



City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

July 20, 2021

Re: Comment Letter – Draft EIR for Plan Bay Area 2050 (SCH# 2020090519)

Therese McMillan, Executive Director
MTC and ABAG
Attn: Draft EIR Comments
375 Beale Street, Suite 800
San Francisco, CA, 94105
eircomments@bayareametro.gov

ANN SCHNEIDER
Mayor

ANNE OLIVA
Vice Mayor

GINA PAPAN
Councilmember

ANDERS FUNG
Councilmember

REUBEN D. HOLOBER
Councilmember

Dear Ms. McMillan,

The City of Millbrae submits the following comments to the Metropolitan Transportation Commission / Association of Bay Area Governments (MTC / ABAG) regarding the Draft Environmental Impact Report (Draft EIR) (SCH# 2020090519) for Plan Bay Area 2050 (proposed Plan), a long-range plan for the San Francisco Bay Area. In addition, the City of Millbrae would like to incorporate by reference separate comments submitted by the Bay Area Water Supply and Conservation Agency (BAWSCA) that provide more detail about the proposed Plan's impacts on the City of Millbrae's service area and the region.

The City of Millbrae is supportive of the proposed Plan's goal to make the Bay Area more affordable, connected, diverse, healthy, and vibrant for all residents, while also achieving regional greenhouse gas emissions reduction targets established by the California Air Resources Board. However, the approach taken neglects to adequately consider the impacts of the proposed Plan on the region's, including the City of Millbrae's, water supply reliability and ability to accommodate projected increased population and housing water supply needs.

Specifically, the proposed Plan should:

- **Account for Phase 1 of the State Water Resources Control Board's (State Board) San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan Bay-Delta Plan (Bay-Delta Plan), which is an adopted regulation as of December 12, 2018,¹ that will directly impact the City of Millbrae's water supply during droughts.** The Bay-Delta Plan requires the release of 30-50% of the "unimpaired flow" on the three tributaries to the San Joaquin River from February through June, which will significantly impact water supply availability from the Tuolumne River and the San Francisco Regional Water System (RWS), the City of Millbrae's primary source of water supply. The Draft EIR fails to account for the adopted Bay-Delta Plan, the resulting impacts, and adequacy of existing water supplies to accommodate planned growth and to meet the City of Millbrae's customer needs during single and multiple dry years. As indicated on page 8-6 of the San Francisco Public

¹ https://www.waterboards.ca.gov/plans_policies/docs/2018wqcp.pdf

Utility Commission's (SFPUC) 2020 Urban Water Management Plan (UWMP), analysis by the SFPUC, which operates the RWS, indicates that during single dry years, there would be system-wide shortages between 30% and 40%, and during multiple dry years, there would be shortages ranging from 30% to 49%.²

- **Account for the requirements of re-licensing of the Don Pedro Reservoir on the Tuolumne River by the Federal Energy Regulatory Commission (FERC) (FERC Project Nos. 2299 and 14581) and associated Clean Water Act section 401 Water Quality Certification (WQC).** The re-licensing of the Don Pedro Reservoir by FERC may require additional water to be released from the reservoir for the preservation of aquatic species in the lower Tuolumne River, potentially affecting the dry year water supply yield of the RWS by reducing the balance of water stored in the water bank at Don Pedro Reservoir. The Final Environmental Impact Statement for the Don Pedro project was released by FERC on July 7, 2020 (FERC/EIS-0293F, July 2020).³ On January 15, 2021, the State Board released the WQC for the Don Pedro project, which includes the 40% unimpaired flow objective from the Bay-Delta Plan amendment, as well as additional conditions that, if incorporated into FERC licenses would severely impact RWS water supplies.⁴ In the City and County of San Francisco's petition for reconsideration of the WQC dated February 16, 2021, data presented denotes that if the WQC were to be enacted, required rationing during single-year and extended periods of drought would range between 75 and 90 percent under present and future demand levels.⁵ These related FERC regulatory requirements will significantly reduce water supply availability during drought periods from the RWS, the City of Millbrae's primary source of water supply. The Draft EIR fails to account for these impacts and the adequacy (or not) of existing water supplies to accommodate planned growth, and to meet the City of Millbrae's customer needs during single and multiple dry years.
- **Evaluate, as part of the impact analysis, how City of Millbrae, as well as other BAWSCA member agencies, will respond to the water supply shortages** resulting from implementation of the Bay-Delta Plan, the Don Pedro FERC re-licensing, the WQC (e.g., increased groundwater pumping, increased use of local surface water, tree deaths, displaced growth to areas with available water, etc.) and subsequent environmental impacts.
- **Reconsider the effectiveness of mitigation measures PUF-1 and PUF-2 to account for the drastic water supply impacts resulting from the regulatory requirements of the Bay-Delta Plan, the Don Pedro FERC re-licensing, and the WQC.** The State Board intends to implement the Bay-Delta Plan in 2022. However, it is estimated that new (alternative) water supplies may take as long as 20 plus years to be in place, which will not be in time to address the water supply impacts resulting from the Bay-Delta Plan, the Don Pedro FERC re-licensing, and the WQC.

² SFPUC Adopted 2020 UWMP: https://www.sfpuc.org/sites/default/files/programs/local-water/SFPUC_2020_UWMP_2020_%20FINAL.pdf

³ <https://elibrary.ferc.gov/eLibrary/idmws/common/OpenNat.asp?fileID=15576184>

⁴ https://www.waterboards.ca.gov/docs/dplg_fwqc_complete_20210105.pdf

⁵ City and County of San Francisco's Petition for Reconsideration of 401 Water Quality Certification, submitted to the State Water Resources Control Board on February 16, 2021.

- **Be updated to include the current information detailed in the City of Millbrae's 2020 UWMP in the proposed Plan's water supply analysis.** This update should also reflect information regarding the adequacy of existing water supplies to accommodate planned growth and to meet AGENCY's customer needs during single and multiple dry years as detailed in the 2020 UWMP. The Draft EIR uses outdated information from the City of Millbrae's 2015 UWMP. The City of Millbrae's adopted 2020 UWMP can be found at <https://bit.ly/MILLBRAEUWMP2020>

As detailed in the City of Millbrae's 2020 UWMP, note the following:

- As a wholesale customer of the SFPUC that purchases 100% of its potable water supply from the RWS, water supply available to the City of Millbrae under the adopted Bay-Delta Plan could be reduced more than 54% in the event of a multi-year drought.
- This significant cut to water supply would force the City of Millbrae to take a number of significant actions including, but not limited to moratorium on housing and commercial developments.
- The City of Millbrae currently serves water to approximately 6,300 residential customers and over 300 businesses and other non-residential customers. Potential consequences of the proposed Plan include health and safety concerns due to lack of potable supplies, major job losses during times of drought, slower economic growth, and delayed community development in the City of Millbrae's service area due to the lack of a reliable water supply.

In the light of these aforementioned impacts and inadequacies of the proposed Plan to evaluate and incorporate these impacts, as well as those articulated in BAWSCA's comment letter, incorporated here by reference, the City of Millbrae requests that the draft EIR be revised to address those significant concerns and be recirculated.

Sincerely,



Khee Lim
Public Works Director

Cc: Nicole Sandkulla, Chief Executive Officer and General Manager, BAWSCA