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March 21, 2023

By Electronic Mail Delivery

Monterey County Water Resources Agency
Board of Supervisors
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Salinas, California 93901
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Re: Comments on Interlake Tunnel and Spillway Modification Project Draft EIR

Dear Board Members;

The Salinas Valley Water Coalition ("Coalition") thanks the Monterey County Water Resources Agency ("MCWRA") for this opportunity to comment on the Draft Environmental Impact Report ("DEIR") for the Interlake Tunnel and Spillway Modification Project ("Project") proposed by MCWRA.

The Coalition is a non-profit organization whose members use groundwater to grow grapes, vegetables and other crops in the Monterey County portion of the Salinas Valley. The Coalition's members pay special assessments to MCWRA to operate and maintain Nacimiento and San Antonio reservoirs to provide water supply and flood protection benefits for their lands within MCWRA Benefit Zone 2C. Generally, Nacimiento and San Antonio reservoirs store natural inflow during the wet season for gradual release during the dry irrigation season. Reservoir releases into the Nacimiento and San Antonio rivers flow into the Salinas River, where the water percolates through the sandy riverbed to recharge groundwater in the Salinas Valley Groundwater Basin. The Coalition's members use the groundwater recharge developed by MCWRA reservoir operations to grow crops, when the water is physically made available for their use.

The proposed Project would construct a 10-foot-diameter tunnel that is 2 miles long to move water from Nacimiento Reservoir for storage in San Antonio Reservoir. The proposed Project also would replace the existing spillway at San Antonio Dam to raise San Antonio Reservoir's maximum water surface elevation by 7 feet and to increase its storage capacity by up to 41,000 acre-feet ("AF"). The purpose of the tunnel and spillway modification is to enable MCWRA to significantly change existing reservoir operations by reducing water releases from

Nacimiento Reservoir and delivering the foregone releases through the new tunnel into San Antonio Reservoir for storage. Under the proposed Project, historic and existing patterns of downstream recharge water availability to the Coalition's members would depend upon how MCWRA changes reservoir operations as it carries out the proposed Project. Changes to the timing, duration, and amounts of water that MCWRA stores and releases from the reservoirs will directly impact the water supply available to the Coalition's members.

Unfortunately, the DEIR does not clearly describe how MCWRA proposes to operate the reservoirs upon Project implementation. As a result, the DEIR also does not clearly describe the potential adverse physical impacts of Project implementation on downstream water supply or adequately evaluate their significance. The inadequate Project description results in inadequate analyses of Project impacts and their significance, which in turn results in the DEIR inadequately evaluating the feasibility of Project alternatives and mitigation measures that would avoid or reduce significant impacts while meeting all or most Project objectives.

Before preparing a Final EIR and potentially approving the proposed Project, the Coalition respectfully requests that MCWRA prepare a new DEIR that clearly describes proposed reservoir operations and resulting water supply impacts on downstream water users, like the Coalition's members. The revised DEIR must provide an updated impacts analysis that enables the public to meaningfully evaluate potential Project impacts and their significance. The revised DEIR must provide an updated evaluation of Project alternatives and mitigation measures that enables the public to meaningfully evaluate whether MCWRA has identified feasible approaches to avoid or reduce significant Project impacts. The revised DEIR must be publicly circulated for review and comment. Failure to significantly revise and re-circulate the DEIR would make any Project approval unlawful by violating the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21000 et seq.

The DEIR's Project Description Is Inadequate

By letter dated June 13, 2016, the Coalition submitted scoping comments in response to MCWRA's Notice of Preparation ("NOP") initiating the CEQA-review process for the proposed Project. The Coalition's scoping comments explained that "[t]he EIR must clearly define the Project and its components, and how they are intended to be utilized to meet the stated Project purpose and objectives," including "operational components." (June 13, 2016, Coalition NOP Comments at 2.)

The DEIR provides a 58-page description of the proposed Project's physical components and how they would be constructed. (DEIR at pp. 2-8 to 2-60.) But the DEIR fails to provide a similarly clear description of how MCWRA would operate the proposed Project. (DEIR at pp. 2-60 to 2-69.) Nowhere in the nine pages of graphs and lists of "decision-making inputs" is there a narrative description clearly describing to the public how MCWRA would operate the proposed Project.

The DEIR explains that "releases from the Nacimiento and San Antonio reservoirs are currently governed by the Nacimiento Dam Operation Policy and the San Antonio Dam Operation Policy." (DEIR at 2-6.) The Nacimiento Dam Operation Policy[1] provides a detailed 30-page description of operating objectives, physical, regulatory and other parameters that drive MCWRA's

[1] Available at https://www.co.monterey.ca.us/home/showpublisheddocument/63151/636628427976500000.

operation of Nacimiento Reservoir, including 15 pages describing "operations" in a way that enables the public to clearly understand how MCWRA operates the reservoir.

For example, the first heading under the "Operations" Section of the Nacimiento Dam Operation Policy describes how reservoir operations are driven by the Salinas Valley Water Project ("SVWP"), which was approved by MCWRA's Board of Supervisors and then funded by Salinas Valley landowners in a Proposition 218 vote that approved the Zone 2C Assessment to pay for the combined operations of Nacimiento and San Antonio reservoirs pursuant to the SVWP. The San Antonio Dam Operation Policy provides the same information for how MCWRA operates San Antonio Reservoir. Despite MCWRA's demonstrated ability to clearly describe reservoir operations in the two previously adopted dam operation policies cited in the DEIR, the DEIR fails to clearly describe how the Proposed project would change those operations in a way the public can clearly understand. The DEIR should be revised to clearly describe how the proposed Project would change reservoir operations pursuant to the SVWP, so the public can meaningfully evaluate the change and its environmental impacts.

The DEIR's Description of Existing Conditions is Inadequate

An EIR's description of existing environmental conditions defines the baseline against which the impacts of a proposed project are identified and their significance is evaluated. Here, existing reservoir operations are part of that environmental baseline. MCWRA's adopted dam operation policies recognize MCWRA's existing approval of the SVWP, including its associated flow prescription to protect steelhead trout, governs existing dam operations But the DEIR fails to clearly and accurately describe MCWRA's existing SVWP operations and commitments in a way allowing the public to evaluate whether, or how, the proposed Project would change SVWP operations.

SVWP Operations: In 2001, the MCWRA proposed the SVWP to capture more winter storm flows for use in providing more groundwater recharge. (2001 SVWP Draft EIR.) To do that, MCWRA proposed:

> (1) to enlarge Nacimiento Dam's spillway to safely hold back more water by eliminating the need to maintain empty reservoir storage space for flood control during the winter;
>
> (2) to reoperate Nacimiento and San Antonio reservoirs to use Nacimiento Reservoir's additional storage space by capturing excess winter storm flows to create more water supply yield; and
>
> (3) to use the additional water supply yield to increase groundwater recharge.

(2001 SVWP Draft EIR at 3-1 to 3-25; SVWP Final EIR.) MCWRA estimated that the spillway modification and reservoirs reoperation would generate an additional average annual water supply yield of 29,000 AFY. (*Ibid.*) Most of that new yield would be used to increase conservation releases for direct recharge, but an annual average of 9,700 AFY of surface water would be diverted by the new Salinas River Diversion Facility ("SRDF") to increase in-lieu recharge by coastal landowners participating in the Castroville Seawater Intrusion Project ("CSIP"). (*Ibid*.) The SRDF could operate between April 1 and October 1 but would be curtailed during droughts. (SVWP Draft EIR at 2-2 to 2-3.)

MCWRA prepared a Draft and Final EIR assessing the SVWP's effects under CEQA. MCWRA used a computer program to model the SVWP's effects on groundwater levels, and MCWRA's EIR concluded that seawater intrusion would be halted by the SVWP. MCWRA's Final EIR also explained:

> The conveyance of water released from the reservoirs via Salinas River channel causes an increased recharge through the Salinas River bed. The groundwater levels would, thus, increase in the Forebay and Upper Valley Subareas. Although an increase in groundwater levels could potentially cause slightly higher groundwater levels, the estimated increases are approximately 0.5 and 2.0 feet in the Forebay and Upper Valley Subareas.

(SVWP Final EIR at 3-30.) MCWRA's Final EIR concluded that the SVWP "would increase average groundwater levels in all subareas of the Basin," "would help improve the hydraulic balance of the basin and would be considered a beneficial impact of the project." (*Ibid*. [SVWP Final EIR at 3-30].)

With respect to SVWP operations during drought, the SVWP Draft EIR explained that surface water deliveries to the SRDF are variable and would be constrained: "Surface water supply that would be derived through reservoir reoperation and *river diversion* is variable and *would be constrained during drought periods.*" (SVWP Draft EIR at 3-25, emphasis added.) MCWRA explained that no surface water would be delivered to the SRDF during drought. (SVWP Final EIR at 2-797.)

Anticipating that MCWRA's actual SVWP implementation could injure downstream legal users of water by withholding stored water during drought, the Coalition emphasized the importance of showing that any water right changes for the SVWP "would not impair existing rights." (SVWP Final EIR at 2-792-793 [asking the Agency to "recognize the prior water rights of individuals" and requesting "the assurance that the proposed project will not interfere with their rights."].) MCWRA responded by explaining that no additional storage would be requested for its reservoir water rights. (SVWP Final EIR at 2-798.)

To pay for the SVWP, MCWRA in 2003 approved an "Engineer's Report To Support an Assessment for The Salinas Valley Water Project" ("2003 Engineer's Report"). The 2003 Engineer's Report explained that the "zone of hydrologic benefits is defined as land overlying water bearing alluvium that has hydraulic continuity with the Salinas River" and that "[a]ny contiguous parcel that overlies a portion of the alluvial material that is in hydrologic continuity with the Salinas River has been included in Zone 2C since the overlying portion of the parcel provides access to all hydrologic benefits." (2003 Engineer's Report at 3-3.) The 2003 Engineer's Report further explained that "each of the sub-areas within the Salinas Valley is hydraulically connected, but due to their varying geology and geography, they receive varying levels of benefits from the operation of the two existing reservoirs." (*Ibid.* [2003 Engineer's Report].)

The 2003 Engineer's Report explained that, under the SVWP, ongoing "[o]peration and maintenance of the existing reservoirs preserves the existing benefit of increased recharge of approximately 30,000 AFY," (2003 Engineer's Report at 3-7), that modification of the Nacimiento Dam's spillway allows reoperation "making more water available for release," and that "[t]he

additional water can be used to supplement and/or replace existing groundwater use through a surface diversion and/or groundwater recharge." (2003 Engineer's Report at ES-2.) With respect to water supply protection during droughts, the 2003 Engineer's Report explained that "the SRDF has little or no benefit to drought protection." (2003 Engineer's Report at 3-4.)

Instead, "[d]rought protection is provided by the existing reservoirs through reservoir releases during dry years"; for example "[d]uring historical drought periods, water was released from the reservoirs, providing flow in the Salinas River for recharge during periods when natural runoff would not have occurred." (2003 Engineer's Report at 3-8.) The 2003 Engineer's Report explained that continuing "[o]peration and maintenance of the existing reservoirs provides this benefit, while construction of the spillway modification preserves it." (2003 Engineer's Report.)

In other words, MCWRA's Proposition 218 approval of the SVWP was consistent with its SVWP EIR approval: The SRDF would not provide surface water deliveries during drought and ongoing reservoir operations would continue providing drought protection for upstream water users in the Upper Valley and Forebay by making water releases to recharge groundwater during dry years.

The 2003 Engineer's Report characterized "timing and location of recharge," "drought protection" and "groundwater quality" as special benefits that are particularly important for the Upper Valley and Forebay subareas of the Basin. (2003 Engineer's Report at 3-11 to 3-14.)

On April 8, 2003, MCWRA counted landowner votes from its Proposition 218 special assessment ballot proceeding and determined that the new SVWP assessment for the new Zone 2C passed by approximately 85 percent approval. Based on that outcome, MCWRA approved assessments to provide some $2.61 million in annual revenue for operations and maintenance of Nacimiento and San Antonio dams and reservoirs, and approximately $1.2 million annually for debt service to repay $18.8 million in construction costs for the new Nacimiento spillway modification and Salinas River Diversion Facility. (Ordinance No. 04203]; July 22, 2003, Agency Staff Report for proposed Ordinance No. 04203.)

Following the ballot proceeding, the Board of Supervisors enacted Ordinance No. 04203 on July 22, 2003, to approve the SVWP, establish Zone 2C as the benefit zone for the SVWP, and to impose the SVWP Assessment within Zone 2C to fund the SVWP. (Ordinance No. 04203.)

Based on MCWRA's SVWP EIR certification, SVWP project approval, and SVWP Proposition 218 approval, MCWRA committed: (1) to protect downstream prior water rights, (2) to preserve the existing recharge special benefits of approximately 30,000 AFY, including reservoir drought releases for the Upper Valley and Forebay, (3) to augment basin recharge by approximately 29,000 AFY, and (4) to curtail SRDF surface water deliveries during drought.

After receiving a Biological Opinion from the National Marine Fisheries Service ("NMFS") in June 2007, MCWRA completed a Salinas Valley Water Project EIR Addendum in July 2007 ("SVWP EIR Addendum" or "Addendum"). The Addendum documented MCWRA's analysis and conclusion that a 60 cfs minimum flow release requirement from Nacimiento Reservoir reservoir and other releases to protect steelhead spawning, rearing and outmigration as revisions to the SVWP, would not significantly change the SVWP's environmental effects from what had been disclosed in the EIR process that MCWRA had completed in 2002. (Addendum at 2-4 ["the modified flow rates will not cause significant impacts to the environment or substantially

increase the severity of any existing significant impacts in the Salinas River mainstem"]; July 31, 2007 Agency Staff Report at 1 ["[i]t is concluded that the modifications will not cause new significant environmental effects or a substantial increase in the severity of previously identified effects"].) MCWA based its conclusion in large part on the fact that the 60 cfs and other releases would increase groundwater recharge. (*Ibid.*)

Based on the Addendum, MCWRA adopted Resolution No. 07-294 modifying the SVWP to incorporate the 60 cfs minimum flow release requirement and related terms and conditions from the Biological Opinion. (Resolution No. 07-294.) By finding that those changes "will not cause new significant environmental effects or a substantial increase in the severity of previously identified effects," MCWRA confirmed that the SVWP's groundwater recharge effects would be essentially the same as those described in the original SVWP EIR.

Consistent with that conclusion, after modifying the SVWP in July 2007 to incorporate the 60 cfs minimum flow release and related requirements, MCWRA did not conduct a new Proposition 218 ballot proceeding to reallocate the landowner assessments MCWRA had imposed in 2002 to pay for the special groundwater recharge, drought protection and flood protection benefits that the SVWP would provide.

MCWRA completed construction and started operating Nacimiento and San Antonio Reservoirs pursuant to the SVWP in 2010. The existing Board of Supervisors approvals of the SVWP and Zone 2C remain enforceable commitments that define reservoir operating objectives and parameters.

The DEIR fails to describe existing reservoir operations pursuant to the SVWP: The DEIR for the proposed Project fails to accurately describe the SVWP, including its drought protection for Upper Valley and Forebay water users and restriction on SRDF operations during drought. Instead, the DEIR re-characterizes the SVWP through 7 concept-level bullet points and a paragraph that fails to provide concrete details. Moreover, the DEIR describes a "SVWP Phase 2" project that has never been approved, as if it has equal significance to the actual SVWP that was approved, constructed and governs current reservoir operations. (DEIR at p. 1-8.)

The DEIR's existing conditions description should be revised to clearly and accurately describe the approved SVWP reservoir operations, and the DEIR's description of the proposed Project should be revised to clearly describe how the Project would change SVWP reservoir operations. Failure to revise and recirculate the DEIR in those ways would deprive the public and MCWRA decisionmakers with the basic information needed to evaluate the proposed Project's impacts. Approving the proposed Project based on the existing DEIR would make the approval unlawful.

The DEIR's Impacts Analysis Is Inadequate

The Coalition's scoping comments asked MCWRA to analyze the proposed Project's impact on the SVWP. (SVWC NOP Comments at 2.) The DEIR's failure to describe whether, or how, the proposed Project would change SVWP operations prevents the public, including landowners who are subject to the SVWP's ongoing Zone 2C assessment, from evaluating the significance of the proposed Project's impact on the SVWP's ongoing, physical delivery of water supply from groundwater recharge. That means the DEIR fails to analyze the proposed Project's consistency with the most important adopted project, plan or policy controlling existing reservoir operations and water supply conditions in the Salinas Valley.

Hydrology: The DEIR focused its hydrologic impacts analysis on "the portion of the Salinas Valley groundwater Basin that starts from the confluence of the Nacimiento River and ends at the basin boundary at the Pacific Ocean" and "is primarily focused on MCWRA Benefit Zone 2C," which "consists of seven subareas: Above Dam, Below Dam, Upper Valley, Arroyo Seco, Forebay, East Side, and Pressure." (DEIR at p. 4.1-1.) The DEIR explains that those four subareas include most of the land area and nearly all of the reported groundwater usage within Zone 2C. (*Ibid.*) The DEIR finds that "the proposed project has a potential to affect the timing and quantity of water flowing through these river sections which could result in indirect impacts on surface and groundwater hydrology (flow rates and volumes) and water quality." (*Ibid.*)

The primary purpose of the proposed Project is to augment water supply available for groundwater users within Zone 2C while providing some additional flood protection, so the DEIR's hydrologic impacts analysis is critical for the public and decisionmakers to evaluate Project impacts.

The DEIR's description of existing facilities and regulatory requirements as part of the baseline for its impacts analysis should more clearly disclose that a failure to maintain and repair certain water release outlet facilities at Nacimiento Dam has resulted in MCWRA imposing on itself a voluntary reduction in the maximum amount of storage held by Nacimiento Reservoir. Neither DEIR Section 4.1.3.4 nor any other DEIR section provides that clear disclosure. The DEIR should clearly explain that the self-imposed storage limit reduces the water supply yield of Nacimiento Reservoir compared to the yield that was to be provided by the SVWP. The DEIR should clearly explain whether the self-imposed yield reduction is part of the environmental baseline used by the DEIR to identify the increased storage and resulting water supply yield of the proposed Project.

If the self-imposed yield reduction is part of the DEIR's environmental baseline, then the DEIR overstates the water supply yield of the proposed Project by taking credit for increased yield attributable to completing deferred maintenance on Nacimiento Dam's outlets. MCWRA has an existing obligation to make such repairs, the cost for which are part of the operation and maintenance costs included in the existing, approved Zone 2C assessment for the SVWP. The water supply yield attributable to Nacimiento Reservoir's full storage capacity (at water surface elevation 800') should be part of the DEIR's environmental baseline and no-project alternative and should not be attributed to the proposed Project.

Conflating the water supply yield from ongoing maintenance and repair of existing facilities and Zone 2C obligations with the water supply yield of the proposed Project would mislead the public and decisionmakers about the effects of the proposed Project by overstating the proposed Project's water supply yield. Such conflation also would overstate the proposed Project's potentially beneficial impact to flood protection. The DEIR should be revised to more clearly describe baseline conditions, so the public and decisionmakers can accurately evaluate the proposed Project's impacts.

The DEIR's hydrology and water quality impacts chapter addresses the proposed Project's impacts on groundwater levels. Section 4.1.3.6 purports to describe existing groundwater conditions, while Section 4.1.3.8 purports to describe existing seawater intrusion as a basinwide groundwater quality issue. Missing is a clear description of existing groundwater quantity and quality trends from the groundwater sustainability plans ("GSPs") adopted by the Salinas Valley

Basin Sustainability Agency ("SVBSA") for the Upper Valley, Forebay, 180'/400' Aquifer/Pressure, and Eastside subbasins that are being regulated under the Sustainable Groundwater Management Act ("SGMA").

Under SGMA, the California Department of Water Resources ("DWR") has analyzed and determined whether any of California's 127 high- and medium-priority subbasins are critically overdrafted. DWR has designated the 180'/400' Aquifer/Pressure Subbasin as critically overdafted. Neither the Upper Valley nor the Forebay subbasins are designated by DWR as critically overdrafted. The SVBGSA's GSP for the Upper Valley determined there is no overdraft in the Upper Valley (January 13, 2022 Upper Valley GSP at ES-5 to ES-8), just as its GSP for the Forebay determined there is no overdraft in the Forebay, (January 13, 2022, Forebay GSP at ES-6 to ES-8). In contrast, the SVBGSA's GSP for the 180'/400' Aquifer/Pressure Subbasin and for Eastside subbasins determined there is overdraft in these two subbasins. (September 8, 2022, 180'/400'-Aquifer GSP at ES-5 to ES-8 [citing overdraft of 13,400 AFY]; January 13, 2022, Eastside GSP at ES-5 to ES-7 [citing overdraft of 10,000 AFY].)

The DEIR should have provided the public and decisionmakers with the preceding information as part of the existing conditions and regulatory framework for evaluating the proposed Project's impacts on groundwater. The DEIR disregards overdraft determinations by DWR and the SVBGSA for the 180'400'-Aquifer and Eastside subbasins and mischaracterizes the issue as "overdraft of the basin." (DEIR at p. 4.1-43.) That misleads the public and decisionmakers by implying that the Upper Valley and Forebay are in overdraft, when they are not.

The DEIR section 4.1.3.6 focuses on a link between reservoir releases, groundwater recharge, and groundwater levels in the Upper Valley and Forebay subbasins. (DEIR at 4.1-43.) Although the "DWR 2021" document cited for the idea does not seem to address the issue, the Coalition agrees that the proposed Project would physically enable MCWRA to withhold more reservoir inflow from being released compared to historic and existing conditions. In turn, that threatens potentially significant adverse environmental impacts to groundwater supply availability in the Upper Valley and Forebay. Unfortunately, the DEIR's implicit acknowledgement of that significant impact risk does not seem to be met by any express MCWRA commitment to prevent the impact by implementing the proposed Project in a way that only maintains and augments groundwater supply availability in the Upper Valley and Forebay. Such a commitment would mitigate the risk of significant adverse impacts to Upper Valley and Forebay groundwater conditions and to the agricultural operations and related jobs that depend on stable groundwater conditions.

Similarly, the DEIR describes seawater intrusion as impacting the entire "Salinas Valley Groundwater Basin," (DEIR at p. 4.1-51), when the SVBGSA's GSPs show only the 180'/400' Aquifer is experiencing seawater intrusion as a result of coastal groundwater pumping that drives down groundwater levels adjacent to Monterey Bay to create a negative gradient that induces the seawater intrusion.

The DEIR's analysis of groundwater impacts is presented in terms of percentage changes in the groundwater/surface water exchange with the Nacimiento River, San Antonio River, and Salinas River. (See, e.g., DEIR at 4.1-69.) The DEIR presents the percentage changes in terms of an average for normal water years, average years and dry years. For example, the DEIR states that the proposed Project would cause "a moderate decline (approximately 11 percent) in

modeled groundwater/surface water exchange … in aquifers underlying the Nacimiento River," while "a substantial increase (67-70 percent) in groundwater/surface water exchange in the upper valley Subbasin" is estimated to occur. (*Ibid.*) That method of describing the proposed Project's groundwater impacts—a long, dense and somewhat confusing narrative—does not clearly describe to the public and decisionmakers the anticipated groundwater impacts of the proposed Project. MCWRA should revise the DEIR to show anticipated groundwater impacts in a more graphically informative manner including a map showing the different subbasins.

The presentation of groundwater impacts solely in terms of broad averages in average annual net groundwater/surface water exchange along the Salinas River also impairs public and decisionmaker understanding. For example the DEIR states that the proposed Project would increase groundwater recharge by up to 20 percent in each Salinas River subbasin … during dry years compared to modeled baseline conditions. (DEIR at 4.1-69.) The DEIR then says "total groundwater recharge, when all water-year types are considered, would result in a 1 percent increase in total groundwater recharge under both the proposed project and the Tunnel-Only Alternative scenarios compared to the modeled baseline." (DEIR at 4.1-69.)

Although such long-term averages are one relevant parameter for analyzing the significance of the proposed Project's groundwater impacts, the averaging approach obscures the real-world impacts that will be experienced by groundwater users pumping from wells in which the groundwater levels will be changing as a result of the Project.

Amounts of recharge is one relevant parameter, but the proposed Project would impact groundwater *elevations* to different degrees in different locations within each subbasin, and these different impacts will vary according to natural hydrology in the years leading up to and including a given year of focus. The DEIR should be revised to present groundwater impacts by hydrologic year type and by using example multi-year sequences focused on significant hydrologic events, like the 1976-77 drought, the drought of the late 1980s-early 1990s, the drought from 2013-2016, along with a focused presentation on groundwater level recovery during subsequent wet-year events. All of that should be presented with graphic aids to help the public and decisionmakers better understand the most significant aspect—and fundamental purpose—of the proposed Project: Protecting and improving groundwater availability for the farms, families, workplaces, and towns that call the Salinas Valley home.

Finally, the Coalition is concerned about reliance on the provisional U.S.G.S. model to calculate groundwater impacts of the proposed Project. First, the provisional model is not publicly available—because it is provisional—which prevents stakeholders from evaluating the model's accuracy and appropriateness for use in the DEIR. Second, the model version used for the DEIR has been superseded by subsequent versions correcting issues to make the model more useful. Third, it was recently revealed that the model used for the DEIR produces results that show flooding along the Salinas River during model scenarios in which it is universally understood there would not be any actual flooding (i.e., groundwater surface levels would not actually be above ground). The model-cell flooding problem and the model's unavailability for technical review jeopardize the credibility of the DEIR groundwater impacts analysis.

The DEIR's conclusion that the proposed Project would have a less than significant impact on hydrology, including groundwater availability, is not clearly demonstrated. MCWRA should

substantially revise the DEIR to present an updated and far more clear description of groundwater impacts and other hydrology impacts, so that the public and decisionmakers can meaningfully evaluate the proposed Project's impacts before MCRWA's Board of Supervisors decides whether to approve the proposed Project.

Biological Resources: The DEIR fails to clearly describe the proposed Project's approach to reservoir releases that protect fish and wildlife and fails to support its conclusion that impacts to threatened south-central coast steelhead trout would be less than significant.

The DEIR acknowledges existing reservoir water releases are required by MCWRA's "flow prescription," which was incorporated into the SVWP approval by MCWRA's Board of Supervisors and was incorporated by the State Water Resources Control Board, in modified form, into the three water rights for Nacimiento and San Antonio reservoirs. But the DEIR presents results of the Salinas Valley Operations Model ("SVOM") indicating that the proposed Project would dewater threatened steelhead in the Nacimiento River and elsewhere.

From such findings, the DEIR then states "zero-flow conditions and reductions in minimum-flow releases in the Nacimiento River are unlikely to happen under real-time reservoir operations due to operational flexibility and mandated flow requirements." (See, e.g., DEIR at 4.3-167.) Acknowledging the potential for significant steelhead impacts, the DEIR concludes the potential for such operational impacts "would be negligible, given real-time operational decision-making and MCWRA's historical reservoir operations and minimum release records, especially those that have occurred during successive years of drought conditions." (DEIR at 4.3-171.) That is the sole basis for the DEIR's conclusion that the proposed Project's impacts to threatened steelhead trout from reduced minimim-flow releases are less than significant.

The Coalition has found that MCWRA's "real-time operational decision-making" does not ensure "negligible" risk to steelhead. For example, during the 2013-2016 drought, MCWRA's Board of Directors voted to cut minimum flow releases from Nacimiento Reservoir by 50 percent, to 30 cubic feet per second, to try to save storage for a later release that might be sufficient to supply Salinas River Diversion Facility ("SRDF") operations for CSIP customers—even though MCWRA's Board of Supervisors had approved the SVWP with express commitments to maintain the full 60 cfs release and to not operate the SRDF during drought. The MCWRA Board of Supervisors never authorized a cut in minimum flow releases for steelhead, yet it happened when MCWRA's Board of Directors voted to disregard the Board of Supervisors' commitments.

The DEIR states that the proposed Project would have a potentially significant impact on steelhead by reducing the frequency and magnitude of large flow-release events from the reservoirs, which would disrupt the existing patterns of stream geomorphology that creates steelhead spawning, rearing and out-migration habitat in the Nacimiento and San Antonio rivers, which provide among the best steelhead habitat in the entire Salinas Valley. (DEIR at 4.3-92.) The DEIR prescribes Mitigation Measure Bio-8.16 to reduce that impact to less than significant. (*Ibid.*) However, Mitigation Measure Bio-8.16 does not pass CEQA muster, because it unlawfully defers the development of mitigation to the future without specifying clear, objective performance standards now. The mitigation measure relies upon development of a future plan with a future statement of "goals and objectives" to help MCWRA detect any "significant

reduction in gravel loads in the Nacimiento or San Antonio Rivers." (*Ibid.*) That is improperly deferred mitigation.

The DEIR should be revised to update the evaluation of steelhead impacts and to provide objectively clear and durable mitigation and enforceable Project-commitments that will protect steelhead trout during challenging hydrologic conditions, like the 2013-2016 drought.

The DEIR's Consideration of Alternatives and Mitigation Measures is inadequate

CEQA requires an EIR to evaluate a reasonable range of feasible alternatives that would avoid or reduce significant adverse effects of a proposed project, just as it requires an EIR to evaluate feasible mitigation measures to avoid significant impacts.

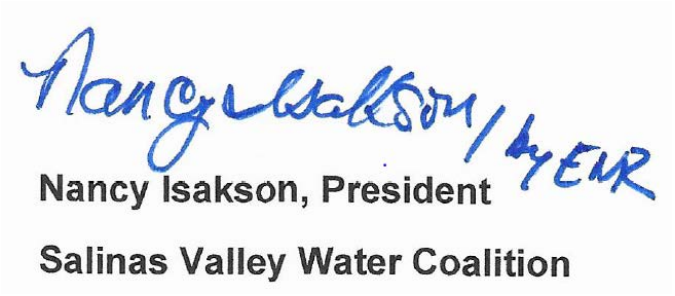
Here, the DEIR's inadequate descriptions of existing conditions with respect to the SVWP, the DEIR's inadequate description of how the proposed Project would be operated, the DEIR's inadequate evaluation of hydrology and steelhead impacts—all result in the EIR's failure to consider a reasonable range of alternatives and mitigation measures that would avoid or reduce potentially significant impacts.

MCWRA Should Revise and Re-circulate the DEIR

The Draft EIR should be substantially revised to resolve the preceding inadequacies. The substantially revised Draft EIR should then be publicly circulated for review and comment, before MCWRA prepares a Final EIR for consideration by its Board of Supervisors in deciding whether to approve the proposed Project. Failure revise and circulated would make any decision to approve the proposed Project a violation of CEQA.

The Coalition looks forward to continuing to work with MCWRA on evaluation of the proposed Project, so that the public and decisionmakers have a sound basis for evaluating whether the Interlake Tunnel Project should proceed.

Thank you for your consideration of our request.



Nancy Isakson, President

Salinas Valley Water Coalition