



CITY OF MILPITAS

OFFICE OF THE CITY MANAGER

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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

via email:
eircomments@bayareametro.gov

Dear Ms. McMillan,

The City of Milpitas (Milpitas) 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, Milpitas 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 Milpitas' service area and the region.

Milpitas 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 Milpitas' water supply reliability and ability to accommodate projected increased population and housing water supply needs.

Specifically, the proposed Plan should:

- **Adequately connect the forecasted growth in Plan Bay Area 2050 to the need for water supply reliability.** The Bay Area's regional housing goal from the California Department of Housing and Community Development (HCD) is 2.3 times larger than the previous (5th) Regional Housing Needs Allocation (RHNA) cycle. Locally for Milpitas, the draft RHNA of 6,713 units, compared to 3,290 units in the 5th RHNA cycle, is a 104% increase in housing needs. Milpitas has been building a significant amount of housing, and is one of the rare cities that has exceed its market-rate RHNA goals for the past 13 years. However, the 6th cycle RHNA goals are ambitious, and the draft EIR for Plan Bay Area 2050 does not adequately consider the ability and reliability of water supply to accommodate the significant RHNA goals of housing growth.
- **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 Milpitas' 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

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

Water System (RWS), Milpitas' 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 Milpitas' customer needs during single and multiple dry years. As indicated on page 8-6 of the San Francisco Public 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

- **Be updated to include the current information detailed in Milpitas' 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 Milpitas' customer needs during single and multiple dry years as detailed in the 2020 UWMP. The Draft EIR uses outdated information from Milpitas' 2015 UWMP.

As detailed in AGENCY's 2020 UWMP, note the following:

- As a wholesale customer of the SFPUC that purchases two-thirds of its potable water supply from the RWS, water supply available to Milpitas under the adopted Bay-Delta Plan could be reduced up to 60% in the event of a multi-year drought.
- This significant cut to water supply would force Milpitas to take a number of significant actions including, but not limited to, pursuing a managed groundwater well extraction program with up to four (4) groundwater wells to produce 5 million gallons per day of new water supply for the City. A groundwater well extraction program of this nature would cost several million dollars and adversely impact Milpitas rate payers.
- Milpitas currently serves water to over 16,000 municipal connections. 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 Milpitas' 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, Milpitas requests that the draft EIR be revised to address those significant concerns and be recirculated.

Sincerely,



Steven G. McHarris
City Manager
City of Milpitas

C: Milpitas City Council
Ashwini Kantak, Assistant City Manager, Milpitas
Walter C. Rossmann, Deputy City Manager, Milpitas
Tony Ndah, Public Works Director, Milpitas
Ned Thomas, Planning Director, Milpitas
Sharon Goei, Building Safety and Housing Director, Milpitas
Nicole Sandkulla, Chief Executive Officer and General Manager, BAWSCA

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