

3 Comments and Individual Responses

3.1 Introduction

This chapter contains the comment letters received on the Draft EIR/EIS followed by individual responses to those comments not addressed in the Master Responses. Section 3.2 describes the format of the responses to comments. Commenters, their associated agencies, and assigned letter identifications are listed in Section 3.3. Section 3.4 presents the comment letters received on the Draft EIR/EIS and the responses to those comments that are not addressed in Master Responses.

3.2 Format of Comments and Responses

Comment letters and responses to comments are arranged in the following order:

- Section A: Federal Agencies
- Section B: State Agencies
- Section C: Local Agencies
- Section D: Others

Each letter and each comment within a letter have been given an identification number. Responses are numbered so that they correspond to the appropriate comment. Where appropriate, responses are cross-referenced between letters or with a master response.

As noted previously, public hearings on the Draft EIR/EIS were conducted in Antioch, Sacramento, and Concord; however, no public comments were received at these hearings.

3.3 List of Commenters

Table 3-1 provides a list of all agencies and persons who submitted comments on the Draft EIR/EIS during the public review period.

Table 3-1 List of Commenters			
Commenter	Agency	Letter ID	Page Number
Section A: Federal Agencies			
Mr. Duane James, Manager, Environmental Review Office	U.S. Environmental Protection Agency (Region IX)	EPA	3-5

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Table 3-1 List of Commenters			
Commenter	Agency	Letter ID	Page Number
Section B: State Agencies			
Ms. Gita Kapahi, Chief, Special Projects Unit	State Water Resources Control Board	SWRCB	3-9
Ms. Katherine F. Kelly, Bay Delta Office Chief	California Department of Water Resources	DWR	3-12
Mr. Dwight E. Sanders, Division of Environmental Planning and Management Chief	California State Lands Commission	SLC	3-23
Mr. Timothy C. Sable, District Branch Chief	California Department of Transportation	DOT	3-26
Section C: Local Agencies			
Ms. Debra Monterosso, Senior Air Quality Specialist	San Joaquin Valley Air Pollution Control District	SJVAPCD	3-30
Mr. Jeffrey D. Conway, District Manager	Reclamation District 800	RD800	3-34
Messrs. Stanley M. Williams, SCVWD CEO, and Dale Meyers, Zone 7 Water Agency General Manager	Santa Clara Valley Water District and Zone 7 Water Agency	SCVWD&Zone7	3-37
Mr. Jon D. Rubin, Attorney	San Luis Delta-Mendota Authority and Westlands Water District	SLDMA&WWD	3-43
Ms. Laura J. Simonek, Environmental Planning Team Manager	Metropolitan Water District of Southern California	MWD	3-134
Mr. Dante J. Nomellini, Attorney	Central Delta Water Agency and Reclamation District 2040	CDWA&RD2040	3-138
Mr. John Herrick, Counsel and Manager	South Delta Water Agency	SDWA	3-184
Mr. Clifford W. Schulz, Attorney	Kern County Water Agency	KCWA	3-186
Section D: Others			
Mr. Terry Erlewine, General Manager	State Water Contractors	SWC	3-189
Mr. David A. Forkel, Assistant General Manager	Delta Wetlands Project	DWP	3-193
Mr. Graydon Nichols, General Partner	Victoria Island Farms	VIF	3-195

3.4 Comments and Responses

3 Comments and Individual Responses

Section A: Federal Agencies



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

July 17, 2006

Erika Kegel
Project Manager
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Subject: Draft Environmental Impact Statement (DEIS) for Contra Costa Water District's Alternative Intake Project (CEQ #20060177)

Dear Ms. Kegel:

The U.S. Environmental Protection Agency (EPA) has reviewed the DEIS referenced above. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. Our comments are provided in accordance with the EPA-specific extension to the comment deadline date from June 26, 2006 to July 17, 2006 (telephone conversation between Laura Fujii and Samantha Salvia, CCWD Project Manager, May 10, 2006).

The primary purpose of this project is to protect and improve the quality of water delivered to Contra Costa Water District's (CCWD) untreated- and treated-water customers. The project would enable CCWD to consistently meet current and future drinking water standards, improve operational flexibility, and protect delivered water quality during emergencies. Although the project would change the location, timing, and quality of some of CCWD's existing diversions, it would not increase CCWD's total Delta diversion capacity, water supply demand, or quantity of water delivered to its service area each year.

The project would result in permanent conversion of 6 to 8 acres of rural agricultural land and short-term construction emissions of criteria air pollutants. Mitigation measures are proposed to avoid and minimize these effects. There would be a beneficial reduction of fish losses from entrainment and impingement at existing CCWD Delta intakes.

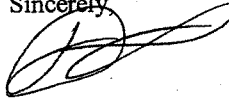
EPA supports the project purpose and has rated the DEIS as Lack of Objections (LO) (see enclosed "Summary of Rating Definitions). While we support the Proposed Action, we note that Alternative 3, Modified Operations, provides the greatest benefit to

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fisheries. The Final EIS (FEIS) should include additional quantified estimates of the fisheries benefits of Alternative 3 and the feasibility of implementing this alternative.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one copy to the address above (mailcode: CED-2). If you have any questions, please contact me at 415-972-3988 or Laura Fujii, the lead reviewer for this project at 415-972-3852 or fujii.laura@epa.gov.

Sincerely,



Duane James, Manager
Environmental Review Office

Enclosure: Summary of EPA's Rating Definitions

- cc: Samantha Salvia, Contra Costa Water District
- Steve Thompson, U.S. Fish and Wildlife Service
- Rodney R. McInnis, NOAA National Marine Fisheries Service

Letter
EPA
Response

United States Environmental Protection Agency
Duane James, Manager, Environmental Review Office
July 17, 2006

EPA-1 Alternative 3, Modified Operations Alternative, proposes a modified operation of CCWD intakes with a combined diversion rate from Old River and the proposed new intake on Victoria Canal of up to 320 cfs, while keeping CCWD's overall Delta diversion rate the same. This alternative was developed in response to suggestions by the National Marine Fisheries Service to explore operational strategies that would reduce the use of unscreened Delta intakes. The Draft EIR/EIS includes a comparison of the net entrainment/impingement losses associated with Alternative 3 in Table 4.3-7 for various fish species. This analysis was based on operational modeling data combined with fish monitoring data in the vicinity of CCWD intakes and provides the best available estimate of potential fisheries benefits associated with Alternative 3. While Alternatives 1, 2, and 3 would all result in a net benefit to fisheries in terms of reduction in entrainment/impingement losses, the benefits of Alternative 3 would be somewhat greater, particularly for striped bass. Implementation of Alternative 3 would be very similar to Alternatives 1 and 2. The primary difference would be in the complexity of the water rights modifications required to allow shifting of CCWD diversions among its intakes. The final choice of an alternative will take into account factors such as regulatory and technical feasibility and comparative benefits and detriments.