Letter CDWA & RD2040 Response

Nomellini, Grilli & McDaniel
Professional Law Corporations
Dante John Nomellini, Attorney for Central Delta Water Agency and Reclamation District No. 2040
June 26, 2006

CDWA&RD2040-1 See Master Response 3, "Rock Slough Water Quality Standards and Compliance."

CDWA&RD2040-2 See Master Response 6, "Project Relationship to CALFED Goals, Delta Improvements Package, and Future Delta Water Quality."

CDWA&RD2040-3 The Alternative Intake Project would not set a precedent for a peripheral canal or other similar facility. The peripheral canal proposed in the 1970s would have been about 44 miles long with a conveyance capacity of over 20,000 cfs, designed to transport vast amounts of water from the Sacramento River to the export facilities in the south Delta. The Alternative Intake Project would be a small (2.5-mile pipeline and intake capacity of 250 cfs), local, in-Delta project serving an in-Delta user. The essence of the peripheral canal idea is that it would completely re-route large flows around the Delta. The Alternative Intake Project would ensure that CCWD could continue diverting water *within* the Delta. Unlike a peripheral canal, the Alternative Intake Project would not result in either a change in annual average inflows through and to the Delta, or and a change in average diversions from the Delta. Permitting the Alternative Intake Project would not provide any precedent for a large export facility, like the peripheral canal, that would cause major environmental impacts to the Bay-Delta system.

CDWA&RD2040-4 The comment suggests that seeking a new area of origin right might be a better alternative to the Proposed Action. CCWD and Reclamation examined a wide range of alternatives to meet the Alternative Intake Project purpose and need/objectives, including new sources of water (see Chapter 3, "Alternatives, Including the Proposed Action," and Appendix B, "Alternatives Screening," of the Draft EIR/EIS). A new area of origin water right would not meet the project's primary purpose of water quality improvement.

With existing CCWD facilities, a new area of origin water right would not change the *quality* of CCWD's Delta diversions. Diversions to storage during spring, when Old River salinity tends to be lower than Victoria Canal salinity, are limited by water quality (CCWD only fills Los Vaqueros when salinity in Old River

is low, usually 50 mg/L chlorides or below) and by the terms and conditions of CCWD's biological opinions for protection of listed fish species, not by lack of supply or sufficient water rights. Water quality in spring is currently sufficient to fill Los Vaqueros Reservoir in most years. The problem CCWD faces is poor water quality in fall, which limits how much water can be diverted directly from the Delta and increases what must be released from Los Vaqueros Reservoir to meet CCWD's water quality objectives. The Alternative Intake Project would address this problem by providing better water quality from Victoria Canal in fall and reducing water releases from Los Vaqueros Reservoir for blending in fall. A new area of origin water right for CCWD's existing facilities would not address this problem.

CDWA&RD2040-5 The Proposed Action is expected to be highly effective in protecting CCWD's water quality during both localized emergencies (by allowing flexibility in the operating system) and general emergencies (by allowing Los Vaqueros Reservoir to maintain greater storage levels, on average). A variety of desalination project configurations were considered in the Alternatives Analysis (see Chapter 3, "Alternatives, Including the Proposed Action," and Appendix B, "Alternatives Screening," of the Draft EIR/EIS) and one desalination alternative was carried through for detailed evaluation in the Draft EIR/EIS to compare the environmental effects of such an alternative to the Proposed Action. As discussed in Section 4.5.2.1 of Appendix B, "Alternatives Screening," of the Draft EIR/EIS Volume II, desalination is much more expensive than the Proposed Action in terms of cost per quality benefit due to the high costs of construction and operation associated with desalination plants. The final selection of an alternative will take into account factors such as economic and technical feasibility and comparative benefits and detriments.

CDWA&RD2040-6 See Master Response 7, "Agricultural Analysis."

CDWA&RD2040-7 See Master Response 7, "Agricultural Analysis."

CDWA&RD2040-8 See Master Response 7, "Agricultural Analysis."

CDWA&RD2040-9 As described in Section 4.5, "Local Hydrology and Water Quality," of the Draft EIR/EIS Volume I, CCWD would coordinate with RD 2040 to develop the project in a way that meets the RD 2040 standards for flood protection. This may include constructing temporary structures, such as a raised

cofferdam at the tunneling pit, as required to prevent flooding during construction.

CDWA&RD2040-10 Comment noted. See response to Comment RD800-2.

CDWA&RD2040-11 See Master Response 1, "Delta Water Quality Analysis" and Master Response 2, "Delta Water Level Analysis."

CDWA&RD2040-12 See Master Response 2, "Delta Water Level Analysis."

CDWA&RD2040-13 The Proposed Action would not increase CCWD's total diversions (rate or average annual quantity). Although the timing and location of diversions would shift, CCWD's Delta diversions would not increase on an average annual basis. The new pump station and pipeline would be designed for a maximum diversion of 250 cfs.

CDWA&RD2040-14 See Master Response 5, "Cumulative Analysis."

SDWA

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June 26, 2006

Via Fax 916 978-5094
Ms. Erika Kegel
Bureau of Reclamation Project Manager
2800 Cottage Way
Sacramento, CA 95825

Via Fax (925) 686-2187
Ms. Samantha Salvia
CCWD Project Manager
P. O. Box H20
Concord, CA 94524

Re: Draft EIR/EIS for Contra Costa Water District's Alternative Intake Project

Dear Ms. Kegel and Ms. Salvia:

The South Delta Water Agency joins the comments previously submitted by the Central Delta Water Agency. SDWA-1

Please call me if you have any questions or comments.

Very truly yours,

JOHN HERRICK

JH/dd

Letter	South Delta Water Agency
SDWA	John Herrick
Response	June 26, 2006

SDWA-1 See responses to CDWA's comments.

KCWA

KRONICK MOSKOVITZ TIEDEMANN & GIRARD
A PROFESSIONAL CORPORATION

CLIFFORD W. SCHULZ

June 26, 2006

Samantha Salvia
CCWD Project Manager
P.O. Box H2O
Concord, CA 94524

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

Re: Kern County Water Agency – Comments on Contra Costa Water District's Alternative Intake Project Draft Environmental Impact Report

Dear Ms. Salvia and Ms. Kegel:

The Kern County Water Agency ("Kern"), in cooperation with the State Water Contractors ("SWC"), has reviewed the Contra Costa Water District's Alternative Intake Project Draft Environmental Impact Report/Environmental Impact Statement .

The AIP would add a new, 250 cubic foot per second (cfs) screened water intake and pump station located along the lower third of Victoria Canal on Victoria Island in the central Delta where water quality is typically better than at CCWD's existing intakes. A buried pipeline would extend 12,000-14,000 feet from the new intake across Victoria Island and beneath Old River and tie into CCWD's existing Old River conveyance system on Byron Tract. The Proposed Action would involve adding a new point of diversion to certain existing water rights held by CCWD and by the U.S. Bureau of Reclamation (USBR).

Kern, by this letter, incorporates as Kern's comments on the AIP DEIR/EIS the comments that you have received from the SWC. In particular, Kern wishes to emphasize that The AIP should only proceed as part of a balanced Delta Improvements Package, and in a manner that will ensure that water quality improvements for CCWD do not degrade water quality for others. KCWA-1

Thank you for the opportunity to review the AIP DEIR/DEIR.

Very truly yours,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

Clifford W. Schulz
Attorney for Kern County Water Agency

DOCS 827080.1 50502

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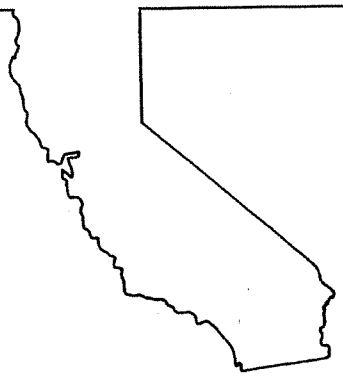
Letter **KCWA** Response	**Kronick Moskovitz Tiedemann & Girard** **Clifford W. Schulz, Attorney for Kern County Water Agency** **June 26, 2006**

KCWA-1 See responses to SWC's comments and Master Response 6, "Project Relationship to CALFED Goals, Delta Improvements Package, and Future Delta Water Quality."

Section D: Others

SWC

State Water Contractors
1121 L Street, Suite 1050 • Sacramento, CA 95814-3944
Terry L. Erlewine - General Manager (916) 447-7357 • FAX 447-2734



June 26, 2006

Ms. Samantha Salvia
CCWD Project Manager
P.O. Box H2O
Concord, CA 94524

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

Re: SWC Comments on Contra Costa Water District's Alternative Intake Project Draft Environmental Impact Report

Dear Ms. Salvia and Ms. Kegel:

We have reviewed the Contra Costa Water District's Alternative Intake Project Draft Environmental Impact Report/Environmental Impact Statement (AIP DEIR/EIS). Contra Costa Water District (CCWD) is proposing the AIP to protect and improve drinking water quality for its customers.

The AIP would add a new, 250 cubic foot per second (cfs) screened water intake and pump station located along the lower third of Victoria Canal on Victoria Island in the central Delta where water quality is typically better than at CCWD's existing intakes. A buried pipeline would extend 12,000-14,000 feet from the new intake across Victoria Island and beneath Old River and tie into CCWD's existing Old River conveyance system on Byron Tract. The Proposed Action would involve adding a new point of diversion to certain existing water rights held by CCWD and by the U.S. Bureau of Reclamation (USBR).

The State Water Contractors (SWC) is an organization representing 27 public water agencies[1] operating within California who contract with the California Department of Water Resources

[1] Alameda County Zone 7 Water Agency, Alameda County Water District, Antelope Valley-East Kern Water Agency, Casitas MWD on behalf of the Ventura County Flood Control District, Castaic Lake Water Agency, Central Coast Water Authority on behalf of the Santa Barbara FC&WCD, City of Yuba City, Coachella Valley Water District, County of Kings, Crestline-Lake Arrowhead Water Agency, Desert Water Agency, Dudley Ridge Water District, Empire West-Side Irrigation District, Kern County Water Agency, Littlerock Creek Irrigation District, The Metropolitan Water District of Southern California, Mojave Water Agency, Napa County FC&WCD, Oak Flat Water District, Palmdale Water District, San Bernardino Valley MWD, San Gabriel Valley MWD, San Gorgonio Pass Water Agency, San Luis Obispo County FC&WCD, Santa Clara Valley Water District, Solano County Water Agency, and Tulare Lake Basin Water Storage District.

(DWR) for water supplies from the State Water Project (SWP). The SWP supply delivered through the Sacramento-San Joaquin Delta (Delta) constitutes a significant portion of the supplies available to SWC members. SWC members need good quality water to supply their customers water for a combination of purposes including human consumption, and industrial and agricultural use. In recent decades, the need for more intensive water management has increased the importance of good quality water for meeting urban water recycling needs and other purposes. As a result, the SWC is very interested in matters affecting the quality of water supplies in the Delta.

The SWC is providing comment on this Draft EIS/EIR as a potentially affected public agency.

AIP Would Transfer Salt to Downstream Users

The AIP would enable CCWD to select between alternative water sources and leave the saltier water for downstream users. However, the SWP (including SWC members) and the Central Valley Project (CVP) are downstream much of the time. The AIP represents the classic conflict between upstream and downstream water users. When CCWD withdraws superior quality water upstream, it results in significant water quality impacts to downstream users.

In Impact 4.2-c, CCWD asserts, "Modeling results show that water quality changes caused by the Proposed Action would be too small to adversely affect Delta diversions or other beneficial uses. Therefore, this indirect impact would be less than significant." The SWC disagrees with CCWD's less than significant determination. An analysis by Metropolitan Water District of Southern California, using a 71-year-long Fisher Delta Model, shows that as currently proposed, the AIP would remove salt from CCWD's water supply but would add 7,500 tons of salt per year to Metropolitan's water supply (approximately double the salt load computed from CCWD's analysis.) Greater amounts of salt in the water interfere with water recycling, groundwater recharge, and ability to comply with wastewater discharge permits; cause industrial users to incur extra treatment costs for cooling towers, boilers, and manufacturing processes; laundry detergents work less effectively, plumbing fixtures and home appliances wear out faster; and water also begins to have an undesirable taste, resulting in increased buying of bottled water or home treatment devices. This added salt costs SWC urban agencies ratepayers millions of dollars per year; costs for Metropolitan Water District ratepayers from the additional 7,500 tons of salt load are estimated to be about $3.3 million per year[2] and similar costs would be imposed on other SWC urban agencies in proportion to the amount of water supply they receive. The AIP also shifts salts to the supplies of SWC agricultural agencies resulting in additional salinity management costs for them as well. SWC-1

The EIS/EIR must evaluate the full environmental impacts of transferring salt from one user to another and propose appropriate mitigation to minimize those impacts. As an example, CCWD could minimize impacts to SWC members by scheduling their AIP operations to minimize impacts.

[2] The Metropolitan Water District and US Bureau of Reclamation, Salinity Management Study, June 1999.

AIP Operations Would Negatively Impact SWP & CVP Project Operations

In Impact 4.2-b, CCWD asserts, "The modeling analysis shows that there would be no significant changes in water quality at Jersey Point, Rock Slough, and other key Delta stations that would result in the violation of water quality standards or require significant changes to the CVP/SWP operations to avoid water quality violations at those stations. Therefore, this direct impact would be less than significant." With the AIP, CCWD proposes less pumping from its Rock Slough intake. Less pumping would reduce water circulation in the Slough, and result in more stagnation and poorer water quality at this water quality compliance station, making it more difficult for the SWP and CVP to meet water quality objectives including D-1641. CCWD must address impacts on the SWP and CVP operations in the AIP EIS/EIR and provide appropriate mitigation, such as lending its support to removing or moving the compliance station from Rock Slough. SWC-2

Cumulative Impacts Are Not Adequately Addressed

The AIP EIR/EIS asserts on page 4.2-52 the following: "Based upon the available information in the Planning Report and studies completed to date, it does not appear that the Los Vaqueros Reservoir Expansion Project and the Proposed Action would result in significant cumulative effects on Delta water supplies, quality, or levels." Only after CCWD defines the combined operation of the AIP and Los Vaqueros Expansion Project will it be possible to technically determine their impact on the SWP and CVP operations. The AIP EIS/EIR needs to adequately address this issue in the impacts analysis. SWC-3

Mitigation Measures Are Available To Reduce Downstream Impacts

The AIP should only proceed as part of a balanced Delta Improvements Package (DIP) that also improves drinking water quality. Balanced implementation of water supply, water quality, ecosystem, and levee improvements is the cornerstone of the CALFED effort. The AIP will improve water quality for CCWD at the expense of water quality for others, including SWC members. The CALFED DIP provides a mechanism to ensure that the AIP goes forward as part of a package that provides necessary water quality improvements. Since CCWD participates in CALFED and supports the DIP and the concepts behind it, CCWD should propose the AIP contingent upon the complete DIP. SWC-4

Thank you for the opportunity to review the AIP DEIR/DEIR. If you have any questions on these SWC comments, please contact me at (916) 447-7357.

Sincerely,

Terry Erlewine,
General Manager

cc: Member Agencies

Letter SWC Response	State Water Contractors Terry Erlewine, General Manager June 26, 2006

SWC-1 See Master Response 1, "Delta Water Quality Analysis."

SWC-2 See Master Response 3, "Rock Slough Water Quality Standards and Compliance."

SWC-3 See Master Response 4, "Los Vaqueros Reservoir Expansion Project Analysis."

SWC-4 See Master Response 6, "Project Relationship to CALFED Goals, Delta Improvements Package, and Future Delta Water Quality."

DWP

THE DELTA WETLANDS PROJECT

June 26, 2006

Ms. Samantha Salvia
Contra Costa Water District
1331 Concord Avenue
Concord, CA 94524

Subject: Contra Costa Water District Alternative Intake Project (AIP)

Dear Ms. Salvia,

The Delta Wetlands Project is in receipt of your Draft Environmental Impact Report/Environmental Impact Statement (DEIR/S) for the above referenced project and is submitting the following comments, as described below.

1. The Affected Environment and Environmental Consequences section of the DEIR/S needs to consider the direct and indirect environmental effects of the AIP on the Delta Wetlands Project or In-Delta Storage Project (IDS). DWP-1

2. The Cumulative Impacts discussion of the DEIR/S must assess the potential cumulative impacts with the Delta Wetlands Project or IDS in operation. DWP-2

For additional information on the Delta Wetlands Project, please refer to the environmental impact report/statement prepared for our project by the State Water Resources Control Board (January 2001) and the US Army Corps of Engineers (July 2001). For additional information on the IDS, the CALFED Feasibility Report dated January 2004 and the 2006 Supplemental Report are also readily available.

Sincerely,

David A. Forkel
Assistant General Manager
Delta Wetlands Project

Cc: Peter Kiel, ES&H

1660 Olympic Boulevard, Suite 350
Walnut Creek, CA 94596
Telephone (925) 932-0251 Fax (925) 932-0277

Letter	The Delta Wetlands Project
DWP	David A Forkel, General Manager, Delta Wetlands Project
Response	June 26, 2006

DWP-1 See Master Response 5, "Cumulative Analysis."

DWP-2 See Master Response 5, "Cumulative Analysis."

VIF

VICTORIA ISLAND

June 23, 2006

Via United States Mail
and E-mail (alternativeintake@ccwater.com)

Samantha Salvia
CCWD Project Manager
Contra Costa Water District
P.O. Box H2O
Concord, California 94524

Re: Contra Costa Water District Alternative Intake Project - Draft Environmental Impact Report/Environmental Impact Statement

Comments of Graydon Nichols, on behalf of Victoria Island Farms and Victoria Island L.P; Eileen Nichols, Carolyn Nichols, Charles C. Nichols, Susan F. Nichols, William R. Zech, and Eileen Nichols Zech Children's Trust

Dear Ms. Salvia:

My name is Graydon Nichols. Together with my wife and adult children, I farm Victoria Island. Victoria Island is an approximately 7,200 acre island in the San Joaquin Delta owned by our family limited partnership, Victoria Island, LP. My family's farming operations are conducted as an integrated single unit under our business name, Victoria Island Farms. Four generations of our immediate family have been actively involved in the daily farming operations since we acquired Victoria Island in 1963.

In 2006 our major crops planted are asparagus, blueberries, tomatoes, alfalfa and potatoes, which we ship to our customers within the United States and abroad. All acreage was planted to crops in 2006. Our Long Term Plan is to develop, produce, pack and ship high-value crops such as blueberries and asparagus. To that end, we have implemented a major expansion into permanent plantings of these two crops, all with underground drip and overhead irrigation systems. We are also developing underground drip irrigation systems for our tomatoes.

As discussed in more detail below, the Draft Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") prepared by the Contra Costa

VIF-1

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Water District ("CCWD") grossly underestimates the adverse impacts the proposed project would have on our farming operations and our land. First, the report's Statement that Alternatives 1, 2 and 3 would result in a "permanent conversion of 6-8 acres of Prime Farmland" conveys the completely erroneous impression that the negative impact on Victoria Island Farms would be quite limited geographically. That is not true: approximately 2,000 acres would be adversely affected. Second, the report overlooks the many different ways in which the proposed project would impair our farm's productivity and the value of our farmland. VIF-1 Cont'd

Because the EIR/EIS seriously understates the adverse economic impact of the proposed project, it necessarily also conveys a misleading impression of the likely cost of the proposed project. This should be of special concern to CCWD decision-makers. Victoria Island Farms and Victoria Island, L.P., must be fully compensated not only for the real property interests that would be acquired by CCWD for the proposed project, but also for the economic losses to our farming operations. These costs will be very substantial, and CCWD must be aware of them as it considers the various alternatives. VIF-2

For the reasons set forth below, we are opposed to Alternatives 1-3, all of which would have serious adverse consequences for our farm and our land. However, I will focus my comments on the preferred Alternative #1. While Alternative #2 would be considerably less disruptive and injurious to our farming operations than Alternative #1 (by minimizing the creation of angled and split fields), in the long run both would have serious detrimental effects. VIF-3

PERMANENT ADVERSE EFFECTS OF ALTERNATIVE #1

1. Permanent Alteration of Drainage Patterns

The construction of the Alternative #1 intake pipeline route would create a compacted area around the 5 ft. buried pipe that would form a barrier to the naturally occurring underground drainage patterns that currently exist. Because the soil around the pipeline must be compacted to a high density, the existing underground drainage patterns within the fields affected by the pipeline route will be altered, with potentially severe negative consequences for our farming operations on those fields. VIF-4

Inadequate drainage and obstructions in the area around the pipeline and surrounding fields will result in a build-up of salts to toxic levels. This build-up, in turn, will reduce productivity. Significant new expenditures will be necessary to

address the problems created by the altered drainage patterns, including, but not limited to: construction of new drainage ditches on either side of the pipeline; increased costs associated with maintaining the new ditches, and construction of new crossings and other improvements necessary to mitigate the negative effects of the altered drainage patterns on traffic in the southwest quarter of Victoria Island.

VIF-4 Cont'd

2. Increased Costs - Farming Split Fields

If fields are divided by Alternative #1, the production costs associated with the angled and split fields will be dramatically increased due to decreased efficiencies in all aspects of farming smaller, oddly shaped fields. This will significantly decrease the efficiency of virtually all farming operations in the approximately 2,000 acre southwest quarter, including irrigation, tractor operations, spraying, etc. As experienced farmers and agronomists know, farming such irregular fields is far less efficient. Unlike the proposed Alternative 1, the other easements on Victoria Island (e.g., for utilities) follow the natural drainage ditches rather than cutting across fields.

CCWD's "Executive Summary" states that Alternative 2 is the same as Alternative 1 "except that the pipeline route from the new intake to the Old River pump station would be indirect, following existing agricultural drainages on Victoria Island. This longer pipeline route could help minimize disruptions to existing agricultural operations on Victoria Island during construction." This assessment grossly understates the difference between the impacts of the two alternatives. First, the detrimental effect of Alternative 1 is permanent, not limited to "disruptions . . . during construction." Second, the EIR/EIS dramatically understates the increased costs Alternative 1 would impose upon Victoria Island Farms, both in terms of increased operating expenses and decreased productivity. Although the projected cost to CCWD of constructing Alternative 2 may be greater than that of Alternative 1, the increased compensation CCWD would have to pay Victoria Island Farms as a result of selecting Alternative 1, would be greater than Alternative 2.

VIF-5

3. The Project's Detrimental Effect on Victoria Island Farms' Long Term Planning

VIF-6

Victoria Island Farms is currently midway through an aggressive and expensive Development Plan to expand our asparagus and blueberry operations. Our plan

is the result of years of substantial research and study, not to mention the very substantial cost to Victoria Island Farms. We are well into the implementation phase, and are proceeding as planned. If Alternative No. 1 is approved, it will severely negatively impact areas of our operations such as packing and sales. We have designed and built our packing operation to handle large volumes of asparagus and blueberries efficiently. Alternative No. 1 would result in reduced productivity. As a result, we would not be able to generate sufficient volume to operate our packing facility efficiently; that is, we would have invested substantial resources only to end up with excess capacity. Also, as a direct seller of all our produce, it is vital to our continuing profitability that we remain able to maintain sufficient volumes to satisfy our existing retail chain store customers. If Alternative No. 1 is adopted, we may not be able to meet that demand or, alternatively, may be forced to incur substantial additional expense in order to do so. Either way, Victoria Island Farms will be in a weakened competitive position. VIF-6 Cont'd

4. Continuity and Expansion of Customer Base/Business Goodwill

We have spent the last 20 years steadily building Victoria Island Farms into the largest individual grower, packer and shipper of fresh market asparagus in the United States. Our success is built on several factors, one of the most important being our ability to be a reliable supplier of sufficient volumes of fresh asparagus to satisfy the needs of some of the largest retailers in this country and abroad. If we are unable to continue to meet the volume requirements of our existing asparagus customers, even for a single season, our long-term reputation as a reliable source of high quality fresh asparagus would be severely harmed, resulting in great economic loss to Victoria Island Farms and Victoria Island, L.P. VIF-7

5. Water Draw Down on Victoria Cut Due to Intake Pumps

When the new CCWD pumps are at capacity, any water level draw down along the Victoria Cut during low river and/or low tide could cause our siphons to become inoperable, resulting in untimely irrigations to the crops on the entire south half of Victoria Island encompassing just over 3,800 acres. This is a serious potential impact that would adversely affect over half of our family's farming operation. In an effort to mitigate this problem, we will have to install pumps on the siphons (there is no need for such pumps now), and we will have to run power to the pumps (there is no need for power to those sites now). Also, the pumps will have to be maintained, requiring further expenditures on a regular basis. VIF-8

6. Compaction

Compaction over the 200 ft. pipeline construction easement will result in poor water permeability and poor soil aeration. Crops planted over this construction area will be visibly weakened and perform poorly. A stunting effect will occur for every crop planted in this area for many years into the future. A similar condition is likely to result from the construction activities in the proposed ten (10) acre staging area. The result: a further decline in the productivity of Victoria Island Farms which may or may not be wholly remediable through mitigation measures. To the extent the damage may be mitigated, such mitigation measures will be costly. VIF-9

7. Permanent Pipeline Obstructions and Access

The proposed permanent vents and vaults shown in the plans for the proposed project, and access to those vents and vaults, will further impair the efficiency and increase the cost of our family's farming operations on Victoria Island. Given the proposed locations of the vents and vaults, they will also increase the risk of damage to our farming operations equipment; by the same token, the vents and vaults will themselves be exposed to damage from such equipment. VIF-10

8. Inadequate Depth of Pipeline

We recommend that the cover of the pipeline be a minimum of 10 ft. so as not to interfere as drastically with existing underground drainage and future farming operations (e.g., slip plowing, which will play an increasing role in our operations as part of the Long Term Plan). While we do not believe that this will eliminate the drainage concerns discussed above, it may mitigate some of the negative impacts. VIF-11

9. Integration and Efficiencies

We farm Victoria Island as one unit. We have sized our operations, whether it be asparagus packing, personnel, or the number of tractors, to efficiently handle the entire acreage and production levels on Victoria Island. Disruption in one aspect of our overall operation diminishes the effectiveness and value of the remaining operations. The proposed project would produce just such a disruption. VIF-12

TEMPORARY EFFECTS DURING 3-YEAR CONSTRUCTION PHASE OF ALTERNATIVE #1

10. Increased Costs - Working Around Construction Site

Major disruptions to our ongoing farming operations will occur during the three-year construction phase of this proposed project. Areas of disruption and resulting inefficiencies include but are not limited to planting, cultivation, fertilization, irrigation, pesticide applications, harvest operations, transporting workers, transporting product and supervision. The result: **substantially increased costs of production on over 2,000 acres in the southwest quarter of Victoria Island for a period of at least three years**. As noted below, these increased expenses will most likely be paired with decreased productivity during the same period. VIF-13

11. Decreased Yields - Drainage Interruption

Drainage interruption and blockages of traditional drainage patterns during construction will adversely affect not only surrounding fields but remote fields that, although not in the construction path itself, are dependent upon the drainage patterns in those fields directly in the construction zone. This could result in crop losses for the fields in the entire southwest quarter of Victoria Island. The "de-watering" of construction areas will exacerbate this problem and could result in serious flooding. VIF-14

12. Decreased Yields - Irrigation Interruption

Irrigation of certain fields in Victoria Island's southwest quarter will almost certainly be interrupted, delayed or prevented due to interference from construction operations - resulting in diminished yields or crop loss because of untimely or inadequate moisture levels for maximum plant yields. Construction area "de-watering" will also adversely affect irrigation in the southwest quarter of Victoria Island during construction. VIF-15

13. Decreased Yields - Pesticide Applications

Fields surrounding construction areas could see severe crop damages and losses resulting from missed or untimely pesticide applications due to construction crews working in the immediate area. VIF-16

14. Decreased Yields, Increased Costs - Dust

The EIR, EIS report estimates that as many as 28,000 passes (14,000 round trips) by equipment will be needed to complete the proposed project. It is likely that dust from the easement area will drift onto crops, increasing the chance of mite and thrip damage and resulting in decreased yields. Partial mitigation would be by increased spraying, resulting in increased costs. VIF-17

15. Construction Worker Safety - Pesticide Applications

Ground and aerial pesticide applications could easily result in drift exposure to construction crews working in the area. Some of the systemic insecticides used by Victoria Island Farms, such as Disiston and Warrior, are toxic, and construction workers would be put at risk during the projected three-year construction period. VIF-18

16. Long Term Development Plan

As noted above, after years of research and planning, Victoria Island Farms has undertaken an aggressive and expensive long term development plan to expand our asparagus and blueberry operations. The impact of the proposed project's three-year construction period on the approximately 2,000 acres in the southwest quarter of Victoria Island will be severe, with a corresponding negative impact on our Long Term Plan. The result: lower productivity, increased operational expenses, and an impaired ability to meet our customers' needs. VIF-19

17. Safety of Victoria Island Farms Employees

If the proposed project proceeds, for some three years construction personnel would be working and operating equipment in and around our personnel, who are unfamiliar with construction operations. The potential for accidents and resulting injuries will increase. VIF-20

18. Management Time - Monitoring, Verifying and Establishing Impacts

Studying the Draft EIR and potential impacts to our operations and farmland values have already consumed substantial management time and attention. We anticipate much larger future time commitments by our people if this project goes forward as proposed by the CCWD. Time spent on the project prevents us from focusing on our core farming operations and impair management's ability to VIF-21

effectively supervise farming operations, particularly during our peak harvest season. VIF-21 Cont'd

In sum, the Draft EIR/EIS prepared by the CCWD inadequately describes the number and severity of the economic impacts that the proposed project would have on Victoria Island Farms and Victoria Island itself. Its implicit suggestion that only six to eight acres of Prime Farmland would be Aconverted@ conveys an extremely misleading impression; in fact, approximately 2,000 acres would be adversely affected. The harm imposed by the proposed project will fall disproportionately, if not entirely, on Victoria Island Farms and Victoria Island, L.P. We urge CCWD to consider our viewpoint and our comments and to treat us fairly. VIF-22

Sincerely,

Graydon Nichols
Victoria Island Farms

Virginia Nichols
Victoria Island Farms

Graydon Nichols
General Partner
Victoria Island L.P.

Eileen Nichols, Partner

Carolyn Nichols, Partner

Charles C. Nichols, Partner

Susan F. Nichols, Partner

William R. Zech, Partner

Eileen Nichols Zech Children's Trust, Partner

Letter **VIF** Response	Victoria Island Victoria Island Farms and Victoria Island L.P. Partners June 23, 2006

VIF-1 See Master Response 7, "Agricultural Analysis."

VIF-2 See Master Response 7, "Agricultural Analysis."

VIF-3 See Master Response 7, "Agricultural Analysis."

VIF-4 See Master Response 7, "Agricultural Analysis."

VIF-5 See Master Response 7, "Agricultural Analysis."

VIF-6 See Master Response 7, "Agricultural Analysis."

VIF-7 See Master Response 7, "Agricultural Analysis."

VIF-8 See Master Response 2, "Delta Water Level Analysis."

VIF-9 See Master Response 7, "Agricultural Analysis."

VIF-10 See Master Response 7, "Agricultural Analysis."

VIF-11 See Master Response 7, "Agricultural Analysis."

VIF-12 See Master Response 7, "Agricultural Analysis."

VIF-13 See Master Response 7, "Agricultural Analysis."

VIF-14 See Master Response 7, "Agricultural Analysis."

VIF-15 See Master Response 7, "Agricultural Analysis."

VIF-16 See Master Response 7, "Agricultural Analysis."

VIF-17 See Master Response 7, "Agricultural Analysis."

VIF-18 See Master Response 7, "Agricultural Analysis."

VIF-19 See Master Response 7, "Agricultural Analysis."

VIF-20 See Master Response 7, "Agricultural Analysis."

VIF-21 See Master Response 7, "Agricultural Analysis."

VIF-22 See Master Response 7, “Agricultural Analysis.”