ALAMEDA COUNTY WATER DISTRICT

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July 27, 2015

Sarah B. Jones
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Jones:

Subject: Comments on the Notice of Preparation of an Environmental Impact Report for the Alameda Creek Recapture Project

Thank you for the opportunity to provide comments on the proposed Alameda Creek Recapture Project (ACRP) during the project scoping phase. The Alameda County Water District (ACWD) acknowledges the significant accomplishments of the SFPUC to date in the implementation of the Water Supply Improvement Program (WSIP) since ACWD is a customer and, therefore, a beneficiary of the water supply reliability improvements that the SFPUC is achieving through its implementation.

That said, ACWD has a strong interest in protecting and preserving water quality and water supply in Alameda Creek and the Alameda Creek Watershed. ACWD is particularly concerned with potential impacts that the ACRP may have on ACWD's water supplies as well as ongoing projects related to fisheries restoration in Alameda Creek. With a service area located downstream of the proposed project location, ACWD uses water from the Alameda Creek watershed for drinking water supply to over 344,000 people in the cities of Fremont, Newark, and Union City. ACWD relies on adequate flow in Alameda Creek for groundwater recharge and its subsequent use as a potable drinking water supply. Additionally, ACWD, together with the SFPUC and other watershed stakeholders, is actively involved in the ongoing steelhead restoration efforts to restore the steelhead run in the Alameda Creek Watershed.

ACWD's Understanding of the ACRP

The ACRP is intended to recapture flows released from Calaveras Reservoir and/or bypassed around the Alameda Creek Diversion Dam as part of the future operations plan described in the Calaveras Dam Replacement Project Biological Opinion. The ACRP will rely on the slow and steady percolation of surface water from Alameda Creek, into the Sunol Groundwater Basin, and

into Pit-F2 from where it will be captured and pumped to surface storage or treatment. Pit-F2 will effectively act as a sump for southern Sunol Valley and the dewatering of Pit-F2 could, in theory, facilitate recapture by increasing the potential head needed to increase percolation out of Alameda Creek.

As indicated in the Notice of Preparation (NOP), the volume of water that the ACRP intends to recapture is approximately equal to the average annual water to be released or bypassed. However, while annual totals may be the same, the actual daily rate of releases or bypass flows will be quantifiably different from the recapture rate provided by the ACRP. Real-time releases and bypasses will be on the order of tens to thousands of cubic feet per second (cfs), while the real time recapture rate will likely be on the order of ones to tens of cfs. Thus, when releases or bypasses are high, a substantial amount of the actual flows will exit Sunol Valley rather than percolate into the ground. Conversely, when releases or bypasses are low, the ACRP may continue to *capture* flows from Alameda Creek that are neither releases nor bypasses. The disparity in the release and recapture rates may have impacts in a variety of areas of concern and will need to be analyzed in sufficient detail for potential impacts to be understood and ultimately mitigated if necessary.

Since much of the releases and bypass flows will exit Sunol Valley, in order to make the annual average volume of yield from the ACRP equal the volume released or bypassed, the ACRP must "make-up" additional water. Some release or bypass water will be recaptured; however, additional water originating from sources other than Calaveras Reservoir and the Diversion Dam, such as Welch Creek, may be captured, pumped, and delivered to storage or treatment as a result of the ACRP. Due to this mechanism of operations, it is difficult to define the ACRP as strictly a 'recapture' facility. Rather, the ACRP will act as an alternative water supply or management system to compensate for lost yield from Calaveras Dam and Alameda Creek Diversion Dam.

It is with this understanding that the following comments are provided.

ACWD Comments

The Environmental Impact Report (EIR) must adequately address issues associated with protection of Alameda Creek, and the Alameda Creek Watershed as well as address potential impacts to downstream agencies. ACWD requests the EIR include sufficient detail to address the following areas of concern:

1. Rigor of Analysis

Surface water and groundwater interactions are complex and dynamic physical processes. The Alameda System Daily Hydrologic Model (ASDHM) cited in the NOP is an empirically derived surface water model developed to analyze surface water flow rates under existing and future conditions. By design, the proposed ACRP will influence the surface water and groundwater interaction in a manner different from existing conditions. Therefore this empirical model will need to be substantially modified and may prove to be insufficient to fully analyze the impacts of

operation of the ACRP. The EIR should consider using a more robust, physically based hydrological model capable of estimating the impact on stream flows throughout the project area, in Niles Canyon, and out to the San Francisco Bay. Alternatively, as is often the case with surface water and groundwater interactions, controlled physical tests could be conducted and would likely be more conclusive.

The following information should be considered as part of the analysis:

a) Evaluation of the groundwater seepage and surface water recharge from Alameda Creek and San Antonio Creek into Pit F2.

b) Quantify the amount of release and bypass water that will actually percolate into the Sunol Valley Groundwater Basin (including water captured at the existing infiltration gallery) that can actually be defined as "recapture."

c) Description of the origin of water other than the "recapture" that will be pumped out of Pit F2 at the various times of operation (*i.e.*, surface water or groundwater).

2. Hydrologic, Biological, and Water Supply Impacts

a) The EIR should provide sufficient detail to analyze impacts associated with the differing rates of release and recapture on the following:
   - Anadromous fish passage in the Alameda Creek Flood Control Channel, Niles Canyon and Sunol Valley.
   - Aquatic and riparian habitat in Niles Canyon and Sunol Valley.
   - ACWD groundwater recharge operations and water supply.

b) The potential impacts of the ACRP will likely vary significantly between dry, average, and wet year conditions. The EIR analysis should address these separate hydrologic year types.

3. Inconsistency with the WSIP Programmatic EIR

Previous environmental reporting described a recapture facility with capacity of up to 6,300 AF/year. The proposed ACRP capacity has been increased to 9,820 AF/year. The EIR should address this discrepancy and any additional environmental impacts from the increased capacity.

4. Water Rights

The EIR should identify the alternative water supply that is being captured as a result of the ACRP and include an analysis of the impact to both surface water and groundwater rights in the affected area.

5. Past, Present, and Future Work on Fisheries Projects

The NOP states that the EIR will evaluate potential cumulative impacts resulting from implementation of the ACRP in combination with other projects in the vicinity. This cumulative impacts analysis should include projects that are being pursued by the Alameda Creek Fisheries Workgroup including; ACWD/Alameda County Flood Control and Water Conservation District's Joint Fish Passage Projects, Alameda County Flood Control's projects in the lower Alameda Creek, SFPUC's projects in Niles Canyon, and PG&E's plans to address fish passage in Sunol Valley.

6. Permits and Approvals

a) The NOP states that no federal permits are anticipated. ACWD encourages the SFPUC to evaluate the potential impacts to "waters of the United States" and permit requirements under the Clean Water Rule published on June 29, 2015, in the Federal Register (80 FR 37054). The final rule becomes effective on August 28, 2015, modifying the definition of waters of the United States under 40 C.F.R. 230.3.

b) The NOP does not indicate that notification of California Department of Fish and Wildlife is required under Fish and Game Code section 1602. This determination in the environmental impact report should take into account the recent holding in the case *Siskiyou County Farm Bureau v. Department of Fish and Wildlife* C.D.O.S. 5632, No. C073735 (June 4, 2015) that notification is required even if there is no disturbance of a streambed or bank.

7. Infrastructure Concerns

Pit-F2 lies adjacent to the South Bay Aqueduct (SBA), which supplies water to the Zone 7 Water Agency, ACWD, and the Santa Clara Valley Water District. Recent studies indicate the section of the SBA located adjacent to Pit F2 is at an increased risk of failure under seismic events.Given these findings, ACWD requests that the EIR evaluate whether cycling water levels in Pit F2 will have the potential to compromise the integrity and stability of soils in this area.

8. Considerations for the Alternatives Analysis

As stated in the NOP, the California Environmental Quality Act (CEQA) requires an evaluation of alternatives to the project. ACWD, being both a downstream agency and wholesale customer of the SFPUC, believes that there is a potential to coordinate in the scoping and assessment of some project alternatives, including operational alternatives of the proposed project, and welcomes discussions with the SFPUC on ways in which our two agencies can achieve the goals of enhancing environmental conditions within the Alameda Creek watershed while minimizing impacts to water supply reliability for both of our agencies.

Thank you again for the opportunity to comment during the project scoping phase. Should you have any questions about these comments or about ACWD's Alameda Creek water supply and downstream operations, please feel free to contact Steven Inn, Manager of Water Resources, at (510) 668-4441. We look forward to coordinating further with you on this project.

Sincerely,

Robert Shaver
General Manager

tn/tf
cc: Steven Inn, ACWD
Michael Carlin, SFPUC
Steve Ritchie, SFPUC