

September 14, 2018

Via Electronic Mail

Waterfix Comments 2018

WaterFixComments@icf.com

Re: Draft Supplemental EIR/EIS Comments

Dear Sir/Madam:

Byron-Bethany Irrigation District (BBID) prepared this comment letter following review of the *Draft Supplemental Environmental Impact Report/Environmental Impact Statement* (EIR/EIS) for California WaterFix (CWF), released by California Department of Water Resources (DWR) on July 18, 2018. The EIR/EIS analyzes several proposed changes allegedly designed to reduce CWF's footprint and costs, and minimize impacts on environmental resources in the Sacramento-San Joaquin Delta (Delta).

BBID has identified several elements of the CWF design that fail to analyze impacts to BBID, and for which mitigation is lacking or unclear. These primarily relate to the planned construction of an open channel connecting the Byron Tract Forebay's (BTF) south outlet tunnel with the Banks and Jones pumping plant intake channels. As described in various documents, including the July 2018 Conceptual Engineering Report: Byron Tract Forebay Option (BTF Engineering Report), this open channel consists of:

- **Reach 9:** South Tunnel Structure to Connection with State Water Project Export Pumping Plants – a proposed open channel approximately 2,800 feet long with a capacity of 10,670 cubic feet per second (cfs). (BTF Engineering Report, p. 3-2 and p. 10-1)
- **Reach 10:** South Tunnel Structure to Connection with Central Valley Project Export Pumping Plants – a proposed open channel approximately 4,800 feet long with a capacity of 4,600 cfs. (BTF Engineering Report, p. 3-2 and p. 10-1).

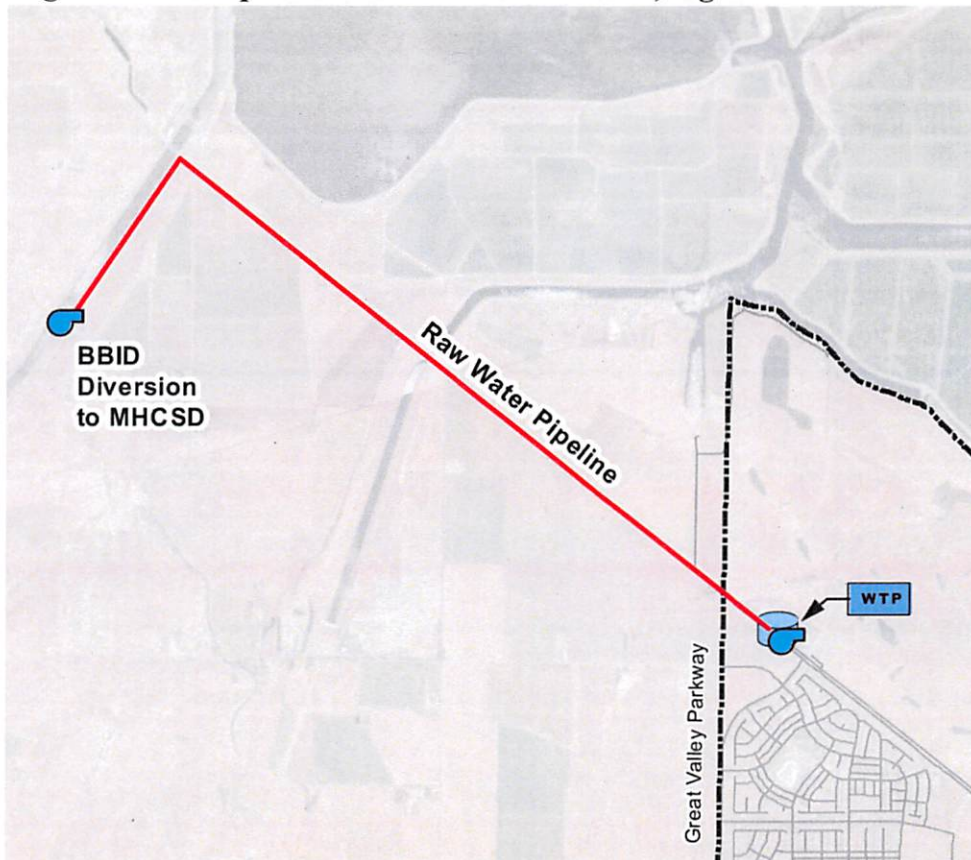
Collectively, these two Reaches are hereafter referred to by BBID as the "Connection Channel." BBID looks forward to discussing the following comments with DWR, and addressing the following impacts of the Connection Channels:

1. **Bruns Road:** BBID's office and operations and maintenance facilities are located at 7995 Bruns Road, Byron, California 94514. Ingress/egress to this location from the north is via Bruns Road to Byron Highway, parallel to the State Water Project's intake channel.

The planned Connection Channel bisects Bruns Road north of BBID's office, but does not discuss any bridge across the Connection Channel to allow continued ingress/egress for BBID. The EIR/EIS does not identify this significant impact to Bruns Road in the document. While we believe this impact can be mitigated with a bridge, the absence of any discussion is troubling. BBID is concerned that the CWF designers failed to notice the destruction of this important roadway, and thus BBID is also concerned with how the issue will be rectified in a manner that does not inconvenience BBID operations, employees, agents, customers, etc.

2. **Mountain House Community Services District Raw Water Delivery Line:** BBID is the "Urban Wholesale Water Supplier" that supplies raw water directly to the Mountain House Community Services District (MHCS D) community through continuous operations of a 30-inch raw water pipeline that serves the MHCS D water treatment plant. This raw water pipeline runs parallel to Bruns Road, north to the Byron Highway, then east parallel to the Byron Highway to the MHCS D water treatment plant located on the north side of Byron Highway opposite the intersection with Great Valley Parkway (see Figure 1). The Connection Channel and BTF south tunnels both cross the current raw water pipeline alignment.

Figure 1 – Excerpt from MHCS D 2015 UWMP, Figure 3-1



The MHCS D water treatment plant currently provides treated drinking water to a population of approximately 30,000 residents, with BBID as its primary source of raw water. MHCS D anticipates a build-out population of over 45,000 residents. Currently, BBID delivers approximately 3,000 acre-feet annually (AFY) to MHCS D; anticipated to increase to 9,800 AFY at build-out of the Mountain House community. This delivery of raw water is MHCS D's sole source of water for the water treatment plant, and provides water to MHCS D 24 hours per day, 365 days per year.

Chapter 20 of the EIR/EIS does not identify this critically important water service line. Specifically, under a subsection addressing the BTF and conveyance, the EIR/EIS states:

Because construction of the proposed project would primarily occur in rural parts of the study area, and is not likely to occur in areas with municipal water service, it is not expected to impact municipal water systems. (EIR/EIS, p. 20-5, emphasis added.)

The only reference to infrastructure that may have been excluded from the EIR/EIS analysis is reflected in the following excerpts:

Construction of the new Byron Tract Forebay and the conveyance facility leading to the California Aqueduct and the Delta-Mendota Canal would involve site grading and similar activities requiring heavy equipment use. These construction activities could result in the unintentional damage to or disruption of underground utilities as a result of trenching, auguring, or other ground disturbing activity. Disruption of certain utilities, such as natural gas pipelines, could result in public health hazards (e.g., explosions). (EIR/EIS p. 20-9, emphasis added.)

This text is followed shortly by the following:

CEQA Conclusion: Under the proposed project, most features would avoid disrupting existing facilities by crossing over or under infrastructure. However, construction of facilities would conflict with existing utility facilities in some locations. Regional power transmission lines and one natural gas pipeline would require relocation. Because the relocation and potential disruption of utility infrastructure would be required, this impact would be significant. (EIR/EIS p. 20-10, emphasis added.)

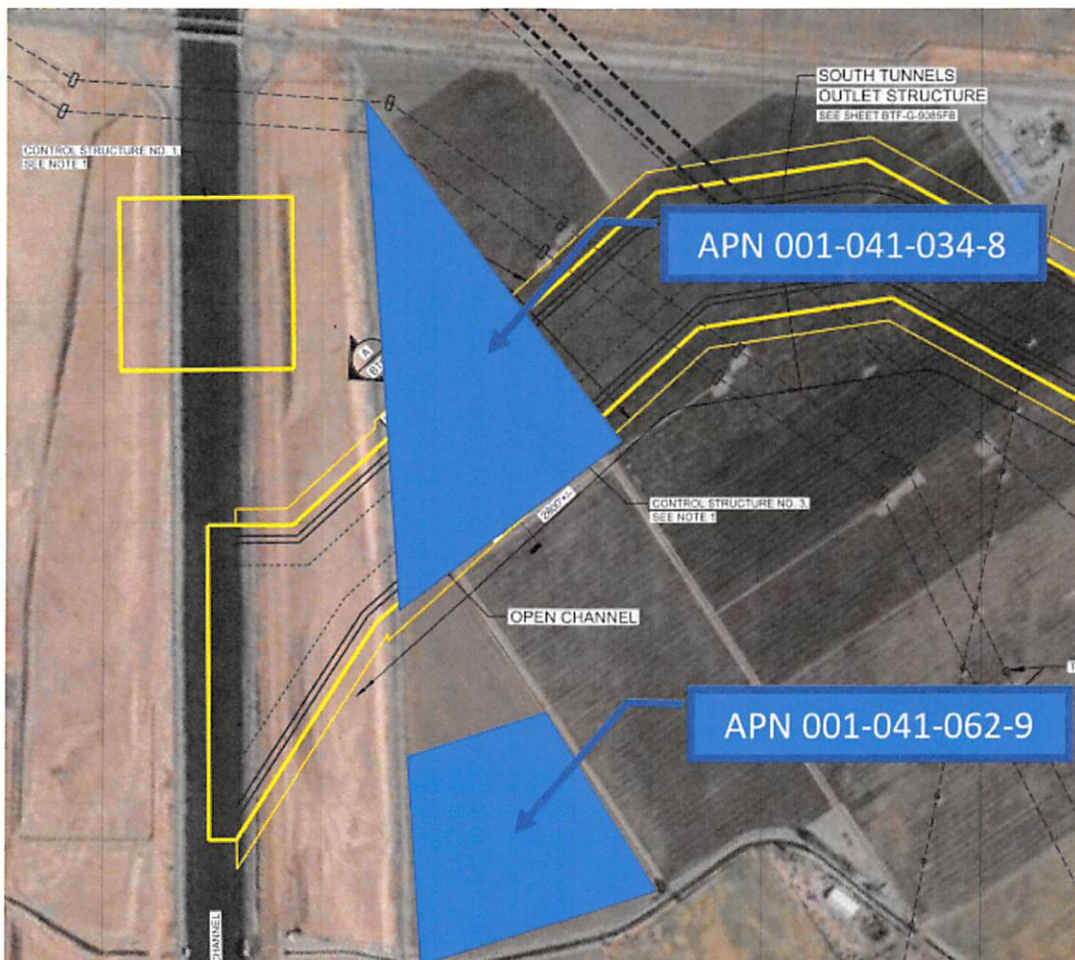
BBID agrees that this particular impact will be significant – and a detailed plan for mitigation must be developed prior to any action by DWR on the EIR/EIS.

Mitigation plans for this impact cannot wait until “before beginning construction” as is implied by Mitigation Measure UT-6a.

3. **BBID Property Impact:** BBID owns the property to the east of Bruns Road (Assessor Parcel Number (APN) 001-041-034-8 in Contra Costa County) that is bisected by the proposed Connection Channel alignment (see Figure 2), and regularly uses this property as a staging ground for BBID operations. In addition to serving as a staging ground for BBID operations, this property, is routinely leased for agricultural production, and includes employee housing and various outbuildings. The proposed alignment of the Connection Channel would bisect the property, deny BBID its staging area, remove active farmland, and force the removal of the employee housing and outbuildings. This taking of BBID real property and impacts to annual revenue through lease agreements will need to be mitigated to the satisfaction of BBID.

Figure 2 – Approximate Location of BBID Owned Parcels

(APNs overlaid on clipped portion of “Open Channels – Plan” map sequence 86 of 96 from July 2018 Conceptual Engineering Report – Volume 2)



4. **Revenue Impact:** BBID operates and maintains its irrigation and raw water distribution systems, and manages its water rights and supplemental supplies using fees paid by its customers. The Connection Channel will remove 60 acres of currently productive, irrigated agricultural lands that pay fees to BBID. Loss of these fees will have a negative effect on historic revenues paid to BBID by these customers. Further, given the Connection Channel's irregular shape, several of the parcels may cease to be operable for irrigated agriculture – not just the portion of land displaced by the channel footprint. For instance, the Connection Channel does not follow existing APN boundaries, especially the Reach 10 alignment, but rather cuts haphazardly across fields, resulting in odd shaped remnant fields that may no longer be efficiently farmed.

BBID seeks financial mitigation for this impact to annual revenue resulting from this removal of irrigated lands from its assessment and fee structure.

5. **Stormwater Management:** The proposed Connection Channel alignment essentially runs perpendicular to the flow of drainage courses to the south that drain stormwater. Specifically, a drainage course runs from approximately the base of Bethany Dam near the end of Christensen Road northward through farmlands, crossing under Bruns Road north of the intersection with Kelso Road, and becoming more channeled as it continues north toward and under Byron Highway, ultimately discharging into the California Aqueduct intake channel upstream of the Skinner Fish Screen Facility. The Connection Channel configuration disrupts this current flow path without any identified resolution to continue the safe passage of stormwater. The Connection Channel also has the potential of disrupting overland flow during surface runoff events, and creating flooding and ponded-water impacts along the Connection Channel's south edge. BBID needs to receive design documents and, potentially, flood risk assurances, demonstrating that the new channel will not impede continued safe and effective management of stormwater.

Respectfully submitted,



Michael E. Vergara
for Byron-Bethany Irrigation District