundwater management by utilizing percolation basins and injection wells to recharge imported and local water supplies directly into the Basin. This ensures that groundwater supplies are available during times of shortage when there is no excess water to recharge. In FY 20/21, SWP deliveries and recycled water made up over 75% of the IEUA's total groundwater recharge into the Basin, with the balance coming from storm water and dry weather flows. Groundwater pumped from the Basin made up over 30% of the region's water use in FY 20/21. This highlights the key role the SWP plays in the local groundwater basin and the importance of SWP resiliency on local groundwater supplies. Section 3C.3.2.5 of the Draft EIR states, "Delta Conveyance is a water reliability project and therefore, it can be assumed that in the absence of the proposed project, participating water agencies would seek to bolster water reliability through other projects". The section goes on to list ways that local agencies would bolster local reliability, including water recycling and groundwater recovery, absent the Delta Conveyance project. While we agree that the collaboration between Metropolitan [Metropolitan Water District of Southern California], IEUA, and regional water retailers to bolster local supplies would continue in a no project alternative, we submit that local supply development is reliant on a continued and assured SWP supply as a base component. Without the Delta Conveyance project, the SWP system will remain fragile, and local investments in treatment plants and injection wells designed	

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	to bolster SWP supplies are at risk of being stranded. The Delta Conveyance project is greatly needed to sustain our current water supply and meet the mandates of additional state policies promoting vibrant economies and sustainable communities.	
478-4	Conclusion IEUA [Inland Empire Utilities Agency] and the undersigned agencies support a balanced approach to water supply reliability. Our region is committed to continued investments in water use efficiency, stormwater capture, and reuse; thereby, reducing overall demands for imported water. The continued delivery of a modest amount of SWP [State Water Project] water as a base component of IEUA's supply sources is essential to our region's ability to continue producing local supplies and remain responsible stewards of the adjudicated Chino Groundwater Basin.	Please refer to response to comment 478-2 regarding comments that state opinions of general support for the project.
479-1	On behalf of Eastern Municipal Water District (EMWD), I appreciate the opportunity to comment on the Delta Conveyance Project's draft Environmental Impact Report (draft EIR); this project is key to modernizing the State Water Project (SWP) Infrastructure in the Sacramento San-Joaquin Delta. EMWD has reviewed the draft EIR and wholeheartedly supports advancing the project. There has never been a more critical time to move this project forward thoughtfully, and courageously to completion. It is a key element of helping California secure water supply resilience in the face of climate change. EMWD receives water from the SWP through the Metropolitan Water District of Southern California (MWD), therefore, in addition the comments herein, EMWD echoes the draft EIR comments submitted by MWD, particularly the comments related to the One Water approach to water management.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.

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479-2	By way of background, EMWD provides water, wastewater and recycled water service to nearly one million customers in western Riverside County and is currently California's sixth-largest retail water agency. Our water supply portfolio includes a blend of water imported from the Sacramento San Joaquin Bay Delta and the Colorado River, groundwater, desalinated groundwater, and recycled water. Earlier this year, EMWD celebrated the completion of our third groundwater desalination facility, which increased EMWD's total desalination capacity to 14 million gallons per day. In addition to focused local supply development, EMWD is also a leader in water use efficiency. Over the last 20 years, while EMWD's population increased 93 percent, EMWD's per capita water consumption reduced by 42 percent. To provide additional perspective in 1990, when EMWD served a population of 358,000, the service area was 66 percent dependent on imported supplies. However, in 2021, while serving a population of 870,500, EMWD had reduced that dependence on imported supplies to 48 percent. EMWD attributes these successes to a number of factors including the 2009 implementation of an aggressive budget-based rate structure that continues to financially reward customers who stay within their personalized budget and penalize water wasting customers. The rate structure is also the tool used to encourage climate appropriate landscaping and discourage nonfunctional turf. In addition, EMWD has worked with customers to remove over 10 million square feet of nonfunctional turf in its services area and continues to promote climate appropriate landscaping in lieu of turf grass.	This information describes the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
479-3	As California and the western United States continue to face water supply and infrastructure challenges, it is critical that the state and local agencies responsibly invest in a diverse portfolio	Please refer to Common Response 6, Climate Resilience and Adaptation, regarding the project's anticipated water supply reliability benefits.

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	of projects and programs that will help create a sustainable and drought-resilient water supply future. We believe the Delta Conveyance project will help accomplish these goals in an environmentally responsible manner.	
479-4	Overview: [Comments 5-10 will explain in detail] Delta Conveyance is critical to EMWD's [Eastern Municipal Water District's] region for many reasons. The superior SWP water quality when exported from north of the Delta provides numerous benefits including increasing the sustainability of local supply projects like water recycling, in support of the One Water approach. The higher quality water from the north Delta imports less salt into EMWD's service area, which overtime reduces EMWD's salinity management costs. Lastly, the increased water supply reliability provided by Delta conveyance will help agencies like EMWD accommodate future growth in support of California's housing goals.	Please refer to responses to comments 429-1 and 429-3 regarding comments that state opinions of general support for the project and regarding the project's anticipated water supply reliability benefits.
479-5	One Water- Recycled Water and Salinity Management: As was mentioned, a high-quality water supply is one of the greatest benefits of Delta Conveyance to EMWD's [Eastern Municipal Water District] region. Water quality is key for local One Water supply strategies such as recycling and groundwater storage. EMWD currently utilizes 100 percent of the recycled water generated in its service area, some of which supports the habitat at the San Jacinto Wildlife Area, a state of California property. While recycling comprises about one-third of EMWD's total water supply, recycling does add salt to our basin that ultimately must be removed/mitigated to maintain the long-term viability of the recycled water program. Lower total dissolved solids (TDS) source water, like the water from the north Delta is instrumental in extending the life of our water recycling program.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support to the project. The information in this comment also describes background of the organization or individual commenter. It is not a comment on the contents of the EIR, nor does it raise a significant environmental issue associated with the Delta Conveyance Project.

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	EMWD already exports 60,000 tons of salt from our service area annually, and at build out, will export 65,000 tons of salt annually. To manage salt, EMWD operates and maintains three groundwater desalination facilities. To put the salt balance in perspective, every acre-foot of Colorado River imported in to EMWD's service area contains 1360 to 1900 pounds of salt (lb/af), however each acre-foot of water imported from the SWP only contains about 680 lb/af, and with Delta Conveyance in place, the TDS will be even less. Long term, reducing the concentration of salt in EMWD's source water not only increases the longevity of our recycled water program, but also reduces salt management costs. Currently, it costs EMWD $247 per ton to remove salt from our service area, therefore EMWD strives to reduce the importation of salts as much as possible as a means to manage the affordability of EMWD's services; Delta Conveyance support this goal.	
479-6	One Water- Groundwater Storage: To leverage wet years, EMWD [Eastern Municipal Water District] has facilities in place, ready to percolate and store excess water in the ground for use dry years. Reliable access to SWP water in wet years is critical for the success of these groundwater banking programs. The Colorado River, EMWD's other source of supply, is too salty, and therefore our basin quality objectives disallow the recharge of that water into our basins. SWP supply is critical for making the most of EMWD's investments in groundwater recharge and banking programs.	The information in this comment describes background of the organization or individual commenter. It is not a comment on the contents of the EIR, nor does it raise a significant environmental issue associated with the Delta Conveyance Project. DWR has reviewed all comments and will consider all comments in its decision-making process.
479-7	In addition, SWP water supply is also critical to meeting the water settlement agreement obligations with the Soboba Band of Luiseño Indians. This agreement requires EMWD [Eastern Municipal Water District] to recharge 7[,]500 acre-feet of SWP	The information in this comment describes background of the organization or individual commenter. It is not a comment on the contents of the EIR, nor does it raise a significant environmental issue associated with the Delta Conveyance Project. DWR has reviewed all comments and will consider all

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	water annually, on average, and restores water to the basin for the Soboba [T]ribe in exchange for water that leaves Soboba's reservation through groundwater seepage into a Metropolitan Water District tunnel that brings Colorado River Water to Southern California. This obligation cannot be met when EMWD's service area is receiving no water from the SWP, like has been the case for the last year.	comments in its decision-making process.
479-8	Meeting the State's Housing Goals: Along with other growing areas, the state of California is relying on EMWD's [Eastern Municipal Water District's] region to help meet its future housing goals. EMWD's service area is currently only about 38 percent built out, and in the last census, grew at a rate of 15 percent, which is among the highest growth rates in California. With ultraefficient water use standards (highest efficiency appliances, no turf in front yards and individual customer water budget of only 50 percent evapotranspiration (ET) to encourage climate appropriate landscapes) this region continues to grow at a rapid rate. Reliable water supplies from the Bay Delta is one variable necessary to accommodate the anticipated growth in the region.	The information in this comment describes background of the organization or individual commenter. It is not a comment on the contents of the EIR, nor does it raise a significant environmental issue associated with the Delta Conveyance Project. DWR has reviewed all comments and will consider all comments in its decision-making process.
479-9	Protection Against Catastrophic Failure: Lastly, and of greatest importance to EMWD, Delta Conveyance will protect the SWP supplies against sea-level rise, and catastrophic failures in the Delta caused by earthquakes, major flooding, or other disasters that could disrupt the flow of water through the Delta. Without this project, it is just a matter of time before sea level rise will negatively impact water quality of SWP supplies	This comment describes information regarding how sea level rise and other climate hazards may affect the flow of water through the Delta in the future. The comment is generally consistent with the information in Chapter 30, Climate Change. Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.

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479-10	In addition, seismologists warn that catastrophic fallout from "The Big One" (earthquake) is a matter of "when" not 'if' and without Delta Conveyance, Southern California will be without this critical supply for months, if not years.	Please see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding comments that state opinions of general support for the project.
479-11	Thank you for your consideration of EMWD's support for the Delta Conveyance EIR. This project is essential to EMWD, and its customers, and the time to advance this project to completion is now for both the water supply and the environmental benefits.	Please refer to responses to comments 429-1 and 429-3 regarding comments that state opinions of general support for the project and regarding the project's anticipated water supply reliability benefits.
479-12	If I can provide any other information, or be a resource in any way, please call me at 951-928-6160.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
495-1	Attached please find SDWA's Comment Letter to the Draft EIR for the Delta Conveyance Project and by way of the link below the Exhibits to same. These documents are served in connection with the above-referenced. If you have trouble opening the attachment or the link below, please advise. Please note that the documents are being served via electronic service only. Please confirm receipt.	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. It is not a comment on the contents of the Draft EIR. DWR has reviewed all comments and will consider all comments in its decision-making process.
495-2	These comments are submitted on behalf of the South Delta Water Agency ("SDWA") and adopt and support the comments submitted by San Joaquin County, River Island Consulting, JHM Economics and Central Delta Water Agency. The Draft EIR ("DEIR") suffers from a number of deficiencies which are separated into two main categories in these comments. Those categories are legal mandates and technical	This information describes the structure or organization of the comment letter, the background of the organization or individual commenter, clarification on the submittal of the comment letter, or general introductory text. DWR has reviewed all comments and will consider all comments in its decision-making process. Please refer to Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding project

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	issues.	approvals, permitting process, and required actions. Responses to detailed comments are provided herein. Readers are referred to the responses to the comments submitted by the San Joaquin County and Central Delta Water Agency. Please see response to comment 495-13 regarding comments submitted by agency consultants.
495-3	Legal Mandates Proposition 9. The Delta Conveyance Project is contrary to law. In the 1969-1980 Regular Session of the California State Legislature Senate Bill No. 200 ("SB200") was passed. That bill authorized an additional feature of the Central Valley Project, [Footnote 1: Use of the term "Central Valley Project" in these first few paragraphs refers to the water development project authorized by statute by the State of California. This broader project definition now includes both the federal Central Valley Project ("CVP") and the State Water Project ("SWP").] the "Peripheral Canal." The Peripheral Canal was to "move Sacramento River water around the eastern and southern edge of the Delta, rather than allow it to move through the natural channels of the Delta." (Voter Information Guide from 1982 Primary, page 36, see Exhibit "A" attached hereto) [See Attachment 1]. In response to SB200, a referendum statute, Proposition 9 was placed on the ballot, whereby the people of California would vote on whether to approve or reject that law. On June 8, 1982 the voters of California rejected SB200 by a vote of 3,444,483 to 2,049,042, a near two-thirds majority. The effect of Proposition 9 was to remove authorization of a Central Valley Project component which would "move Sacramento River	Chapter 1, Introduction, describes the past planning efforts undertaken by DWR related to the SWP and the Delta, including that of the peripheral canal. Proposition 9 was related to a past project and past planning effort. Thus, the comment does not directly address the Delta Conveyance Project Draft EIR and DWR is not required to respond to comments on projects that are no longer being pursued. The Delta Conveyance Project is not contrary to law and DWR has followed all applicable laws and regulations, including CEQA, with respect to the current project. Voter disapproval of SB 200 did not amend the Central Valley Project Act or limit DWR's ability to modify the Feather River Project (now commonly known as the SWP) consistent with its purpose.

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	water around the eastern and southern edge of the Delta, rather than allow it to move through the natural channels of the Delta." Thus, the current status of California law is that there is no authorization for the Department of Water Resources ("DWR") to construct a facility of the Central Valley Project that moves Sacramento River water around the Delta rather than through it. The amount of time that has passed since the vote on Proposition 9 does not change its effect. DWR could not have gone forward with a variant of the Peripheral Canal the day after the election by asserting some other inherent, or general authority. Since 1982, no other legislative action has added to DWR's authority regarding Central Valley Project facilities or authorities. Hence, because the voters rejected a statute authorizing an isolated facility such as the Peripheral Canal, DWR is precluded from undertaking any actions to build and operate such an isolated facility. It is contrary to the rules of statutory interpretation to assert the 1982 referendum, for that specific isolated facility, does not completely preclude DWR from pursuing some other permutation of the Peripheral Canal under some other general authority. If there were some other general authorities that authorized an isolated facility absent SB200, then SB200 would not have been needed and the vote on Proposition 9 would be meaningless. One cannot interpret the referendum as being meaningless. Under the law, the specific supersedes the general, (e.g., see Water Code section 12200) and the specific withdrawal of authority to build and isolated facility does not allow for some other general authorization to spring into life to authorize that which was specifically revoked.	

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495-4	California Water Code sections 12200 et seq. Water Code section 12201 states: "The Legislature finds that the maintenance of an adequate water supply in the Delta sufficient to maintain and expand agriculture industry, urban, and recreational development in the Delta as set forth in section 12200... and to provide a common source of fresh water for export to areas of water deficiency is necessary to the peace, health, safety and welfare of the people of the State ... " This section, in combination with section 12200, creates the "common pool" requirement regarding export of water from the Delta. The law mandates that the Delta be protected from saltwater intrusion, have an adequate supply and that freshwater diversions for export come from the same source of water, i.e., the Delta. This common pool mandate puts all those interested in Delta fresh water in the same position with the goal of keeping the Delta "fresh" as that term may be defined. Building and operating an isolated facility, like the proposed single tunnel, is directly contrary to the common pool mandate and thus is in conflict with sections 12200 and 12201. Sections 12200 et seq., further explains and limits the conditions under which exports can be taken from the common pool. Section 12202 specifies that salinity control and providing "an adequate water supply for the users of water in the [Delta]." [Footnote 2: Issues regarding payment for such a supply are not relevant here, but it is of note that DWR and the	The Water Code provisions cited do not create a common pool requirement. DWR follows all applicable laws when operating the SWP, including water rights law, and would continue to do so if the DCP or another project alternative is approved and constructed. Please see Chapter 1, Introduction, for a description of the State Water Project and background information regarding how water supply has been developed and managed in California. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives, including DWR's continuing commitment to operate the State Water Project as modified to include the Delta Conveyance Project in compliance with all state and federal water quality and environmental laws. When exporting water from the Delta, DWR must comply with all applicable state and federal regulatory requirements, including environmental standards, laws, and regulations relating to Delta inflow and outflow, Delta water quality, fish protection, environmental needs, and water rights, including in-Delta users' water rights. The State Water Board has also established water quality and flow requirements and limits on the rate of export of water that can be pumped by the state and federal pumping plants and is currently reviewing those requirements in its Bay-Delta Water Quality Control Plan to ensure beneficial uses are protected. Furthermore, the State Water Board considered consistency with the 1959 Delta Protection Act (California Water Code §§ 12200–12220) in adopting D-1641 and, if approved, the project will be operated in accordance with D-1641 unless a new water rights decision is adopted by the State Water Board in the future. As described in Chapter 3, Description of the Proposed Project and Alternatives, in the section titled Integration of North Delta Intakes with South Delta Facilities, the proposed intakes would augment the ability to capture excess flows and improve the flexibility of the SWP operations such as for meeting the State Water Board D-1641 Delta salinity requirements. The Delta Conveyance Project would not change operational criteria associated with upstream reservoirs as demonstrated throughout the EIR.

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	U.S. Bureau of Reclamation refuse to negotiate a contract for supply and quality with the SDWA.] Sections 12203 and 12204 preclude diversions for export of water to which users in the Delta are entitled and that no water can be exported that is needed to comply with sections 12202 and 12203. Taken together, there can be no export of water to which in-Delta users are entitled, of water needed for salinity control, or water needed to provide an adequate supply. These three prerequisites to exports are reaffirmed in the Racanelli Decision (1986 182 Cal.App.3d 82). The DEIR makes no analysis of the effects of complying with these statutes and Racanelli, nor does it analyze the required decreases in exports which follow from compliance with these laws. Section 12205 states: "It is the policy of the State that the operation and management of releases from storage into the Sacramento-San Joaquin Delta of water for use outside the area in which such water originates shall be integrated to the maximum extent possible in order to permit the fulfillment of (sections 12200-12204)." In other words, reservoir operations by DWR and USBR must be coordinated in order that salinity intrusion be controlled, in-Delta users have an adequate supply and the system operates as a common pool. Building an isolated facility that intercepts Sacramento River flows before they flow into and through the Delta is the exact opposite of the mandate in Section 12205. The DEIR makes no analysis of how compliance with this law	Upstream of Delta facilities will continue to be operated to meet regulatory, environmental, and contractual obligations consistent with existing operations. Furthermore, as described in detail in Chapter 3 in the section titled Bypass Flow Requirements and the section titled Delta Outflow Criteria and summarized in the table titled Delta Conveyance Project Preliminary Proposed Operations Criteria, the project would divert flows during excess conditions in the Delta and allow bypasses and flows to continue into and through the Delta. Thus, the facility would not intercept Sacramento River flows before they flow into and through the Delta as claimed by the comment. Neither the Racanelli Decision nor the Delta Protection Act of 1959 requires unspecified reductions in export s.

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	affects the operations of the proposed isolated facility. For example, if SWRCB curtails diverters in the Delta during a drought or other dry times, the operations of both the Central Valley Project and the State Water Project would have to maintain reservoir releases to provide an adequate supply for in-Delta users BEFORE any exports could occur. Such operations would preclude use of the Delta Convenance tunnel or exports. No such operating criteria exist nor have such criteria been examined in the DEIR for impacts.	
495-5	Compliance with D-1641. The DEIR states at numerous places that DWR does and will operate in compliance with the regulations imposed on them via their permits through D-1641 (which implemented the 1995 Water Quality Control Plan). Initially it must be noted that the State Water Resources Control Board ("SWRCB") has already adopted some changes to the Water Quality Control Plan ("WQCP") which affect fishery flows on the San Joaquin River system and relaxes the water quality objectives for agricultural beneficial uses in the southern Delta ("Salinity Standards"). It is odd that the DEIR makes no mention of the changes in DWR and USBR permit obligations resulting from these changes to the WQCP. In addition, the SWRCB is currently evaluating the remainder of the water quality objectives for the Sacramento River system, and the Delta, and it is reasonably foreseeable, if not more than likely, that there will be increased fishery flow obligations imposed on both the SWP and CVP. Again, no such increased obligations on DWR and USBR are analyzed in the DEIR even though such obligations will decrease exports and decrease opportunities for use of the proposed isolated facility.	The comment assertion that the Draft EIR does not evaluate water quality standards with respect to salinity is not supported by the analysis or content of the EIR. The impact analysis contained in Chapter 9, Water Quality, specifically evaluated electrical conductivity (EC) standards throughout the Delta and confirmed the standards are met and impacts would be less than significant under operating conditions. Furthermore, please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding compliance with D-1641, which includes existing standards for salinity. Please also see Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the project's purpose and objectives, including DWR's continuing commitment to operate the State Water Project as modified to include the Delta Conveyance Project in compliance with all state and federal water quality and environmental laws. As described in Chapter 4, Framework for the Environmental Analysis, the Bureau of Reclamation or a Central Valley Project (CVP) contractor (or contractors) have not expressed interest in participating in the Delta Conveyance Project as project proponents. As described in Chapter 3, Description of the Proposed Project and Alternatives, only Alternatives 2a and 4a may involve existing CVP facilities. Please see Common Response 1 regarding the selection of the study area for resources analyzed in Chapters 5–32 and areas upstream of the project. Please also refer to Common Response 3, Alternatives

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	With regard to compliance with D-1641, contrary to the assertions in the DEIR, DWR and USBR regularly violate their permit conditions by not meeting the Salinity Standards (see for example Exhibit "B" attached hereto [see Attachment 2], which are Notices of Exceedance from the State and Federal Projects). These Standards require (currently) that DWR and USBR meet a 0.7 EC standard at three locations in the southern Delta from April through August, and a 1.0 EC standard from September through March at those same locations. USBR has the additional obligation of meeting that same 0.7/1.0 EC standard at Vernalis. This past water year provides a good example of the lack of compliance with D-1641. The 0.7 EC standards for the interior southern Delta compliance location of Old River at Tracy Road Bridge were violated every day of the April through August 2022 period. The standard was also violated for all but one day in December 2021, and certain days in January and February of 2022. (see Exhibit "C" attached hereto [see Attachment 3] and incorporated herein) hereto including examples water quality objective violations from DWR's Delta Operations webpage). Although these examples are from the current drought, such violations occur in many years and water year types (as shown in Exhibit "B" above [Attachment 2]). In response to these violations, DWR and USBR assert that meeting the Salinity Standard at Old River Tracy Road Bridge is not a result of their operations and is beyond their control. With regard to their operations, attached hereto is Exhibit "D", [see Attachment 4] the 1980 Report on the Effects of the CVP Upon the Southern Delta Water Supply authored by the SDWA and USBR. In that Report, it is shown that the CVP causes	Development and Description, regarding Delta Conveyance Project's operations which does not include changes to State Water Project or CVP operations upstream of the proposed north Delta intakes. In 2022, DWR and USBR operated the SWP and CVP, respectively, under the provisions of an order from the SWRCB approving temporary urgency changes to their water right licenses and permit terms relating to Delta Water Quality Objectives. Operating the SWP and CVP to the requirements indicated in the temporary modifications to their water rights permits is not a violation of a standards established by D-1641 as the SWRCB has granted a temporary modification to operational the D-1641 operational requirements. As an example, the SWRCB allowed the Sacramento River at Emmaton electrical conductivity compliance location specified in D-1641 was moved to Threemile Slough on the Sacramento River.

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	decreases in San Joaquin River flow and increases in salt load and concentrations. The 1980 Report also explains how the SWP and CVP export pumps reverse flows in certain channels and cause constituents such as salts to concentrate, especially in the area of the Tracy Road compliance location where water quality violations are common. In general, the CVP and SWP add significant salt load at high concentrations to the San Joaquin River. Under natural conditions, any constituents in the river would exit the southern Delta via four routes: the mainstream of the San Joaquin, Middle River, Old River, and Grant Line Canal. At times the CVP and SWP export pumps cause channels to reverse course resulting in all the San Joaquin River salts being down into Old River, where they accumulate and concentrate. With regard to the long-standing DWR and USBR assertion that they have no means by which they can control water quality at the Tracy Road compliance location, in 2020 it became clear the assertion was incorrect. In 2020 the USBR decided to release water from New Melones Reservoir to assist in meeting Delta outflow obligations. The extra flow resulted in there being plus or minus 1,200 cfs at Vernalis (decreasing down to approximately 600-400 cfs) during the summer months instead of the much lower flows which would have occurred absent those releases. The result of those elevated flows was that all three of the Salinity Standards in the southern Delta were met and water quality conditions were significantly improved. (attached hereto is Exhibit "E" [see Attachment 5] which is a summary of Delta Hydrology Conditions provided by DWR). Thus, DWR and USBR are able to meet the Salinity Standards by increasing flows on the San Joaquin. Both the DWR and USBR permits for San Luis Reservoir are burdened by the	

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	obligation to meet the Salinity Standards such that water from that reservoir, even in droughts, can be beneficially used. The DEIR makes no analysis as to how DWR will meet its permit conditions requiring compliance with the Salinity Standards while asserting such compliance, and is, therefore, deficient.	
495-6	TECHNICAL DEFICIENCIES EC Impacts to Agriculture. While the DEIR makes various statements regarding the potential effects of elevated EC on agricultural water supply. However, the impacts analysis is intentionally and inappropriately constrained by only focusing on whether water quality standards are violated. Such violations, then, are the criteria by which adverse impacts are evaluated. Such analysis is technically incorrect and designed to intentionally mask adverse impacts. Exhibit "F" attached hereto [see Attachment (ATT) 6], is the University of California, Agronomy Research & Information Center Soil Salinity Management Fact Sheet. That Fact sheet explains how salts can affect plant root uptake of water. It explains how high concentrations of salts in the water can damage or kill some crops during the seedling phase when they are more susceptible. It explains how different crops have different tolerances for salt, and how a seasonal average of the soil salinity is used to estimate impacts to crops. It also explains how differing soil types with different permeabilities affects the ability to leach salts through the root zone soil. Lastly it also explains that if inadequate leaching occurs, salts can build up in the soil to the point where the plant and crop is	The comment assertion that the Draft EIR does not adequately evaluate water quality impacts on agriculture is not supported by the analysis or content of the EIR. Please see Common Response 12, Agricultural Resources, regarding application of water quality standards. Evaluation of the project operations on the ability to protect agricultural beneficial uses was based with respect to adherence to State Water Resources Control Board Water Right Decision 1641 (D-1641) water quality standard. Such salinity standards are thus set not by DWR but by the State Water Resources Control Board for protection of beneficial uses throughout the entire system, including the beneficial use of water for agricultural irrigation. These specific values are set forth by the State Water Resources Control Board for the D-1641 standards, such standards are neither subject to the control of the DWR nor within the scope of this project to influence. The study referenced by the commenter provides measured leaching fractions for seven commercial alfalfa fields in the south Delta region (Leinfelder-Miles 2016). The study found that localized leaching rates can be variable but does not establish a leaching rate for the study area that is in conflict with the estimate used by Ayers and Westcot (1985). Additionally, the EIR evaluates the ability of project operations to protect agricultural beneficial uses based on adherence to State Water Resources Control Board D-1641 water quality standard. The State Water Resources Control Board balances a variety of beneficial uses for the Delta, including but not limited to agricultural use. Please refer to Chapter 9, Water Quality, which concludes that while there could be some increases in salinity (based on modeled electrical conductivity) at some Delta locations in some

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	damaged. Support for this approach is provided in Exhibit "G" attached hereto [see Attachment (ATT) 7] which is Terry Prichard's testimony from the California Waterfix Hearing. Thus, the analysis of whether the Delta Conveyance facility adversely affects in-Delta agriculture requires an analysis of the factors covered in the Fact Sheet described above, not by simply comparing modeled EC with SWRCB EC standards. Water Quality standards set by the SWRCB are the result of both science and the weighing of statutory factors, it is not an analysis of how any increase in supply water salinity might affect crops. A water quality standard does not indicate if or when salt damage to a crop might or will occur; rather it is a regulatory decision to provide some general level of protection. Since the DEIR does not examine how any project related increases in salinity will affect Delta crops under the above criteria, it is deficient. This difference between a regulation and what is actually happening on farms is best highlighted by Exhibit "H" attached hereto [see ATT 8], which includes statements under oath by local farmers in the southern Delta. Regardless of any SWRCB water quality standard, the farmers statements show that water quality in the southern Delta is such that crops are regularly damaged, and additional actions and costs are incurred in efforts to mitigate salt damage. Examining how and when any additional salt concentration is in their supply water is the only means by which project impacts can be evaluated. The DEIR makes no such effort, but simply assumes that multi-year averages of salinity impacts can be compared to water quality standards to determine potential project impacts The DEIR's approach is similar to other evaluations of fishery flow	months, these effects would be less than significant.

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	standards which have led to the destruction of the Delta fisheries. It is clear that complying with standards, BiOPs and other regulations, is a false and deficient surrogate for presenting and analyzing adverse impacts. Additional confirmation that meeting water quality standards is not a basis on which to measure impacts is shown in the report authored by Michelle Leinfelder-Miles entitled "Leaching Fractions Achieved in South Delta Soils Under Alfalfa Culture, updated August 2016 (attached hereto as Exhibit "I") [see ATT 9]. That report shows that under differing EC concentrations in the supply water (some with a quality meeting or bettering standards and some with water quality exceeding the standards) some soils achieved leaching fractions such that salts were not accumulating in the soil while others did not. Those that did not, were accumulating salts in the soils to the point where they would exceed the threshold for the crop which could result in decreased crop production or plant death.	
495-7	The DEIR estimates changes in applied water salinity but does not do the necessary further steps to see if or when that increase will occur or where. It also does not analyze the lands where such increase salinity could occur, and if those increases will either damage seedling crops or if the seasonal soil salinity will rise above the threshold whereby the crops will be damaged. In sum, the DEIR ignores the current situation of existing salt damage to crops in the southern Deltas, ignores the science by which additional salt might cause additional damage, and does not analyze any mitigation by which such increased salinity might be mitigated or avoided. The DEIR is therefore wholly deficient in examining the project's effect on Delta agriculture.	The comment assertion that the Draft EIR does not adequately evaluate water quality impacts on agriculture is not supported by the analysis or content of the EIR. Please refer to Chapter 15, Agricultural Resources, which considers how salinity in irrigation water can affect crop yields. Please refer to Chapter 9, Water Quality, which concludes that while there could be some increases in salinity (based on modeled electrical conductivity) at some Delta locations in some months, these effects would be less than significant. Finally, please refer to Common Response 12, Agricultural Resources, regarding how the EIR evaluated crop salinity tolerances in its analysis. As discussed in Appendix 9L, Water Quality 2040 Analysis, climate change and sea level rise are primary drivers of water quality changes, including

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		salinity levels, in the study area. As such, it is reasonable to expect that there may be some changes in crop types in the Delta in future decades, as operators adjust to changing baseline conditions and shift to crop types that are more tolerant of higher salinity levels in applied irrigation water. Such a change would be triggered regardless of whether any of the proposed project alternatives were implemented.
495-8	The DSM2 Model is not the Best Science. The DSM2 model has at least two serious flaws which make its results unusable for analyzing the projects impacts on southern Delta agriculture. The two flaws are likely related but are dealt with separately herein. The first flaw is that the model results indicate that its internal calculations are inconsistent with actual conditions in the channels. The issue of models being used for comparative purposes versus predicting future conditions will be addressed hereinbelow. Exhibit "J" attached hereto, contains numerous model results prepared and distributed by DWR, both as part of its public notice process for water transfers, and for its Temporary Barrier program. As is obvious from Exhibit "J", [see ATT 10] the model results sometimes show that the model "believes" water quality is worsening when it in fact is getting better and sometimes thinks water quality is getting better when it is worsening. The model therefore is not accurately describing how flows and quality are changing under different circumstances. In the DEIR, the model takes inputs of current conditions, then calculates what the conditions will be over a certain amount of time (the "Base Case"). Then the DEIR assumer input different conditions pursuant to the project and calculate what the	Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding DSM2 model calibration and validation, use of model results, and suitability for use to support water quality impact determinations. The comment assertion regarding the DSM2 model is not correct, as described in Common Response 10. DSM2 model is the best available tool to use to evaluate changes in water quality in the Delta due to project operations. DSM2 stage, flow and salinity results for the model version used for this EIR were fully calibrated and validated at several locations in the Delta including at a few locations in the south Delta, where the model is replicating historical data reasonably well. For this EIR, the model boundary conditions (Delta inflows and salinity from rivers) are updated to reflect the without project or base case and with project conditions. Since the boundary conditions are the only changes to DSM2 when it is used for evaluating impacts of the project in this EIR, the model is expected to provide results of same caliber as the calibration and validation, and thus allow us to use it to compare a project alternative to a base case to illustrate the effects of project operations. It is likely that the DSM2 version commenter is referencing “Exhibit J” is the same version used for the EIR. In addition, the results the comment is referring to are being driven by multiple variables, including the climate change scenario, that are independent of the operation of the Delta Conveyance Project. DSM2 is reliable for calculating and disclosing the effects of the operation of the Delta Conveyance Project.

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	conditions will be over that same time frame (the "With Project" case). Comparing the two then allows the DEIR to make conclusions about if or to what degree the project causes impacts. However, if the model's internal calculations "think" water quality is getting better when in fact it is getting worse there is no basis for relying on the results for either the Base Case or the With Project case. Something is fundamentally wrong with the model's ability to describe how the system works if the model can't show water quality changing similar to after changes occurring in real life. The model in this case is calculating some sort of interactions that are bettering water quality when those interactions are actually worsening water quality. The reasons why the model is "getting it wrong" are perhaps irrelevant at this point, but by showing the opposite of what is or will happen indicates how serious the problem is. The only possible conclusion in this circumstance is that the model is not reliable in calculating effects of a project. If it is not reliable in determining if certain conditions improve or worsen water quality it cannot be used to compare water quality under two slightly different scenarios.	
495-9	The second flaw in the DSM2 model is well known yet remains unaddressed. In the SWRCB [State Water Resources Control Board] hearings on the WaterFix Change Petition by DWR and USBR [United States Bureau of Reclamation], SDWA [South Delta Water Agency] presented evidence of recent channel soundings it performed. Those soundings showed that in certain channel reaches the channel depth had degraded significantly. SDWA also showed that the DSM2 model's inputs were of old channel depths and were not reflective of the current channel cross sections.	Please refer to response to comment 495-8 regarding DSM2 model calibration and validation, use of model results, and suitability for use to support water quality impact determinations. As described in Common Response 10, Surface Water Quality and Groundwater Resources, the representation of the channels in DSM2 are the best available information and provide sufficient detail for disclosing the level and magnitude of change to water quality under the operating conditions of the Delta Conveyance Project. As noted in Common Response 10, the latest calibrated and validated version of DSM2 (version 8.2.0) was used to help determine the project's water quality impacts. Chapter 5 Surface Water,

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	As a result of this, and in an effort to gather better data for numerous purposes, DWR and SDWA each took soundings of different halves of the southern Delta channels in 2020-2021. That data is now with DWR for use in a number of processes, including the updating of DSM2. DWR has known of course about the age of its data for many years. This inaccurate data becomes very important when doing any modeling. For example, the DSM2 model contains calculations that "predict" how water flows through the southern Delta channels, how much water flows, and what happens to that water. Higher tides or increased inflow can increase flows down channels. The amounts in the channels are determined by the cross sections which delineate the volume of the channels and the calculations then determine the volume of flow. Other inputs such as temperature and source water constituents determine how the quality of the water might change as it moves back and forth through the channels. If DSM2 believes a channel has a certain capacity but in fact the capacity is one half that due to siltation, then the DSM2 calculations are calculating changes that are not occurring. If only half the water is moving through the channel, the diversions are taking a larger percentage of the total and less water is moving through a segment. Less water means that temperature will change more quickly, the water has less assimilative capacity for constituents and other reaches may not be getting enough water. Hence DSM2 is calculating conditions for a hypothetical set of channels and not the actual channels. Exhibit "K" attached hereto [see ATT 11] are recent pictures of Middle River from the Undine Road bridge showing	Appendix 5A, Section C Modeling Technical Appendix- One Dimensional Delta Hydrodynamic and Water Quality Modeling Results, provides additional background on the version of the DSM2 modeling used to support the impact analysis presented in the EIR. Although sounding data of some south Delta channels may have been collected in 2020 and 2021, updating and validating the DSM2 modeling is a very lengthy process and any changes to the model based on the data noted in the comment would not be accomplished in time for use in the EIR.

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	a sand bar exposed in the channel. This is adjacent to a site included in the 2018 channel soundings taken at SDWA's request. Exhibit "L" attached hereto [see ATT 12] is the testimony from Thomas Burke PE during the recent WaterFix Change Petition hearing. That testimony includes his analysis of the differences between Middle River cross sections as are in DSM2 and the cross sections performed for SDWA. Page 19 of that testimony shows that DSM2 "believes the deepest part of the channel at location MR2 is minus 4 feet MSL, while the 2018 soundings show the deepest part to be plus 3 feet MSL. That is a seven-foot difference. The model thus "thinks" the channel is seven feet deeper than it is and thus thinks the additional water which would fill those seven feet is moving up and down Middle River. Obviously DSM2 is incorrectly calculating the flows and changes in flow in that location. The pictmes in Exhibit "L" indicate the channel has even less depth now. This flaw in DSM2 may partially or fully explain why, as presented above, it does not accurately predict water quality or stage at some times. DWR's response to these criticisms is to cite to the times when the model more closely reflects actual conditions, but that does not mean the model is accurate or reliable. When the decreased channel capacity has less effect on the model results, then perhaps the model functions in an acceptable manner. That does not excuse or mitigate for the times when it "thinks" water quality is getting better when it is actually getting worse. The purpose of an EIR is to evaluate a project's effects on the environment. If the model cannot accurately depict conditions in times of low flow, or high salinity, it cannot accurately determine what the project's effects are at those times. Because of the defects in	

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	DSM2, the DEIR does not accurately estimate the project's effects on southern Delta agriculture (or other environment concerns, and is therefore, deficient).	
495-10	DSM2 Comparative vs. Predictive. The DEIR at various places states that the modeling, including DSM2 is used as a comparative tool and not as a predictive tool. By this, the authors mean that when comparing a Base Case scenario to a With Project scenario the differences indicate the effects of the project, but the exact results should not be taken as reflective of what actual conditions would be. Of course, models are calibrated such that they are made to operate as close to reality as possible, but the results are not predictions of the future. The problem with this approach is that it makes the model results meaningless. The DEIR analyzes the effects on EC (salinity changes) in Chapters 9 and 15 and Appendix 9. The results in those analyses are then compared to the Salinity Standards and the DEIR concludes no significant impacts will occur. However, if the model is not predictive, the results cannot be then used to compare them against any standard. If DSM2 tells us the project will increase EC by 100, but that will not make the channel EC rise above standard, they are saying that the 100 EC should be added to the Base Case model EC for that same channel. That is contrary to the statements that the model is comparative and not predictive. If the Base Case numbers are only comparative, then the Base Case EC is not what the actual EC is and cannot be used to determine how effects are occurring.	The DSM2 simulations are correct for the inputs for Delta inflow rates and water quality, facilities operations, and other baseline conditions described in Appendix 5A, Modeling Technical Appendix. As a calibrated and verified model, the DSM2 results are meaningful and representative of water quality for these inputs. The DSM2 results are not “predictive” in the sense that model results for water years 1922–2015 do not predict what water quality conditions were in 1922–2015. The purpose of the modeling is not to replicate historical conditions. The purpose of the modeling is to layer a set of baseline conditions (e.g., operating rules) on the historical hydrology, then apply the project alternatives to the baseline condition to see how Delta water quality could be affected through comparative analysis. Please refer to Common Response 10, Surface Water Quality and Groundwater Resources, regarding DSM2 model calibration and validation, use of model results, and suitability for use to support water quality impact determinations.

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	As discussed above, the DSM2 model sometimes "thinks" EC is getter better when it is getting worse and sometimes its Base Case is substantially different that the measured EC. If for example the model thinks the EC is 500 when it is actually 600, then the 100 EC effect of the project could in reality be causing an exceedance of the Salinity Standard (600 + 100 = 700). In that circumstance the DEIR thinks there is no violation (500 = 100 = 600). Unless the change in EC calculated by the model is compared to actual EC in the channel the DEIR is not making any rational prediction about whether or not, or the extent to which there are significant project effects.	
495-11	To make matters worse, the DEIR compares monthly average EC for comparison to the modeled effects. Monthly averages for the entire period are meaningless for comparison purposes. The effects of a project are the effects at any particular time and place. If there is high EC in June and the project cause an increase of 100 EC, that is completely different than if the June EC is low and the project causes an increase of 100 EC. Using averages masks the adverse impacts from the project. Mixing the extremes together and calculating averages hides those conditions and prevents any meaningful analysis. Given that agricultural crops can be impacted by EC during the seedling stage or during an entire season, any analysis must begin with what the conditions are in any time or year. The project may have no effect on crops in a "flood" year even if it causes a substantial increase in EC, whereas it might cause extreme impacts in a drought year. A farmer who loses his/her crop due to a 100 EC increase from the project does not somehow escape damage because "on average the impact is small." This point has been made to DWR many times, especially in the WaterFix Petition hearings, yet remains unanswered and unaddressed.	Please see Common Response 10, Surface Water Quality and Groundwater Resources, regarding the presentation of data and use of monthly averages in impact analysis. In addition, water quality for crops is evaluated in Chapter 15, Agricultural Resources, Impact AG-3, and shows impacts would be less than significant.

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495-12	ACCOMPANYING COMMENTS Submitted along with these comments are the comments and materials prepared Thomas Burke, PE of Hydrologic Systems. Mr. Burke's comments are attached hereto as Exhibit "'M" [see ATT 13]. Those materials both further explain some of the criticisms above and provide examples of the specific impacts of the project on southern Delta salinity. By analyzing the actual daily impacts, rather than using monthly averages, it is clear that at certain times the project adversely impacts agriculture in the south Delta.	Please see Common Response 10, Surface Water Quality and Groundwater Resources, which explains that DSM2 runs on a 15-minute timestep so that it can effectively track and address the effects of tides on Delta hydrodynamics and water quality. The monthly timestep of the hydrologic inputs from CalSim 3 (e.g., inflows, exports), aggregation and use of DSM2 output on a sub-monthly basis was done on a very limited basis. Please refer to Chapter 9, Water Quality, which uses probability of exceedance plots and tables with constituent levels averaged by water year type. Each exceedance plot presents 93 individual monthly average data points. These 93 data points address all five water year types (i.e., wet, above normal, below normal, dry, and critical). Assessing 93 modeled water quality conditions for a given month for existing conditions and with project operations (as well as the 93 differences between the two scenarios for the month) provides a large number of data points from which to determine whether project operations would have significant impacts on water quality.
495-13	In addition, these comments incorporate and include the materials submitted by San Joaquin County including comments made by Dr. Jeff Michael of JHM Economics and Gil Cosio P.E., of River Island Consulting. SDWA [South Delta Water Agency] cites here, as pointed out by Mr. Michael, the DEIR analyzes only the smallest amount of exports taken by the Delta Conveyance Facility even though the DEIR contains numerous statements about future increased exports. If the Delta Conveyance facility does indeed export more water than stated in the DEIR, there will be no analysis of the consequent impacts.	The EIR fully evaluates potential changes in exports given the operational constraints and criteria described in Chapter 3, Description of the Proposed Project and Alternatives, and is accurately represented throughout the EIR by CalSim 3 hydrologic modeling results, and other quantitative modeling results from tools that use output from CalSim 3. Chapter 3 identifies that the Delta Conveyance Project is not proposing to increase the total quantity of water permitted for diversion under existing DWR water rights. However, as described in Chapter 6, Water Supply, and Appendix 5A, Modeling Technical Appendix, Section B, Hydrology and Systems Operations Modeling, exports would increase during certain times of the year under certain water year types based on the project operations description in Chapter 3. Any increase in exports under project operations is fully evaluated throughout the EIR and is appropriately described in the methodology sections of the resource chapters, Chapters 7 through 32.
495-14	Finally, the DEIR specifically seeks to increase exports which is directly contrary to the mandates of law and the Delta Plan	This comment does not raise a significant environmental issue relating to the proposed project or address the adequacy, accuracy, or completeness

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	which require exports to decrease reliance on water supplies from the Delta.	of the Draft EIR. Please refer to Chapter 2, Purpose and Project Objectives, regarding the purpose of the project and Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, regarding the scope of the purpose and objectives of the project. Please see Common Response 8, Relationship to Other Plans, Projects, Policies, and Programs, regarding the Delta Reform Act and reduced reliance on the Delta. Neither the Delta Reform Act nor the Delta Plan requires exports to decrease reliance on the Delta. As explained in Common Response 8 and Common Response 3, Alternatives Development and Description, in the context of comment-suggested alternatives, it is the obligation of each region that relies on water from the Delta watershed to improve regional self-reliance. Please also see response to comment 495-4 regarding project operations, including bypass flow requirements and diversions during periods of excess conditions in the Delta.
495-15	SUMMARY As set forth above, the DEIR fails to adequately evaluate the impacts of the project on southern Delta agriculture. The DEIR incorrectly assumes that damage to crops only occurs when the Salinity Standards are exceeded, ignoring the scientific data on how EC affects crops under different conditions. The only way to evaluate project impacts is to do follow us analysis based on the work of Michelle Leinfelder-Miles and see if and when additional salinity resulting from the project will either occur during the seedling phase of some crops or will increase soil salinity over a season to the point where the salt tolerance threshold for a crop is exceeded.	Please see response to comment 495-6 regarding use of the Michelle Leinfelder-Miles study to determine crop effects from salinity.
495-16	The DEIR has adopted an approach that uses at least one model that not only does not accurately reflect the hydrodynamics of the southern Delta, but when using that false data compares impacts against averages and/or non-realistic conditions.	DSM2 accurately reflects the hydrodynamics of the southern Delta. As described in Common Response 10, Surface Water Quality and Groundwater Resources. DSM2 is a calibrated and verified model that produces results used not only by DWR but others for planning purposes. Common Response 10 also discusses the use of model results, and

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		suitability for use of those results to support water quality impact determinations.
495-17	Finally, any evaluation of the law yields the conclusion that a project constituted to prevent freshwater flows from entering the Delta is prohibited.	The Delta Conveyance Project would not prevent freshwater flows from entering the Delta. Please see response to comment 495-4 regarding project operations, including bypass flow requirements and diversions during periods of excess conditions in the Delta.
495-18	ATT 1: Voter Information Guide from 1982 Primary	The commenter provided an attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-19	[ATT 2: Notices of Exceedance for 30-day average electrical conductivity values at monitoring locations on the Old River and San Joaquin River.]	The commenter provided an attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-20	ATT 3: Delta Water Quality Conditions for the Sacramento-San Joaquin River Delta and Suisun Marsh, from DWR's Delta Operations Website.]	The commenter provided an attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-21	ATT 4: Report titled "Effects of the CVP Upon the Southern Delta Water Supply, Sacramento-San Joaquin River Delta, California" dated June 1980."	The commenter provided an attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-22	ATT 5: DWR Delta Hydrology Conditions Summary	The commenter provided an attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-23	ATT 6: Soil Salinity Management Fact Sheet from the Agronomy Research and Information Center at University of California, Davis	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-24	ATT 7: Testimony of Terry Prichard before the State Water Resources Control Board	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-25	ATT 8: Testimony of Delta Farmers	The commenter is providing this attachment in support of their comments. The attachment includes testimony of a Delta farmer presented to the State Water Resources Control Board regarding opposition to changes to south Delta water quality objectives for agricultural beneficial uses. Please

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		refer to Chapter 15, Agricultural Resources, which considers how salinity in irrigation water can affect crop yields. Please refer to Chapter 9, Water Quality, which concludes that while there could be some increases in salinity (based on modeled electrical conductivity) at some Delta locations in some months, these effects would be less than significant.
495-26	ATT 9: Leaching Fractions Achieved in South Delta Soils under Alfalfa Culture Project Report Update August 2016	The commenter provided this attachment for reference purposes in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-27	ATT 10: DWR DSM2 Model Results	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-28	ATT 11: Images of Middle River form Undine Bridge	The commenter is providing this exhibit in support of their comments. Those comments are addressed in these responses to the commenter's letter.
495-29	ATT 12: Testimony of Thomas Burke, P.E., during the WaterFix Change Petition Hearing	This testimony is for the California WaterFix project; thus, it does not directly address the Delta Conveyance Project EIR and DWR is not required to respond to comments on projects that are no longer being pursued. However, DWR has reviewed the attachment's content to determine whether the content may be applicable to the proposed Delta Conveyance Project. The following response is provided for those elements of the attachment that are applicable to the Delta Conveyance Project Draft EIR. Common Response 10, Surface Water Quality and Groundwater Resources, discusses the calibration and validation of the DSM2 model, averaging of model results, use of model results, and suitability for use to support water quality impact determinations.
495-30	ATT 13: DCP EIR Comments of Thomas Burke, P.E., of HIS Hydrologic Systems	Please see response to comment 495-29 regarding comments on projects that are no longer being pursued by DWR, as well as information contained in Common Response 10, Surface Water Quality and Groundwater Resources, regarding the DSM2 model and the use of DSM2 model results in the impact analysis contained in Chapter 9, Water Quality, of the EIR.