



June 1, 2017

MTC Public Information
375 Beale Street, Suite 800
San Francisco, CA, 94105

Re: BAWSCA Comments on ABAG Plan Bay Area 2040 Draft Environmental Impact Report (State Clearinghouse Number SCH# 2016052041)

Dear Sir or Madam:

This letter presents comments by the Bay Area Water Supply and Conservation Agency (BAWSCA) on the Association of Bay Area Government (ABAG) Plan Bay Area 2040 Draft Environmental Impact Report (DEIR). BAWSCA represents the 26 water suppliers that purchase water from the San Francisco Regional Water System on a wholesale basis and deliver that water to 1.7 million people, businesses, and community organizations in San Mateo, Santa Clara, and Alameda Counties. BAWSCA appreciates the opportunity to review the DEIR and to provide our comments.

In the fall of 2016, BAWSCA reviewed the ABAG Plan Bay Area 2040 Draft Preferred Scenario (DPS). In the ensuing correspondence between BAWSCA and ABAG, ABAG committed to responding to BAWSCA's concerns as part of the DEIR that at the time was in development.

The Plan Bay Area 2040 DEIR was released for public review and comment on April 17, 2017. Unfortunately, while the DEIR does include a public utilities section that addressed some of BAWSCA's concerns associated with the proposed growth called for in the DPS, it does not adequately identify and stress the difficulty water agencies (including BAWSCA member agencies) will have in providing an adequate and reliable water supply to support the growth and associated population distribution called for by ABAG, particularly during times of drought.

BAWSCA's comments are provided in the attached Table 1. Our comments are mostly limited to section 2.12 of the DEIR (the section prepared to assess the potential for Plan Bay Area to impact public utilities, facilities, and services within the nine counties of the Bay Area).

Overall, BAWSCA views that Plan Bay Area 2040 may result in insufficient water supplies for BAWSCA member agencies. Some of BAWSCA's more serious concerns are as follows:

- By limiting the DEIR discussion to the ten largest Bay Area water agencies, BAWSCA member agencies, decision-makers, and the public are provided with insufficient information to fully consider potential water agency-specific impact(s).
- There are proposed regulations at the state level, specifically an update to the Bay-Delta Water Quality Control Plan, that must be considered, as well as impacts of those proposed regulations analyzed in the DEIR. If those regulations move forward as the

state intends, they will reduce the quantity of water supply available to many Bay Area agencies, particularly during times of drought.

- Mitigation to address predicted growth should include the development of new water supplies. Such a measure is complex, difficult to implement, and typically takes many years to develop, particularly at a regional scale.

If, following your review of BAWSCA's comments, you have questions or require clarification, please feel free to contact Mr. Tom Francis, BAWSCA Water Resources Manager, at tfrancis@bawasca.org, or (650) 349-3000.

Sincerely,



Nicole Sandkulla
CEO/General Manager

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Attachment: Table 1 – BAWSCA Comments on ABAG Plan Bay Area 2040 Draft EIR

cc: Miriam Chion, ABAG Water Management Representatives
A. Schutte, Hanson Bridgett

Table 1 (Continued)

BAWSCA Comment Number	Location in Document	General Comment and/or a statement made by ABAG in the text of the PEIR that BAWSCA objects to	BAWSCA Comment
1	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-3, Water Supply Agencies	“Water Supply for each county is provided by its respective water supply department or agency. Some counties contain several water suppliers”	BAWSCA member agencies lie in Alameda County, Santa Clara County, and San Mateo County. BAWSCA is comprised of 26 member agencies that provide water service. There are numerous water supply agencies in those Counties. Counties are not involved in providing water supply services.
2	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-3, Water Supply Agencies	General Comment	ABAG has chosen to list the eight (8) major water agencies in the Bay Area. Limiting the DEIR analysis discussion to 8 agencies is insufficient. We ask that BAWSCA and our member agencies be called out and detailed in the DEIR. Doing so would better clarify that the wholesale customers of the SFPUC are charged with providing water services and meeting the water supply needs of their respective service areas.
3	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-4, San Francisco Public Utilities Commission	“...provides water to 2.6 million people within San Francisco, San Mateo, Santa Clara, Alameda, and Tuolumne counties.”	It would be helpful to further break down the retail and wholesale customers of the SFPUC, and to identify those wholesale customers that are BAWSCA member agencies. As noted in Comment #2, we ask that ABAG include a specific discussion of BAWSCA member agencies in this section.
4	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-4, San Francisco Public Utilities Commission	“The primary water source for San Mateo County is SFPUC’s ...”	Like BAWSCA comments 2 & 3, there is confusion created by not directly referencing BAWSCA and our member agencies in this document. The text should be revised to address this deficiency. The discussion should highlight the fact that certain BAWSCA members have components of their supply other than what they derive from the SFPUC, etc. Implying that the SFPUC is solely responsible for providing water supply services outside of the San Francisco County service area is incorrect.
5	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting	General Comment	SCVWD provides water to 6 BAWSCA member agencies. A reference/ rewrite should be considered.

Table 1 (Continued)

BAWSCA Comment Number	Location in Document	General Comment and/or a statement made by ABAG in the text of the PEIR that BAWSCA objects to	BAWSCA Comment
	Page 2.12-4, Santa Clara Valley Water District		
6	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-6, Regional Water Setting	Figure 2.12-2, Bay Area Water Use by Supply Source	The Pie Chart presented in figure 2.12-2 indicates various percentages of the ‘total bay area supply’ that various water sources, such as flow from the Tuolumne River and the Mokelumne River, provide. BAWSCA questions the information shown (for example, we were not aware that the quantities as sourced from the Mokelumne are equal to that sourced from the Tuolumne). It would be helpful to know the exact reference cited and further to have actual quantities of water listed (vs. simply providing percentages). Further, a supply pie chart for dry years would be helpful. Supplies shift during dry years, when other sources are called upon.
7	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-6, Local Water	General Comment	There is significant discussion in this sub-section relative to groundwater and overdraft considerations. While BAWSCA agrees that overdraft is a concern statewide and particularly within California’s central valley, and perhaps is a concern within the groundwater basins underlying portion of the Bay Area such as Santa Clara County, BAWSCA suggests that ABAG provide more detail regarding which agencies rely on groundwater and further which agencies view that overdraft is a potential risk (assuming that perhaps over-pumping of the basin(s) they overlie is a concern in the future if demand increases).

Table 1 (Continued)

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8	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-9, Water Transfers	“...Bay Area water agencies have a number of transfer agreements to improve water supply in the region”.	BAWSCA finds this statement to be an exaggeration. There are not, in our understanding, ‘numerous’ long-term transfer agreements in place that will provide Bay Area water agencies with additional supplies. Long term transfers appear to be in the works at a small subset of Bay Area agencies (for example, BAWSCA is aware that EBMUD is attempting to secure one with Placer County Water Agency). There may be other agreement mechanisms in place that BAWSCA is not aware of (perhaps between Bay Area Water Agencies and with Yuba County Water Agency and/or other Sacramento entities?). We question this statement and suggest that more specificity is called for here.
9	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-9, Water Supply Infrastructure, Hetch Hetchy Aqueduct	General Comment	The description as provided by ABAG should be reviewed by SFPUC and modified to provide a greater level of detail. As it currently reads, it over-simplifies the San Francisco Regional Water System and its associated network of tunnels, pipelines, pump stations, reservoirs, treatment plants, turnouts, etc.
10	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-10, Water Supply Infrastructure, Regional Demographics and Water Demand	“...In general, demand management strategies will allow Bay Area water agencies to continue to meet projected demand through 2030 in average years”	There are significant challenges that water agencies face, such as added water supply challenges associated with increased unimpaired flows on Sacramento / San Joaquin tributaries in the State Water Resources Control Board's proposed update of the Bay-Delta Water Quality Control Plan. The assumption that water supply demands can be met with the added populations as projected by ABAG coupled with a reduction in water supply associated with the possible SWRCB action(s) may result in the ABAG statement being too optimistic. Additional water supply modeling and evaluation would be needed to substantiate this statement given future water supply uncertainties.

Table 1 (Continued)

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10	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-10, Water Supply Infrastructure, Regional Demographics and Water Demand, Table 2.12-2	General Comment	BAWSCA member agencies are not shown / listed in table 2.12-2 (only the large water agencies are illustrated). BAWSCA asks that the table be expanded to include additional BAWSCA member agency specific information.
11	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-12, Water Demand, Table 2.12-3	General Comment	Table 2.12-3 provides information relative to projected water shortages (by the Bay Area large water agencies) during a 1-year drought. The table does not provide a breakdown for BAWSCA member agencies, nor is there a similar table to indicate the ability of these agencies to address multiple year droughts. Further, the region faces various challenges ahead (such as the aforementioned regulatory challenges associated with proposed SWRCB unimpaired flow mandates) that could result in more frequent and pronounced impacts.
14	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting Page 2.12-13, Drought	General Comment	Water agencies spend considerable time and effort planning for multi-year droughts. The text of the DEIR should pay more attention to that fact. BAWSCA sees a need for an expanded discussion on droughts and how multi-year droughts impact water agencies. The DEIR discussion regarding conservation mandates as made by Gov. Brown during this most recent drought, the discussion of the heavy precipitation experience this past winter, and the mention of climate change merits separate sections (vs. packing these discussions into the Drought section of the DEIR).
14	2.12 – Public Utilities; Section 2.12.1 – Environmental Setting	General Comment	Water agencies would likely need to look to alternative supplies to address the water needs of the growth in population that ABAG predicts. New sources (or alternative sources) likely have different water quality as compared with an agency’s standard source, and

Table 1 (Continued)

BAWSCA Comment Number	Location in Document	General Comment and/or a statement made by ABAG in the text of the PEIR that BAWSCA objects to	BAWSCA Comment
	Page 2.12-13, Water Treatment		may in turn require that modifications be made to water agency's treatment plants.
15	2.12 – Public Utilities; Section 2.12.2 – Regulatory Setting Page 2.12-21 State Legislation	General Comment	As noted previously, there are pending regulations proposed by the SWRCB that if approved would result in less supply being made available from the Tuolumne River (i.e., the SWRCB's update of the Bay-Delta Water Quality Control Plan). These regulations would significantly impact SFPUC, ACWD, and all of BAWSCA. A discussion of the SWRCB efforts and the status of the Bay-Delta Plan amendments should be considered by ABAG for incorporation into the DEIR.
16	2.12 – Public Utilities; Section 2.12.3 – Impact Analysis Page 2.12-27 Impacts of Potential Land Use	“Some water suppliers should be able to meet demands of growth under the proposed Plan, such as the Alameda County Water District, City of Napa, and San Francisco PUC, although these would need to take measures to address water conservation during dry years”.	As noted in previous BAWSCA comments, there are other issues impacting Bay Area water supply, such as the SWRCB's update to the Bay-Delta Water Quality Control Plan. It is quite possible that the statement as made is not accurate, and the impact or reduced Bay Area water supply with the expanded growth projected in Plan Bay Area 2040 should be fully considered.
16	2.12 – Public Utilities; Section 2.12.3 – Impact Analysis Page 2.12-27 Impacts of Potential Land Use	“The combined population projections of the water supply agencies for 2040 (9,883,000) exceeds the 2040 regional population projections for the proposed Plan (approximately 9,627,5000) ... As a result, there may be adequate water supplies across the entire region to serve expected growth under the proposed Plan”.	This statement is misleading. First, not all water suppliers have the ability (or willingness) to wheel (trade) water supplies with others. Second, as in BAWSCA's case, the projections presented do not clearly show where growth will occur at an agency-specific level. BAWSCA believes several assumptions are required to reach such a broad conclusion. ABAG or their consultant should provide the information and assumptions made supporting this conclusion. We further ask that information be presented for each BAWSCA member agency.

Table 1 (Continued)

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16	2.12 – Public Utilities; Section 2.12.3 – Impact Analysis Page 2.12-27, Impacts of Potential Land Use	“However, at a regional level, changes in land use projected development from the proposed Plan may result in insufficient water supplies requiring the acquisition of additional water sources and the imposition of conservation requirements.”	The DEIR exaggerates the effectiveness of conservation as a mitigation for insufficient water supplies. BAWSCA member agencies did an exceptional job at conserving water during the recent drought, achieving an overall savings of 27 percent in Fiscal Year 2015-2016, as compared to 2013. However, demand hardening from past conservation efforts would lessen the effect of additional conservation, thereby increasing the overall impacts from the proposed water supply reductions.
17	2.12 – Public Utilities; Section 2.12.3 – Impact Analysis Page 2.12-27, Mitigation Measure 2.12-1(a)	“Implement water conservation measures which result in reduced demand for potable water.”	As stated in Comment #16, the DEIR exaggerates the effectiveness of conservation as a mitigation for insufficient water supplies. BAWSCA member agencies did an exceptional job at conserving water during the recent drought, achieving an overall savings of 27 percent in Fiscal Year 2015-2016, as compared to 2013. However, demand hardening from past conservation efforts would lessen the effect of additional conservation, thereby increasing the overall impacts from the proposed water supply reductions.
18	2.12 – Public Utilities; Section 2.12.3 – Impact Analysis Page 2.12-28, Table 2.12-7	General Comment	Similar to comments made elsewhere by BAWSCA, Table 2.12-7 presents Projected Service Area Population of Major Bay Area Water Agencies. It does not provide a breakdown for BAWSCA or its member agencies. By not providing a breakdown, it presents a significant challenge for BAWSCA and its member agencies to estimate the proposed growth by individual City / Water Service provider. We ask that that level of detail be provided and that Table 2.12-7 be expanded to cover BAWSCA.
19	2.12 – Public Utilities; Section 2.12.3 – Impact Analysis Page 2.12-29 Mitigation Measures	General Comment	ABAG proposes that implementing agencies include mitigation measures (a subset of which were listed) that would allow the impact of Plan Bay Area 2040 on Utilities (including water utilities) to be reduced from Potentially Significant to Less than Significant with Mitigation. BAWSCA believes that the mitigation measures as listed in the document should be expanded upon to include the

Table 1 (Continued)

BAWSCA Comment Number	Location in Document	General Comment and/or a statement made by ABAG in the text of the PEIR that BAWSCA objects to	BAWSCA Comment
			development of drought supply projects. Those projects take considerable time, money and are challenging from a public acceptance perspective. Further, those types of projects also have their own set of potentially significant impacts that must be evaluated.
20	2.12 – Public Utilities; Section 2.12.3 – Impact Analysis Page 2.12-29 Mitigation Measures. Significance after mitigation	General Comment	See BAWSCA comment #17. Most water supply projects spend years in the planning and development process. Many are subject to legal challenge. It is unclear if, at the program level, the significance after mitigation could be lowered to the “less than significant with mitigations” since the development of a new water supply project is such a complicated and complex mitigation in and of itself.
21	2.12 – Public Utilities; Section 2.12.3 – Impact Analysis Page 2.12-35 Impact 2.12-4	General Comment	ABAG notes that the implementation of the proposed Plan could require new or expanded water and wastewater treatment facilities. As noted previously by BAWSCA, if supplemental supplies are used by water providers, and if those supplies are dissimilar in water quality from that currently treated, water treatment plant modifications would be required. Such a discussion should be incorporated into this section of the DEIR.
22	3.2.4 - Cumulative Impacts, Page 3.2-8	General Comment	The cumulative impacts analysis should consider the future proposed modification by the SWRCB of the Bay-Delta Plan and cumulative effects of the projected reduction to water supply with the projected growth and impacts in the Plan Bay Area 2040.