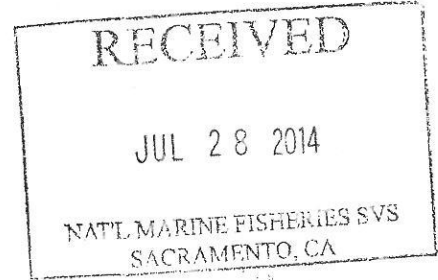


CITY OF
WEST SACRAMENTO



CITY HALL

1110 West Capitol Avenue
West Sacramento, CA 95691

City Council
City Manager
City Clerk
Information Technology
(916) 617-4500

Community Development

Planning/
Development Engineering
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(916) 617-4683
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(916) 617-4535
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2040 Lake Washington Blvd.
West Sacramento, CA 95691
(916) 617-4600
Fax (916) 371-5017

POLICE

550 Jefferson Boulevard
West Sacramento, CA 95605
(916) 617-4900

Code Enforcement

(916) 617-4925

PUBLIC WORKS

Operations
1951 South River Road
West Sacramento, CA 95691
(916) 617-4850

July 25, 2014

Ryan Wulff
National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

RE: Comment Letter on BDCP and Associated EIR/EIS

Dear Mr. Wulff:

The City of West Sacramento (City) appreciates the opportunity to provide these comments on the Bay Delta Conservation Plan (BDCP) Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS), and the BDCP (December 13, 2013 Public Review Draft). The Bay Delta Conservation Plan and the accompanying DEIR/EIS provides a blueprint to simultaneously resolve water supply reliability issues for Delta Exporters while addressing ecosystem sustainability issues consistent with the federal and state Endangered Species Acts in the Sacramento-San Joaquin Delta (Delta). The City supports rectifying these contrasting objectives but must address its concerns with the BDCP DEIR/EIS in its current form.

The implementation of the BDCP raises serious issues to the City and its water supply reliability. Specifically, it is not clear in any of the documents how the City's water rights and entitlements will be impacted by expanded exporter diversions in light of the Delta's plight and looming climate change predictions. It is unacceptable that the result of this project would be any diminution in the City's water supplies. The documents do not provide adequate assurances that not only the City's water rights and entitlements are protected but also that the water supplies that comprise the basis of these rights and entitlements are also protected. There is a subtle yet paramount correlation – the legal rights are only as good as the water available to supply all the rights. Simply stating that "water rights are protected" is not enough.

Importantly, the City's water assets are inextricably linked to all other water assets throughout the Delta watershed. As we are witnessing this year, deficient rainfall and storage in the San Joaquin drainage is placing additional water release burdens on the Sacramento drainage to meet Delta regulatory requirements. The current version of the documents fail to address the project operational problems associated with changed climate conditions that could worsen salt water intrusion in the Delta and reduce precipitation and snowpack statewide. These issues could directly affect the City's water supplies that originate north of the Delta and should be addressed in the documents.

The City is also concerned about new fees and charges that may result from implementation of the BDCP. The City expects that the "beneficiaries pay" principle will be used in assessing costs for the project – both acknowledged costs *and* unforeseen future costs. The notion that benefits may accrue the same to area of origin water users as they do to export diverters is misplaced. Specifically, assessing costs of ecosystem restoration to in-watershed water users in the same way as assessing costs to water exporters disavows the fundamental problem with the export of water from the Delta – exports permanently remove all exported water from the system unlike uses wholly contained in a watershed of origin. The costs of this permanent water displacement and its environmental impacts should be born accordingly.

The City cannot endorse the Bay Delta Conservation Plan or the DEIS/EIR unless there is adequate disclosure of long-term impacts to the water supply reliability of the City. Moreover, the BDCP must provide clear and unambiguous statement of assurance and protections for upstream water rights users from the future whims of the regulatory agencies in light of the project's foreseen and unforeseen environmental impacts. Fees and costs associated with this project and its environmental consequences must be the sole responsibility of the beneficiaries of the project and not tangentially, through broad based ecosystem restoration funds or bonds – on other water users in the state. Exporters must pay the full cost – both economical and environmental – of the deliveries taken out of the Delta watershed for their direct benefit.

The City is concerned about the proposal to restore at least 5,000 acres of riparian habitat where at least some could be done in Planning Unit 21. It is unclear exactly where this would occur, if it would consume developed and/or developable land, and conflict with planned levee improvements by the West Sacramento Area Flood Control Agency. The City of West Sacramento is designated for growth under the Sacramento Region Blueprint and in our General Plan. Growth in our City is planned in part to preserve agricultural lands and habitat areas beyond our incorporated limits as part of the region's MTP/SCS. Lastly, the City supports those comments submitted by the Yolo Natural Heritage Program.

We appreciate the opportunity to comment on the existing documents and look forward to receiving further updates clarifying the project components and the water and cost assurances needed for upstream water user consensus.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Tuttle". The signature is stylized and written in a cursive-like font.

Martin Tuttle
City Manager