



CITY OF MILPITAS

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February 27, 2017

Public Comment
2016 Bay-Delta Plan Amendment & SED
Deadline: 3/17/17 12:00 noon

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
Cal/EPA Headquarters
1001 "I" Street, 24th Floor
Sacramento, CA 95814-0100
commentletters@waterboards.ca.gov



Re: **Comment Letter – 2016 Bay-Delta Plan Amendment & SED**

Dear Ms. Townsend:

The City of Milpitas (Milpitas) submits the following comments regarding the Recirculated Draft Substitute Environmental Document in Support of Potential Changes to the Water Quality Control Plan for the San Francisco Bay-Sacramento/San Joaquin Delta Estuary: San Joaquin River Flows and Southern Delta Water Quality (SED). In addition, Milpitas would like to incorporate by reference separate comments submitted by the Bay Area Water Supply and Conservation Agency (BAWSCA) and the San Francisco Public Utilities Commission (SFPUC) that provide more detail on the impacts of the SED proposal on the City of Milpitas service area and the region.

Under the SED, the State Water Resources Control Board (SWRCB) proposes substantial changes to flow objectives for the Tuolumne River. These changes are anticipated to result in significantly reduced surface water available for diversions, thereby causing significant, potentially unavoidable impacts to water supply and the environment. Below we provide relevant information that the SWRCB must consider in conducting its analysis of the SED's impacts:

As a wholesale customer of SFPUC that purchases 60% of its potable water supply from the San Francisco Regional Water System, water supply available to Milpitas under the SED proposal could be reduced.

Milpitas also purchases surface water from the Santa Clara Valley Water District (SCVWD), whose imported and local supplies would also be subject to potentially significant reductions in a drought.

Such reductions in water supply from the SFPUC may force Milpitas to use more local groundwater supplies. Since groundwater recharge is largely dependent on managed programs from SCVWD, additional groundwater pumping could have potentially significant undesirable results, such as groundwater overdraft, sea water intrusion, and land subsidence, which were not adequately analyzed in the SED.

Milpitas has made significant strides in water conservation in the past 10 years. Residential per capita water use decreased 39% from 176 gallons per capita per day (gpcd) to 108 gpcd.

Based on Milpitas' 2015 Urban Water Management Plan, this significant cut to water supply would force Milpitas to take a number of significant actions including, but not limited to, implementing a moratorium on new development in the service area, importing water, increasing reliance on local supply, and minimizing nonessential uses of water so that water is available for human consumption, sanitation, and fire protection.

Given the interconnected nature of the economy within the Bay Area and BAWSCA service area, Milpitas will be impacted by water shortages on the San Francisco Regional Water System resulting in economic and environmental impacts to neighboring communities and the Bay Area as a whole.

Milpitas serves water to over 14,300 residential customers and over 2,700 businesses and other non-residential customers. Potential consequences of the SED proposal include health and safety concerns due to lack of potable supplies, major job losses, slower economic growth and delayed community development in Milpitas' service area, which were not adequately analyzed in the SED.

Since outdoor use represents a relatively small proportion of Milpitas' commercial, industrial, and institutional account water demand, commercial, industrial, and institutional customers generally have fewer opportunities to reduce water use without changing their operations or incurring significant economic impacts.

In the light of these aforementioned impacts as well as those articulated in the BAWSCA and SFPUC comment letters incorporated by reference, Milpitas requests that environmental and economic impacts of any shortage on the San Francisco Regional Water System, and the associated lost jobs and delayed development, be fully and adequately analyzed as part of the SWRCB's proposed flow alternatives. Such full and adequate analysis should be given at least equal weight with all other elements of the SWRCB's subsequent deliberations and decision making.

Last, the Governor has indicated his strong support for negotiated voluntary agreements to resolve these issues. Milpitas requests that the SWRCB provide adequate time for a voluntary agreement to be reached amongst the stakeholders prior to any action on the SED. Please give this settlement process a chance for success, instead of expediting the implementation of the current proposal. Milpitas shares BAWSCA's commitment to continue working closely with the diverse interests and stakeholders to develop that shared solution.

Sincerely,



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