

Volume 2, Responses to Comments, contains responses to comments received on the Draft Environmental Impact Report (DEIR) for the Long-Term Operations of the State Water Project (SWP) facilities in the Sacramento–San Joaquin Delta (Delta), Suisun Marsh, and Suisun Bay (Proposed Project). As the lead agency under CEQA, the California Department of Water Resources (DWR) released the DEIR for public review on May 29, 2024, and the public comment period closed on August 5, 2024. All chapters and appendices mentioned in Volume 2 of this Final EIR are referring to Volume 1, unless otherwise specified.

This chapter describes: (1) comments received and other public input regarding the DEIR; (2) the general approach taken by DWR in considering and responding to comments; and (3) the format, content, and organization of this Volume 2.

## 1.1 Public Participation and Comments Received

The public comment period for the DEIR was originally set for 40 days and scheduled to close on July 8, 2024. In response to requests from multiple commenters, DWR granted a 28-day extension to the public comment period, which closed at 5:00 p.m. Pacific Standard Time on August 5, 2024. The extension allowed a public comment period totaling 68 days. DWR conducted one public hearing on June 18, 2024, from 11:30 a.m.–1:30 p.m., during which DWR accepted verbal comments on the DEIR.

DWR received approximately 34 unique letters and communications from federal, state, and local/regional agencies; California Native American Tribal governments; elected officials; nongovernmental organizations; and members of the public. After reviewing letters and communications, DWR identified approximately 650 discrete comments.

Comments were submitted primarily through unique letters. Unique letters are letters containing individual unique comments submitted by a single commenter or multiple commenters; each verbal comment received at the one public hearing was transcribed and treated as if it were a unique letter.

The comments covered a broad range of environmental concerns and other issues. Major topic areas that elicited frequent comments included but were not limited to: the CEQA process, consistency with plans & programs; general issues, information, and editorial issues; Approach to analysis; General merits; Permitting; Project objectives & purpose, range of alternatives, and project description; Geographic scope and study area; Project operations; Voluntary agreements; Project facilities; Culture supplementation, and Monitoring and adaptive management; Drought; Governance; Hydraulic modeling; surface water quality and groundwater methodologies and impacts; fish and aquatic resources; terrestrial biological resources methodology and impacts; Tribal cultural resources and consultation; climate change; environmental justice; and cumulative impacts. The responses to comments provided in this Volume 2 represent DWR’s best effort to review and consider the comments and any supporting evidence provided by commenters.

## 1.2 Regulatory Context

The purpose of public review of a DEIR is to provide agencies and the public the opportunity to review the environmental analysis for compliance with the California Environmental Quality Act (CEQA), and to provide comments on the environmental impacts of the project.

The CEQA Guidelines describe the general approach to agency responses to public comments as follows:

(c) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice. The level of detail contained in the response, however, may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment.

(d) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the Lead Agency should either: (1) Revise the text in the body of the EIR, or (2) Include marginal notes showing that the information is revised in the response to comments. (California Code of Regulations [Cal. Code Regs.], tit. 14, § 15088, subd. (c) and (d).)

CEQA does not require a lead agency to undertake every suggestion given by commenters, provided that the agency responds to significant environmental issues and makes a good-faith effort at disclosure in a reasoned way. For example, the CEQA Guidelines state:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. [...] [R]eviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR. (Cal. Code Regs., tit. 14, § 15204, subd. (a).)

CEQA does not require DWR to respond to comments unrelated or not germane to the evaluation of potential environmental impacts analyzed in the DEIR.

## 1.3 Approach

DWR has made a good-faith effort to ensure that all comments were identified, considered, and responded to in Volume 2 of the Final EIR. Comments organized by letter can be found in the comment response tables in Volume 2, Chapter 4, "Response to Comments Tables." DWR reviewed comments exactly as they were provided; however, if a comment letter included bolded, shaded, or italic text, this type of formatting is not replicated in Volume 2, Chapter 4 as a result of processing and logging comments. In addition, these formatting elements do not satisfy DWR's visual

accessibility requirements when provided by third parties. DWR will provide electronic copies (i.e., PDFs) of comment letters upon request. Requests can be made at SWPDeltaOps@water.ca.gov. Every attempt was made to understand the commenters' comments in order to provide responses. If a comment was not clearly understood, DWR made a note to that effect in the response provided in Volume 2, Chapter 4. Substantive comments raising significant environmental issues were addressed through a combination of unique responses and Common Responses.

## 1.4 Organization of Volume 2

Volume 2 is organized into four primary chapters, as described below.

Chapter 1, "Introduction and Approach to Responses to Comments," (this chapter) contains a description of the public participation and public comments received on the DEIR; the approach to reviewing and responding to comments; and the format, and organization of Volume 2.

Chapter 2, "Indices of Commenters," provides a list of the comment letter numbers and names and titles of commenters, when provided, from federal agencies and elected officials; Tribal governments; state agencies and elected officials; local/regional agencies and elected officials; nongovernmental organizations, businesses, conservation groups, unidentified organizations; and members of the public. The indices in Chapter 2 are organized by organization type, commenter name, and letter number. Readers and commenters can use these indices to identify the letter number or comment numbers associated with the submissions and then find the comments and responses in the comment response tables that are in Volume 2, Chapter 4. Indices are organized by commenter type as described in Table 1-1. Each comment letter is numbered; the corresponding commenter(s) are presented in the indices in Volume 2, Chapter 2.

**Table 1-1. Summary of Indices**

Index Number	Commenter Type
1	Federal Agencies, Federal Elected Officials, and Tribal Governments
2	State Agencies and Elected Officials
3	Local/Regional Agencies and Elected Officials
4	Nongovernmental Organizations, Businesses, Conservation Groups, Unidentified Organizations, Etc.
5	Individuals

Chapter 3, "Common Responses," contains an introduction with a summary table identifying the number of Common Responses and a general description of the topics addressed by each Common Response. The DEIR was the subject of multiple comments on substantially similar topics or recurring comment themes or issues. Common Responses were prepared to provide responses to these frequently raised topics, themes, or issues to avoid repetition and to provide a comprehensive response.

Chapter 4, "Response to Comments Tables," presents individual comments and responses in a tabular format organized by commenter type in numerical order by letter number. Comment letters, emails, and other written or transcribed comments were assigned an identifying letter number as they were received and processed by DWR.

# Chapter 2

## Indices of Commenters

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This chapter provides indices related to comments received on the Draft Environmental Impact Report (DEIR) for the Long-Term Operations of the State Water Project (SWP) facilities in the Sacramento–San Joaquin Delta (Delta), Suisun Marsh, and Suisun Bay (Proposed Project). The following indices list the comment letter numbers and names and titles of commenters, when provided, from federal agencies and elected officials; Tribal governments; state agencies and elected officials; local/regional agencies and elected officials; nongovernmental organizations; and members of the public. These indices are organized by organization type, letter number, and commenter name. Readers and commenters can use these indices to identify the letter number or comment numbers associated with their submissions and then find the comments and responses in the comment response tables that are contained in Volume 2, Chapter 4, “Response to Comments Tables.” Indices are organized by commenter type as described in Table 2-1. If a “/” is shown in a table, it indicates that the information was not provided or was not legible. The easiest way to find a letter is to search by the commenter’s name or the organization with which the commenter is affiliated.

## 2.1 Public Participation and Comments Received

**Table 2-1. Summary of Indices**

<b>Index Number</b>	<b>Table Number</b>	<b>Commenter Type</b>
1	2-2	Federal Agencies, Federal Elected Officials, and Tribal Governments
2	2-3	State Agencies and Elected Officials
3	2-4	Local/Regional Agencies and Elected Officials
4	2-5	Non-Governmental Organizations
5	2-6	Individuals
6	2-7	Primary Forms and Petitions

**Table 2-2. Index 1: Federal Agencies, Federal Elected Officials, and Tribal Governments**

<b>Letter Number</b>	<b>First Name</b>	<b>Last Name</b>	<b>Title</b>	<b>Organization Name</b>
25	Stephan	Volker	Legal Representative	Winnemem Wintu Tribe

**Table 2-3. Index 2: State Agencies and Elected Officials**

<b>Letter Number</b>	<b>First Name</b>	<b>Last Name</b>	<b>Title</b>	<b>Organization Name</b>
2	Bruce	Blodgett	Executive Director	Delta Protection Commission
7	Carter	Cook	Environmental Scientist	Central Valley Regional Water Quality Control Board
9	Lori	Wilson	Assemblymember	California State Assembly
12	Brooke	Jacobs	Water Branch Chief	California Department of Fish and Wildlife
13	Erin	Thompson	Office of Regional and Community Planning	California Department of Transportation
20	Diane	Riddle	Assistant Deputy Director - Division of Water Rights	State Water Resources Control Board
22	Erwin	Sison	Senior Oil & Gas Engineer	California Department of Conservation

**Table 2-4. Index 3: Local/Regional Agencies and Elected Officials**

<b>Letter Number</b>	<b>First Name</b>	<b>Last Name</b>	<b>Title</b>	<b>Organization Name</b>
1	Alyson	Ackerman	Legal Representative	Byron-Bethany Irrigation District
3	Jeff	Sutton	General Manager	Glenn-Colusa Irrigation District
3	Jason	Phillips	CEO	Friant Water Authority
3	William	Vanderwaal	General Manager	Tehama-Colusa Canal Authority
3	Allison	Febbo	General Manager	Westlands Water District
3	Federico	Barajas	Executive Director	San Luis & Delta-Mendota Water Authority
3	Lewis	Bair	General Manager	Reclamation District No. 108
3	Roger	Cornwell	Board President	Sacramento River Settlement Contractors
3	Federico	Barajas	Executive Director	San Luis & Delta-Mendota Water Authority
4	Jennifer	Pierre	General Manager	State Water Contractors
14	Osha	Meserve	Legal Representative	Local Agencies of the North Delta
15	Dante	Nomellini, Sr.	Legal Representative	Central Delta Water Agency
16	Dante	Nomellini, Sr.	Legal Representative	Central Delta Water Agency
18	Lon	Martin	General Manager	San Luis Water District
18	Allison	Febbo	General Manager	Mojave Water Agency
18	J. Scott	Petersen	Water Policy Director	San Luis & Delta-Mendota Water Authority
18	David	Weisenberger	General Manager	Banta-Carbona Irrigation District
18	John	Wiersma	General Manager	Henry Miller Reclamation District
18	Robert	Pierce	General Manager	West Stanislaus Irrigation District
18	Vincent	Lucchesi	General Manager	Patterson Irrigation District

<b>Letter Number</b>	<b>First Name</b>	<b>Last Name</b>	<b>Title</b>	<b>Organization Name</b>
19	Alexander	Rabidoux	Assistant General Manager	Solano County Water Agency
21	Deanna	Sereno	Science and Policy Manager	Contra Costa Water District
24	Melinda	Terry	Manager	North Delta Water Agency
31	Cindy	Meyer	/	San Luis and Delta-Mendota Water Authority

**Table 2-5. Index 4: Non-Governmental Organizations**

<b>Letter Number</b>	<b>First Name</b>	<b>Last Name</b>	<b>Title</b>	<b>Organization Name</b>
3	Brett	Gray	General Manager	Natomas Central Mutual Water Company
3	Roger	Cornwell	/	Sutter Mutual Water Company
6	Francis	Coats		Save California Salmon
8	Ivan	Senock	Deputy Director	Restore the Delta
8	Erin	Woolley	Senior Policy Strategist	Sierra Club California
8	Scott	Artis	Executive Director	Golden State Salmon Association
8	Keiko	Mertz	Policy Director	Friends of the River
8	Jann	Dorman	Executive Director	Friends of the River
8	M. Benjamin	Eichenberg	Staff Attorney	San Francisco Baykeeper
10	Max	Gomberg	Senior Policy Consultant	California Water Impact Network
17	Barbara	Barrigan-Parrilla	Executive Director	Restore the Delta
17	Scott	Artis	Executive Director	Golden State Salmon Association
17	Chris	Shutes	Executive Director	California Sportfishing Protection Alliance
17	Jann	Dorman	Executive Director	Friends of the River
17	Jon	Rosenfield	Science Director	San Francisco Baykeeper
23	Tryg	Sletteland	Founding Director	Sacramento River Council
25	Stephan	Volker	Legal Representative	California Sportfishing Alliance
25	Stephan	Volker	Legal Representative	North Coast Rivers Alliance
25	Stephan	Volker	Legal Representative	Pacific Coast Federation of Fishermens Association
25	Stephan	Volker	Legal Representative	San Francisco Crab Boat Owners' Association
25	Stephan	Volker	Legal Representative	Institute for Fisheries Resources
26	Kasil	Willie	Staff Attorney	Save California Salmon
26	Abigail	Black	Policy & Communications Specialist	Save California Salmon

<b>Letter Number</b>	<b>First Name</b>	<b>Last Name</b>	<b>Title</b>	<b>Organization Name</b>
27	Bob	Wright	Counsel	Sierra Club of California
28	Howard	Penn	Executive Director	Planning and Conservation League
28	Bob	Wright	Counsel	Sierra Club of California
28	Chris	Shutes	Executive Director	California Sportfishing Protection Alliance
28	Erin	Woolley	Senior Policy Strategist	Sierra Club California
28	John	Buse	Senior Counsel	Center for Biological Diversity
28	Barbara	Vlamiš	Executive Director	AquAlliance
28	Jann	Dorman	Executive Director	Friends of the River
28	Conner	Everts	Facilitator	Environmental Water Caucus
28	Carolee	Krieger	President & Executive Director	California Water Impact Network
29	Chris	Shutes	Executive Director	California Sportfishing Protection Alliance
29	Bob	Wright	Counsel	Sierra Club of California
29	Erin	Woolley	Senior Policy Strategist	Sierra Club California
29	Howard	Penn	Executive Director	Planning and Conservation League
29	Conner	Everts	Facilitator	Environmental Water Caucus
29	John	Buse	Senior Counsel	Center for Biological Diversity
29	Barbara	Vlamiš	Executive Director	AquAlliance
29	Jann	Dorman	Executive Director	Friends of the River
29	Carolee	Krieger	President & Executive Director	California Water Impact Network
30	Abigail	Black	Policy & Communications Specialist	Save California Salmon
32	Francis	Mendoza	Land and Water Justice Manager	Save California Salmon
34	Regina	Chichizola	Co-Director	Save California Salmon

**Table 2-6. Index 5: Individuals**

<b>Letter Number</b>	<b>First Name</b>	<b>Last Name</b>
5	Nicolas	Chapman
11	Joeseeph	Green-Heffern
33	Max	Gromberg