

12.1 Federal Agencies

FEDERAL AGENCIES

FEDERAL AGENCIES THAT SUBMITTED COMMENTS ON THE DRAFT PEIR

Comment Letter Format	Comment Letter ID	Name of Commenter	Title	Organization/ Affiliation	Page
Email	F_NPS-GGNRA	Brian O'Neill	General Superintendent	National Park Service, Golden Gate National Recreation Area	12.1-1
Email	F_NPS-Yos	Michael Tollefson	Superintendent	National Park Service, Yosemite National Park	12.1-1
Mail	F_USBR	Richard J. Woodley	Regional Resources Manager	U.S. Department of the Interior, Bureau of Reclamation	12.1-2
Mail	F_USDAFS	Tom Quinn	Forest Supervisor	U.S. Department of Agriculture, Forest Service	12.1-4
Email	F_USFWS	G. Mendel Stewart	Manager	U.S. Department of the Interior, Fish and Wildlife Service, San Francisco Bay National Wildlife Refuge Complex	12.1-5

F_NPS-GGNRA



United States Department of the Interior

NATIONAL PARK SERVICE
Golden Gate National Recreation Area
Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:

L76 (GOGA-PLAN)

NOV - 6 2007

San Francisco Planning Department
Attention: Paul Maltzer, Environmental Review Officer
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: SFPUC Water System Improvement Program Draft Program Environmental Impact Report (PEIR)

Dear Mr. Maltzer:

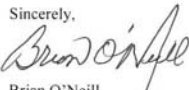
Thank you for forwarding a copy of the Notice of Preparation and a copy of the PEIR. Please consider these comments and include them in the official record for the project.

We appreciate the thorough description and disclosure of the Scenic Easement and Scenic and Recreation Easement administered by the Golden Gate National Recreation Area for Peninsula watershed lands. The reference to Canada Road as the demarcation should be deleted. We can provide you with a more accurate map to reference. Due to this interest and because of an agreement between the SFPUC and the GGNRA titled *Joint Communications Procedures Between the San Francisco Public Utilities Commission and the Golden Gate National Recreation Area for Routine Work and Special Projects within the San Francisco Peninsula Watershed*, we request to be considered a stakeholder agency during planning for the subsequent project-specific CEQA environmental documents. We would like to participate in project development, receive advance notification of meetings, and assist in creating mitigations for potential impacts. Specifically, we are interested in collaborating with the SFPUC on the projects in the Peninsula Region: Crystal Springs/San Andreas Transmission Upgrade (PN-2), Harry Tracy WTP (PN-3), Lower Crystal Springs Dam Improvements (PN-4), and the Pulgas Balancing Reservoir Rehabilitation (PN-5).

We are specifically concerned about the potentially significant but mitigatable impacts to existing land uses, visitor access and experience, visual character, impacts on wetlands and aquatic resources, historic resources, traffic safety hazards as well as the unavoidable significant impacts to sensitive biological and historic resources. Hopefully by working together, we can ensure watershed resources are protected to the greatest extent feasible and that our interests in the easements are protected.

Thank you for the opportunity to comment and your coordination with the GGNRA on these important capital improvements projects. Please call Karen Cantwell on my staff at (415) 561-4842 with questions or for further coordination.

Sincerely,


Brian O'Neill
General Superintendent

F_NPS-Yos



United States Department of the Interior

NATIONAL PARK SERVICE

Yosemite National Park
P.O. Box 577
Yosemite, California 95389

IN REPLY REFER TO:

A3815 (YOSE-SUPT)

Mr. Paul Maltzer, Environmental Review Officer, WSIP PEIR
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, California 94103

Dear Mr. Maltzer:

Yosemite National Park appreciates the opportunity to provide comments on the Draft Program Environmental Impact Report of the Water System Improvement Program proposed by the San Francisco Public Utilities Commission (SFPUC). The partnership that has been forged between our respective agencies in protecting the upper Tuolumne River watershed is mutually beneficial, as outlined in our 5-year cooperative "Hetch Hetchy Watershed Protection Agreement," executed in 2005.

Yosemite National Park would like to see the SFPUC both model and intensively monitor the impacts of this potential water release regime along the Tuolumne River to determine if the water delivery amounts, duration and seasonal timing will have any adverse impacts on the riverine ecosystem. The SFPUC should continue detailed studies that would address scenarios to include multiple drought years, persistent sub-average precipitation and other climate change impacts. We do not feel that current baseline data and modeling analysis can provide enough information for a comprehensive assessment of potential impacts.

We are also concerned about the impacts to cultural resources in the Hetch Hetchy area of Yosemite National Park. The SFPUC needs to define a plan to address the protection of archeological resources. For example, we do not see a comprehensive approach to protecting possibly exposed sites within the park boundaries from "pot hunters." We request a process that clarifies the roles of the SFPUC and the NPS for protecting archeological resources, and provides for notification if, during a draw down, there is any potential risk to archeological resources.

We look forward to working with you and your staff on this plan and other endeavors. If you have any questions, contact me at (209) 372-0238.

Sincerely,

/S/ Michael J. Tollefson, Superintendent

(Original signature on file)

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IN REPLY
REFER TO:

MP-440
MP-4.10

United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

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CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
A.T.E. 4

San Francisco Planning Department
Attention: Mr. Paul Maltzer
Environmental Review Officer, WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: Draft Program Environmental Impact Report for the San Francisco Public Utilities
Commission's Water System Improvement Program

Dear Mr. Maltzer:

The Bureau of Reclamation respectfully submits this comment letter on the subject Draft Program Environmental Impact Report (DPEIR) for the Water System Improvement Program (WSIP). Reclamation asks that you accept these very important comments into the record for the DPEIR.

Reclamation has significant reservations with the discussion of impacts to the San Joaquin River and Delta in Section 5.3. of the DPEIR. This section assumes that reductions in San Joaquin River flow and Delta inflow caused by the WSIP would be mitigated by a corresponding change in the Central Valley Project (CVP) and State Water Project (SWP) operations, but fails to discuss the impacts caused by the WSIP to fisheries, water quality, and water users who receive water from the CVP and SWP. The lack of analysis of the WSIP's significant impacts causes the DPEIR to fail to meet the California Environmental Quality Act (CEQA) requirement that all reasonably foreseeable environmental impacts be discussed in an EIR.

Section 5.3.1-5 discusses impacts to the San Joaquin River caused by the WSIP:

"The SWRCB has established flow objectives for the San Joaquin River at Vernalis, just upstream of the Sacramento-San Joaquin Delta. Almost all of the time, the reductions in San Joaquin River flow attributable to the WSIP would not be sufficient to cause flow in the river at Vernalis to fall below the objective. Very infrequently, following protracted droughts, reductions in San Joaquin River flow attributable to the WSIP would be sufficient to cause flow in the river at Vernalis to fall below the objective. *Under these circumstances, (Reclamation), the agency responsible for compliance with objectives for the San Joaquin River, would be expected to increase releases from New Melones*

Reservoir on the Stanislaus River to meet the flow objectives at Vernalis. Thus, the WSIP would not alter flow in the San Joaquin River below its confluence with the Tuolumne River such that it would be substantially outside the range experienced under existing conditions nor result in a violation of flow objectives." DPEIR, at 5.3.1-38 (emphasis added).

Thus, the DPEIR seeks to assign responsibility for mitigation of impacts to the San Joaquin River to Reclamation, without discussing the impacts to CVP operations caused by such an assignment. The same is true for the WSIP's impacts to the Delta:

"The reductions in flow in the Tuolumne River below La Grange Dam attributable to the WSIP would also reduce inflow to the Sacramento-San Joaquin Delta. The SWRCB has established objectives for Delta outflow as measured at Chipps Island, just upstream of Suisun Bay. Almost all of the time, the reductions in Delta inflow attributable to the WSIP would not be sufficient to cause Delta outflow to fall below the objective. Very infrequently, following protracted droughts, reductions in Delta inflow attributable to the WSIP would be sufficient to cause Delta outflow to fall below the objective. *Under these circumstances, the USBR and DWR, the respective operators of the Central Valley Project and State Water Project, would be expected to decrease their diversions so that the Delta outflow objectives were met.* Thus, the WSIP would not alter flow in the Sacramento-San Joaquin Delta such that it would be substantially outside the range experienced under the existing condition." DPEIR, at 5.3.1-38, 39 (emphasis added).

Again, no analysis is provided on the impacts caused by the decrease in diversions by the CVP and SWP required to mitigate for the WSIP's impacts.

The City and County of San Francisco (CCSF) has established informal significance standards for impacts related to water supplies:

"The CCSF has not formally adopted significance standards for impacts related to water supplies, but generally considers that implementation of the proposed program would have a significant water supply impact if it were to:

- Result in substantial adverse changes in operations or substantial decreases in water deliveries for water users, as measured by significant changes in reservoir storage, timing or rate of river flows, or water quality
- Violate any water quality standards or otherwise substantially degrade water quality." DPEIR, at 5.3.4-4.

The DPEIR does not apply these standards to WSIP-related impacts to the San Joaquin River and Delta. Instead, it merely concludes that these impacts will be mitigated by changes in operations by the CVP or SWP (or both):

"Changes in flow in the Tuolumne River below La Grange Dam attributable to the WSIP would affect flows in the San Joaquin River from its confluence with the Tuolumne River to the Delta. The Delta standards include flow and quality objectives for the San Joaquin

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River at Vernalis, just upstream of the point where the San Joaquin River flows into the Delta. *Very infrequently, following protracted droughts, reductions in San Joaquin River flow attributable to the WSIP could make it necessary for (Reclamation), the agency responsible for compliance with water quality and flow objectives for the San Joaquin River, to increase releases from New Melones Reservoir to meet the objectives at Vernalis.*" DPEIR, at 5.3.4-5 (emphasis added).

"The WSIP would typically reduce Delta inflow in wet and above-normal years when the Delta is in excess conditions and Delta outflow is so great that the export limits do not limit pumping by the State Water Project and Central Valley Project. Under these conditions, the WSIP would reduce Delta inflow and outflow by the same amount, but would have no effect on the (SWP's) and (CVP's) ability to pump water from the Delta. There could be rare occasions when the WSIP would reduce Delta inflow during excess conditions but when the export limits do affect pumping by the (SWP) and (CVP). Under these conditions, the WSIP would reduce Delta outflow and could potentially reduce pumping by the (SWP) and (CVP) by 35 percent of the WSIP-induced reduction in Delta inflow. However, the (SWP) and (CVP) may choose to comply with the export limits by releasing more water from upstream reservoirs rather than by limiting pumping." DPEIR, at 5.3.4-10,11 (emphasis added).

As with the discussion of impacts to CVP and SWP operations in section 5.3.1, section 5.3.4 does not analyze the impacts to the CVP and SWP caused by the WSIP – instead, it assumes that the CVP and SWP will automatically take the actions necessary to mitigate for the effects caused by the WSIP, and merely concludes with the following:

"Given the very small magnitude and low frequency of potential effects on Delta flows, the impact of the WSIP on water availability and quality at water agencies' and other diverters' diversion points in the Delta would be *less than significant*, and no mitigation measures would be required." DPEIR, at 5.3.4-11 (emphasis in original).

The CCSF considers water supply programs to have significant impacts if they adversely affect deliveries to water users or water quality. Protracted droughts by definition create circumstances where deliveries to water users and water quality are adversely affected. However, the DPEIR fails to apply this standard to WSIP operations during drought conditions – instead, it avoids a finding of significance by shifting the mitigation burden to the CVP and SWP.

The DPEIR does not discuss the potentially significant impacts caused by reoperating the CVP and SWP to mitigate for the impacts caused by the WSIP. CVP operations on the San Joaquin and Stanislaus Rivers are subject to many regulatory requirements and agreements between parties on the San Joaquin River system (including the San Joaquin River Agreement). Any additional demands on this system (such as the WSIP demands described in the DPEIR) make it more difficult to meet flow and water quality objectives, and may cause agreements to be no longer valid. The CVP and SWP are subject to significant operational constraints on their Delta operations (and further constraints are anticipated to protect Delta smelt) - during times of protracted drought, mitigation for the impacts of the WSIP will cause significant impacts to CVP

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and SWP operations. The failure of the DPEIR to analyze these impacts thus violates CEQA's mandate to discuss all reasonably foreseeable impacts. 06
cont.

Reclamation appreciates your consideration of these comments, and asks that the deficiencies in the DPEIR identified above be corrected before the final version of this document is published and a decision made on the WSIP. Please contact Mr. Ray Sahlberg, Regional Water Rights Officer, at (916) 978-5249 if you have any questions.

Sincerely,


Richard J. Woodley
Regional Resources Manager

F_USDAFS

F_USDAFS



United States
Department of
Agriculture

Forest
Service

Stanislaus National Forest

19777 Greenley Road
Sonoma, CA 95370
(209) 532-3671
FAX: (209) 533-1890
TTY/TDD: (209) 533-0765
<http://www.fs.fed.us/r5/stanislaus>

File Code: 1500/2520
Date: October 1, 2007

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OCT 03 2007

CITY & COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT

Paul Maltzer
Environmental Review officer
San Francisco Planning Department
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Maltzer:

The Stanislaus National Forest is submitting comments on the Hetch Hetchy Water System Improvement Project.

Our comments center on actions which affect the Stanislaus National Forest's resources, which in the Environmental Impact Report (EIR) most closely relates to the discussion on the stretch from Hetch Hetchy to Don Pedro Reservoir. Our concerns include, but are not limited to:

- 1) Changes in water flows and the specifics on how water diversions will be increased. 01
- 2) Effects of the change in water flows on biological and aquatic resources. 02
- 3) Recreational impacts to National Forest visitors, particularly those people who recreate on Cherry Lake (Lake Lloyd Reservoir), Cherry Creek and the Tuolumne River, including those who fish and those who enjoy river rafting. Effects are projected on recreation due to a decrease in minimum rafting flows. 03
- 4) Resource environmental studies, such as the river system ecology, have not been completed making it difficult to comment on any of the proposed alternatives. 04

There has been inadequate communication and coordination by the City and County of San Francisco, San Francisco Public Utilities Commission, with the Forest Service to identify and propose mitigation on the effects of the proposal on Stanislaus National Forest resources. The Raker Act provides regulatory authority to the Department of Agriculture for the protection of public lands affected by the project. We have not had the opportunity to provide potential mitigation nor have we had the opportunity to discuss potential effects of the project on the Forest's resources. Thus, we request additional time be made available for us to provide comments and mitigation following a discussion with the City and County regarding the proposal. We also request a copy of the Comments and Responses document. 05 06

At this point, due to the conceptual nature of the impacts and mitigation that are described in the EIR, we favor an alternative which does not divert additional water which would affect the Stanislaus National Forest. 07

We are submitting these written comments to the address above as well as submitting them electronically to wsip.peir.comments@gmail.com.

Sincerely,

TOM QUINN
Forest Supervisor

cc: Deb Romberger, James Frazier, Groveland District Ranger, Dave Campodonico

12.1.4



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United States Department of the Interior

FISH AND WILDLIFE SERVICE
San Francisco Bay National Wildlife Refuge Complex
9500 Thornton Avenue
Newark, California 94560



SEP 26 2007

San Francisco Planning Department
Attention: Paul Maltzer, Environmental Review Officer, WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

SUBJECT: Comments regarding the Draft Program Environmental Impact Report (PEIR) for the
San Francisco Public Utilities Commission's Water System Improvement Program

Dear Mr. Maltzer:

The Don Edwards San Francisco Bay National Wildlife Refuge (Refuge) appreciates the opportunity to comment on the San Francisco Public Utilities Commission's Water System Improvement Program. We are the property owner adjacent to the Commission's pipeline in the Newark area including the access routes to a portion of the pipeline. We are extremely concerned about the potential wildlife and habitat impacts associated with the project to replace BDPL Nos. 1 and 2 that run through the Refuge (see attached map). We would like to relay the following specific comments on the PEIR:

- *Noise, vibration and human disturbance to wildlife during construction and operation.* The pipeline is located in wetland habitat that supports the endangered California clapper rail and salt marsh harvest mouse, as well as numerous migratory bird species. These species rely on this environment for breeding, nesting, foraging and roosting. We are concerned that construction and operation activities may displace these species temporarily and/or permanently from this area. We request that construction activities not occur during sensitive breeding and nesting periods for these species.
- *Habitat disturbance.* We are concerned about the project's anticipated access needs to the pipeline during the construction and operation phase. It is unclear if wetlands on the Refuge and Refuge-managed property will be adversely impacted. In order to meet our congressionally mandated requirements, we would need to be very restrictive in allowing work to be conducted on or near the Refuge. Since the pipeline is surrounded on both sides by wildlife habitat including species listed as threatened and endangered, we are also concerned with the potential for take of wildlife during construction and maintenance activities.

- *Underground pipeline.* We support decommissioning portions of BDPL Nos. 1 and 2 between the Newark Valve Lot and the Ravenswood Valve Lot, and constructing the Bay Division Pipeline 5 underground. We recommend that SFPUC remove the aboveground infrastructure in order to restore this area to wetland habitat. Leaving the pipeline in place will either require ongoing maintenance which causes regular impacts to wildlife and endangered species or, if maintenance is not conducted, the pipeline would collapse into the marsh directly impacting this delicate resource. The short-term impacts associated with its removal would be better than the long-term impacts of leaving it. All impacts would have to be mitigated.

- *Dumbarton Rail.* We understand that the Dumbarton Rail Project is also going on in the area. We recommend that you coordinate activities with San Mateo County Transit District to minimize habitat impacts for both projects.

- *Dredge material.* We understand that dredge material will be produced from placing the pipeline underground. We are interested in acquiring clean dredge material for use in wetland restoration associated with the South Bay Salt Pond restoration project.

Thank you for including our comments during your comment period. Because of the potential impact to listed species, we recommend you also coordinate with the Service's Division of Endangered Species at the Sacramento Fish and Wildlife Office. They can be contacted at 916-414-6600. If you have questions regarding the Refuge, please contact Clyde Morris, Manager Don Edwards San Francisco Bay NWR, at 510-792-0222, x25.

Sincerely,

G. Mendel Stewart
Manager, San Francisco Bay
National Wildlife Refuge Complex

cc: Cay Goude, U.S. Fish and Wildlife Service
Amy Hutzel, Coastal Conservancy



F_USFWS

