Bay Delta Conservation Plan
Document Review Comment Form

Please use this form to document your comments to the EIR/EIS Draft Work Plan. Please number your comments in the first column and indicate the page, section, and line number (if provided) that reference the comment's location in the review document.

To be of the greatest value to the document development process, please make your comments as specific as possible (e.g., rather than stating that more current information is available regarding a topic, provide the additional information [or indicate where it may be acquired]; rather than indicating that you disagree with a statement, indicate why you disagree with the statement and recommend alternative text for the statement). Do not enter information in the Resolution column.

Document: BDCP EIR/EIS Draft Work Plan	**Date Comments Requested by: 8/19/2011**
Comments Submitted By: Laura Fujii, Environmental Review Office. Includes comments from our Water Division. Affiliation: Region 9 US EPA NOTE: Review based on quick skim of Work Plan Sections relevant to US EPA jurisdiction and without access to the underlying ADEIS document by the previous EIS consultant.	**Date Comments Submitted: 8/24/11**

NO.	SECTION #	PAGE #	LINE #	COMMENT	RESOLUTION
1	Section 3	3-2		In addition to cumulative impact analysis in each resource chapter consider wrap-up cumulative impact analysis section at end of EIS to provide a consolidated summary of cumulative impacts.	
2	Section 3: Chapter 2 Purpose and Need	3-3		Purpose and Need. ICF will confirm the use of the Purpose and Need statement with the Federal Lead Agencies (and, if appropriate, USACE and EPA). There is no need for ICF to do this. Federal Lead and Cooperating Agencies have concurred with the most recent revision of the Purpose and Need Statement. We recommend ICF compare the most recent Purpose & Need Statement with DWR's Project Objective(s) to assure no inconsistency.	
3	Operations or Governance Section			EIS should describe the assurances and governance processes being provided to ensure program-level actions (conservation) are implemented in parallel or before project-level actions (conveyance).	
4	Section 3: Chapter 5 Water Supply	3-6		Reference is made to existing Section 4.1.3 which states that 'any reduction in water deliveries "is assumed to be a significant effect". ' It is unclear from the Work Plan whether ICF intends to continue this assumption. EPA does not agree with the stated assumption.	

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5	5	Section 3: Chapter 5 Water Supply	3-6		In portraying water supply deliveries, it is acceptable to disclose any deficit water to contract amounts but historic deliveries must be portrayed as well.	
6	6	Section 3 : Chapter 5 Water Supply	3-7		The narrative states no effects were simulated for San Joaquin River inflows to the Delta or effects for Sacramento since the BDCP would have few effects on reservoir operations. *Recommendation:* The EIS should include a description and effects evaluation of potential changes in SWP/CVP operations system-wide as a result of BDCP, e.g. which reservoirs could be operated differently; how would operations change the intensity, magnitude and timing of reservoir releases.	
7	7	Section 3: Chapter 7 Groundwater	3-13		The groundwater chapter should look at potential increased irrigation on the westside and the resultant effects on selenium discharges to groundwater and surface water. EPA's reexamination of selenium criteria is casting doubt on the protectiveness of existing standards. Other analyses of increased irrigation in the westside show increased selenium in surface and ground water. If this condition results from one or more BDCP alternatives, the PEIS should provide a detailed analysis of the impacts and technical, economic, and political feasibility of mitigation.	
8	8	Section 3: Chapter 7 Groundwater	3-13		The narrative states that major groundwater effects will be localized near-surface changes in seepage which could require drainage for agricultural lands such as tile drains. *Recommendation:* Consider description and evaluation of the effects of major mitigation measures such as tile drains, and other major infrastructure.	
9	9	Section 3: Chapter 8 Water Quality	3-14		Revision recommendations would focus on effects of reservoir operations on water quality especially salinity and EC, evaluating only changes to water quality caused by BDCP alternatives. *Recommendation:* the EIS should consider other key water quality issues such as temperature, heavy metals, timing and magnitude of flows that affect transport, water chemistry and residence time. We recommend caution when considering reducing the breadth of the effects analysis for water quality.	

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10	10	Section 3: Chapter 8 Water Quality	3-14		A BDCP Water Quality Effects diagram would be a very good idea. This analysis needs to integrate spatial, hydrologic, and biological variables and to interpret effects with respect to beneficial uses under specific, relevant conditions. Understanding the implications of a change in one water quality parameter often requires 'context,' which may include parameters that have not altered as a result of BDCP. Thus, it is not clear that the recommended simplification of parameters is appropriate.	
11	11	Section 3: Chapter 8 Water Quality	3-14		ICF Recommendations states: "Only water quality effects that already are identified with sufficient data to represent the existing and no - action conditions can be used in an impact assessment framework. This allows water quality impact assessment to focus on clearly identified water quality effects (about 10)." *Recommendation:* Please state the 10 identified water quality effects that will be the focus of the water quality impact assessment.	
12	12	Section 3: Chapter 8 Water Quality	3-14		EPA recommends several water quality constituents for evaluation, including--in addition to salinity--boron, total organic carbon, dissolved oxygen, pesticides, mercury, selenium, toxicity of unknown origin, organic carbon, bromide, methylmercury, and ammonia. For additional parameters, EPA suggests that the EIS/EIR team build upon the approach to water quality indicators begun in the CALFED Program, adding contaminant topics where appropriate (e.g., ammonia).	
13	13	Section 3: Chapter 8 Water Quality	3-15		ICF Recommendations state: "Because the BDCP will not change upstream reservoir operation rules, there will be very small changes in upstream storage or releases, and little change in temperature or dilution effects. Therefore, temperature could be eliminated as an upstream parameter in the impact assessment." EPA questions this approach, as it appears to undermine analysis of the relationship of water quality to beneficial use conditions. We request further information regarding the underlying rationale for the ICF recommendation.	

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14	14	Section 3: Chapter 11 Fish and Aquatic Resources	3-20		We note the need for an integrative analytical methodology. EPA has given this issue considerable thought and would like to assist, in conjunction with the State Board.	
15	15	Section 3: Chapter 29 Climate Change	3-55		The EIS may need to clarify that the Climate Change chapter focuses on the effect of climate change on BDCP and project adaptation measures, while BDCP effects on GHG emissions and climate change are addressed in the Air Resources and GHG chapter.	
16	16	Section 3: Chapter 31 CEQA Effects of the Proposed Project and Alternatives	3-57		The Recommendations state there was a decision to remove CEQA-specific language and analysis from specific resource chapters to an CEQA effects chapter. The EIS should describe the rational for the decision to have a separate CEQA Effects chapter, and pros and cons of such an approach.	

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