



Alameda Creek Alliance

PO Box 2626 ! Niles, CA ! 94536 ! (510) 499-9185

e-mail: alamedacreek@hotmail.com

web site: <http://www.alamedacreek.org>

February 9, 2011

Xavier Fernandez
California Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, California 94612
xafernandez@waterboards.ca.gov

Alameda Creek Alliance comments on Tentative Order for SFPUC Calaveras Dam Replacement Project

The Alameda Creek Alliance supports approval of the proposed waste discharge requirements and water quality certification for the SFPUC Calaveras Dam Replacement Project, as outlined in the Regional Board's tentative order of January 10.

We support the proposed water flow requirements from the rebuilt Calaveras Dam and the associated Alameda Diversion Dam and the proposed operations of these dams to benefit habitat for steelhead trout and other native cold-water fish in Alameda Creek and its tributaries. We believe the new operations regime for the SFPUC dams will significantly advance the restoration of steelhead trout to Alameda Creek, and we support the approach of the proposed compensatory mitigation and restoration requirements detailed in the tentative order and the associated long-term management plan.

Many of the project changes regarding stream flows and habitat mitigations were made by the SFPUC to comply with the Endangered Species Act, and are encapsulated in the final Environmental Impact Report for the project, Biological Opinions prepared for the federal Army Corps permit for the project, and the state permit from the Department of Fish and Game.

We appreciate the requirements proposed by the Regional Board to protect water quality from excessive turbidity due to construction activities and the extensive success criteria and measurable objectives for reestablishing native wetland and riparian vegetation and controlling invasive plants and sedimentation. In particular, we support the prohibition on livestock grazing within riparian corridors unless it can be shown to be ecologically beneficial, and the requirement to submit a grazing management plan in that case. We support the registration of water rights for livestock ponds and limits on the maximum water diversions for the ponds.

Thank you for the opportunity to comment, and we do not plan on speaking at the March 9th Board hearing for the certification.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Miller".

Jeff Miller
Executive Director



DIRECTORS

JUDY C. HUANG
President

JOHN H. WEED
Vice President

JAMES G. GUNTHER

MARTIN L. KOLLER

PAUL SETHY

43885 SOUTH GRIMMER BOULEVARD • P.O. BOX 5110, FREMONT, CALIFORNIA 94537-5110

(510) 668-4200 • FAX (510) 770-1793 • www.acwd.org

MANAGEMENT

WALTER L. WADLOW
General Manager

ROBERT SHAVER
Assistant General Manager-Engineering

SHELLEY BURGETT
Manager of Finance

STEVE PETERSON
Manager of Operations and Maintenance

ALTARINE C. VERNON
Manager of Administrative Services

February 9, 2011

Mr. Bruce H. Wolfe, Executive Officer
San Francisco Regional Water Quality Control Board
1515 Clay St
Suite 1400
Oakland, CA 94612

Dear Mr. Wolfe:

Subject: Alameda County Water District's comments for Waste Discharge Requirements and Water Quality Certification for San Francisco Public Utilities Commission Calaveras Dam Replacement Project

Alameda County Water District (ACWD) is pleased to have the opportunity to comment on the San Francisco Regional Water Quality Control Board's (SFRWQCB) Waste Discharge Requirements and Certification for San Francisco Public Utilities Commission (SFPUC) Calaveras Dam Replacement Project (CDRP). ACWD is a water retailer that provides potable water to a population of over 337,000 in the Cities of Fremont, Newark and Union City. ACWD relies on the Alameda Creek Watershed to provide more than a third of its annual water supply. This water recharges the Niles Cone Groundwater Basin (downstream of the Niles Canyon) through percolation, both in Alameda Creek and adjacent percolation ponds. This percolated water is subsequently recovered through ACWD's groundwater production wells, and distributed as a potable water supply to the District's customers.

Because of the importance of Alameda Creek to ACWD's water supplies, ACWD has a strong interest in protecting and preserving the quantity and quality of water in the Alameda Creek watershed. The SFPUC policies and programs as they relate to watershed issues in the Alameda Creek watershed are of special interest to ACWD. As you may know, ACWD has maintained a long term commitment to watershed protection and to assuring the health and safety of water supplies on which our customers depend.

Based on our review of the Waste Discharge Requirements and Water Quality Certification for SFPUC's CDRP we have the following comments:

- 1. The proposed storm water retention system described within SFPUC's final EIR does not adequately protect ACWD's municipal source water.*

Mitigation measure 5.7.1 as described on page 1-58 to 1-67 of the Executive Summary of the consolidated Final Environmental Impact Report for the CDRP outlines the Storm Water Pollution Prevention Plan (SWPPP) proposed by the SFPUC for the CDRP. Currently the SWPPP proposes to capture and treat all site runoff, drilling fluids, and discharge from dewatering activities within detention basins which are designed to retain and treat volumes of runoff that result from a precipitation event with a recurrence interval of 1 out of every 10 years. Given the critical importance of acceptable water quality within Alameda Creek for recharge of the Niles Cone groundwater basin, and subsequent delivery to ACWD's customers, ACWD believes the potential discharge of contaminants and sediments derived from construction of the CDRP on a 1 in 10 year recurrence interval does not ensure a high enough level of protection for a municipal water supply. Furthermore, mitigating the discharge of potentially hazardous chemicals and increased volumes of sediment after a runoff event occurs does not assure protection of ACWD's groundwater resources, as contaminant plumes and increased concentrations of harmful constituents will have already affected water quality of percolation water for the Niles Cone. Page 4.7-72 of the final EIR states that, "Construction related contaminants or sediments mobilized downstream of Calaveras Dam during storm events could be carried downstream and affect groundwater quality. The extent to which metals and construction-related contaminants could be mobilized and transported into groundwater is uncertain with available data." Given acknowledgement of the possible significant impacts, and the importance of protecting source water quality, ACWD recommends SWPPP measures that are more protective than currently proposed, and that SFPUC commit to fully mitigating adverse impacts on water quality from an untreated discharge.

- 2. Mitigation to compensate for permanent impacts associated with the CDRP should be implemented within areas that are directly impacted as a result of the project, or in areas that have direct hydrologic connections to impacted areas.*

The current draft of the Waste Discharge Requirements and Water Quality Certification for SFPUC's CDRP outlines three mitigation areas that will be enhanced to offset significant impacts caused as a result of construction of the CDRP. These three areas are the San Antonio Mitigation Area, South Calaveras Mitigation Area, and the Sheep Camp Creek Mitigation Area. The geographic location of both the South Calaveras and the Sheep Camp Mitigation Areas allow enhancements in riparian function, water quality, and species habitat that protect and improve wetlands and waterways directly affected by completion of the CDRP. It is unclear how the San Antonio Mitigation Area would serve to improve or enhance any water quality, riparian, or wetland species concerns within a geographic location that is directly affected by the CDRP, given the site's location occupies tributaries that serve as inflow to SFPUC's San Antonio Reservoir.

Within the Executive Summary of the consolidated Final Environmental Impact Report for the CDRP, page 1-61 and 1-61a indicate that potential sites exist within the Sunol Valley which can serve as offsite mitigation for an untreated storm water release if one was to occur. The table also explains that potential mitigation sites also exist within the Arroyo de la Laguna watershed. Both general locations described as potential mitigation sites for an uncontrolled release of construction area storm water runoff are either directly affected by the CDRP (Sunol Valley) or have a direct hydrologic connection to an affected area (Arroyo de la Laguna), and could be considered in lieu of the San Antonio Mitigation Area. Additionally, selection of a mitigation site within the lower Sunol Valley would have the benefit of utilizing water released from Calaveras Dam, and bypassed from the Alameda Creek Diversion Dam for creation and enhancement of new and existing wetland and riparian communities, and benefitting both aquatic and terrestrial species. A mitigation site located within the lower Sunol Valley could also serve to mitigate negative water quality impacts associated with possible storm water runoff *during* a runoff event instead of *after*, as is currently proposed within the CDRP final EIR.

3. *The Waste Discharge Requirements and Water Quality Certification for SFPUC's CDRP incorrectly characterize the downstream flow requirement for bypass flows from the Alameda Creek Diversion Dam*

Page four of the tentative order describes the downstream flow requirement for the Alameda Creek Diversion Dam (ACDD) as being up to 10 cfs. Page 9-36 of the project variant document identifies the downstream flow requirement for ACDD that was negotiated with National Marine Fisheries and California Department of Fish and Game as being the first 30 cfs that flows in Alameda Creek above ACDD will be allowed to bypass the structure. The tentative order should be updated to reflect the correct bypass requirement.

Thank you again for the opportunity to review and provide comments on the Waste Discharge Requirements and Certification for SFPUC's CDRP. ACWD's comments, as described above, have been provided to assist the SFRWQCB in ensuring the waste discharge requirements meet the goal of protecting and enhancing water quality and habitat availability within Alameda Creek, while ultimately ensuring the success of this important project. Should you have any questions about these comments, please feel free to contact Eric Cartwright, Special Assistant to the General Manager, at (510) 668-4206 or Laura Hidas, Water Supply Supervisor, at (510) 668-6516.

Sincerely,



Walter L. Wadlow
General Manager



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

BUREAU OF ENVIRONMENTAL MANAGEMENT
1145 Market St., Suite 500, San Francisco, CA 94103 • Tel. (415) 934-5700 • Fax (415) 934-5750 • TTY (415) 554.3488



February 9, 2011

Mr. William Hurley & Mr. Xavier Fernandez
Regional Water Quality Control Board, Region 2
1515 Clay Street, Suite 1400
Oakland, CA 94612

EDWIN M. LEE
MAYOR

FRANCESCA VIETOR
PRESIDENT

ANSON MORAN
VICE PRESIDENT

ANN MOLLER CAEN
COMMISSIONER

ART TORRES
COMMISSIONER

VINCE COURTNEY
COMMISSIONER

ED HARRINGTON
GENERAL MANAGER

Subject: Comments on Tentative Order Waste Discharge Requirements and Water Quality Certification for the Calaveras Dam Replacement Project

Dear Mr. Hurley & Mr. Fernandez:

The San Francisco Public Utilities Commission appreciates the opportunity review the Tentative Order issued by the San Francisco Bay Regional Water Quality Control Board on January 7, 2011. This letter transmits our comments on the Tentative Order for your consideration. The specific comments are provided below.

Provision 4(a) – Native Wetland Vegetation

Provision 4(a) identifies the species that would be counted towards achievement of success criteria for native vegetation in seasonal and perennial wetlands that are restored, established, or enhanced as mitigation for the Project. The SFPUC proposes the following additions and edits to these lists to increase the range of natural variation that is anticipated:

- i. **Seasonal wetlands:** mugwort (*Artemisia douglasiana*); marsh baccharis (*Baccharis douglasii*); bristly sedge (*Carex comosa*), Santa Barbara sedge (*Carex barbarae*); eggbract sedge (*Carex ovalis*); small-bracted sedge (*Carex subbracteata*); bifid sedge (*Carex serratodens*); naked sedge (*Carex nudata*); tall flatsedge (*Cyperus eragrostis*); redroot flatsedge (*Cyperus erythrorhizos*); black flatsedge (*Cyperus niger*); blue-eyed grass (*Sisyrinchium bellum*), tufted hairgrass (*Deschampsia cespitosa*); meadow barley (*Hordeum brachyantherum*); spikerush (*Eleocharis macrostachya*); horsetail (*Equisetum arvense*); red fescue (*Festuca rubra*); iris-leaved rush (*Juncus xiphioides*); Mexican rush (*Juncus mexicanus*); Baltic rush (*Juncus balticus*); toad rush (*Juncus bufonius*); Pacific rush (*Juncus effusus* var. *pacificus*); spreading rush (*Juncus patens*); brown-headed rush (*Juncus phaeocephalus*); creeping wildrye (*Leymus triticoides*); seep monkey flower (*Mimulus guttatus*); water parsley (*Oenanthe sarmentosa*); sandbar willow (*Salix exigua*); red willow (*Salix laevigata*); arroyo willow (*Salix lasiolepis*); and sour clover (*Trifolium fucatum*), California sycamore (*Platanus racemosa*), Mexican elderberry (*Sambucus mexicana*), California beeplant (*Scrophularia californica*), willowherb (*Epilobium ciliatum*) or any other facultative (FAC) or facultative wetland (FACW) plant species that is native to the region (Contra Costa, Alameda, Santa Clara Counties).
- ii. **Perennial wetlands:** hardstem bulrush (*Scirpus acutus*); American bulrush (*Scirpus americanus*); California bulrush (*Scirpus californicus*); river bulrush

(*Scirpus fluviatilis*); panicled bulrush (*Scirpus microcarpus*); narrowleaf cattail (*Typha angustifolia*); broadleaf cattail (*Typha latifolia*); southern cattail (*Typha domingensis*), bur reed (*Sparganium eurycarpum* ssp. *eurycarpum*), manna grass (*Glyceria occidentalis*), coyotethistle (*Eryngium articulatum*), American speedwell (*Veronica americana*) and all species listed for seasonal wetlands above or any obligate (OBL) wetland plant that is native to the region (Contra Costa, Alameda, Santa Clara Counties).

Provision 5 – Grazing Implementation in Long Term Management Plan

Provision 5 in the Tentative Order restricts future grazing options in riparian areas and requires the development of specific plans if grazing is proposed in the future. The SFPUC requests that this provision be modified to reflect a revision to the Long Term Management Plan that clarifies the future implementation of grazing in riparian and pond habitats. The SFPUC also requests the provision recognize the Long Term Management Plan is intended to guide management after year 10 (or end of performance period) and to guide monitoring and management of enhanced sites through years 1-10 (during performance period). Grazing is an integral part of the management needed for enhanced sites in order to meet success criteria for target species and reduction of non-native invasive plants as identified in Appendix A of the Long Term Management Plan. The revised section of the Long Term Management Plan below describes the conditions when grazing might be allowed and alternatives to grazing that would be considered before it is implemented in riparian habitats. The SFPUC requests that the RWQCB review and evaluate the new section and consider revisions to the provision that would allow implementation of the Long Term Management Plan as proposed.

The revised plan emphasizes that the decision to graze these areas would be based on input from the SFPUC biologists and the Area Manager. Several of the fields that are listed by the RWQCB as 'not to be grazed' are primarily enclosing ponds that are expected to be grazed in some capacity to meet species success criteria and long term objectives, as stated in the MMP and LTMP (South Calaveras Fields A and E, and Sheep Camp Creek Fields E and B, in part). Livestock use of ponds has been shown to benefit the California tiger salamander.

The following section has been added to the LTMP:

Use of livestock for management of fenced riparian and pond fields

Fencing will surround (primarily riparian) and /or bisect several ponds and some areas planted with native vegetation in the HRP management units. Fencing will be installed to protect plantings from livestock damage and control access to achieve species-specific goals. Goat Rock Field A, portions of Sheep Camp Fields B and E, and South Calaveras Fields A and E are primarily enclosures for ponds that are either known to support or provide suitable breeding habitat for California red-legged frog and California tiger salamander.

Fencing will be used to control livestock access to the ponds. Livestock would be allowed in ponds to support California tiger salamander and California red-legged frog breeding and rearing habitat goals; e.g. maintaining

appropriate emergent vegetation cover and egg attachment substrate and, reducing visibility and predation pressure. Livestock will be allowed access to ponds for short periods of time when emergent vegetation, which is most often cattails, reaches greater than 35 percent cover (approximate or cover determined through monitoring and best available scientific knowledge to be most conducive to breeding of California tiger Salamander and California red-legged frog, of a given pond. Livestock will also be used to maintain vegetation height around ponds conducive to movement of CTS and CRLF.

San Antonio Fields A, B and Sheep Camp Creek Fields E and B will be planted with native vegetation as part of the HRP. All trees planted in these areas will have protective sleeves or cages, attached to t-stakes. Sheep Camp Creek Fields B and C also contain ponds. No livestock grazing will be used in these fields for at least the first three years after planting. After three years, the areas will be evaluated to determine if livestock grazing would be beneficial to the management of these areas. Livestock grazing may be desired to control weeds (such as some thistles and medusa head), reduce loading of fire fuels, or to reduce brush encroachment. However, alternative methods that could be used to achieve these goals will be considered before grazing an area (such as mechanical or chemical control of non-native invasive plants).

San Antonio Field B is an upland area that will be planted with oak savanna vegetation. All trees planted in these areas will have protective sleeves or cages, attached to t-stakes. Grazing will be excluded from this field for a minimum of three years after planting.

Careful consideration of the potential negative effects that could result from grazing of these sensitive areas will need to be weighed with the potential benefits of grazing. As with the riparian pastures, the use of grazing as a management tool in this area will be evaluated after three years. SFPUC biologists will work with the Area Manager to determine if grazing (and what methods, such as stocking rates and duration of grazing) is appropriate in these areas.

Chapter 5 of the revised Long Term Management Plan presents the methods that will be used to determine stocking rates and season of grazing for each field. Appropriate levels of residual dry matter (or other measure of biomass/forage) will be set based on ecological objectives and yearly conditions. Grazing will be used as a tool to meet ecological objectives such as enhancing habitat for plant and wildlife species, reduction of non-native invasive plants and reducing light flashy fuels where appropriate. This will be balanced with other ecological objectives such as minimizing erosion, ensuring protection of water quality, and encouraging recruitment of native vegetation. In addition, new water developments are proposed in the new riparian fields at Sheep Camp Creek (Field E) and San Antonio (Field E). Water developments at San Antonio include new troughs and tanks located in the uplands of Fields A and B. A new trough and new well are also proposed in the uplands of Sheep Camp Creek Field E. Proposed water developments will help to distribute cattle in the fields and reduce cattle loafing in the creeks. Finally, grazing in the

riparian and pond fields would be implemented based on collaboration between the Area Manager and SFPUC biologists. A decision to graze these areas will be based on the goal of enhancing species habitat and meeting success criteria. Other methods to obtain the same species and/or habitat goals, such as mechanical or chemical control of non-native invasive weeds will be considered before grazing the riparian and ponds fields. The most effective, feasible method to achieve the habitat/species goals will be used. The manner of management of these areas will be based on the latest scientific research, as well as on the unique observed conditions at each location, and the results of monitoring data (for example: vegetation cover, RDM, woody plant recruitment, erosion and sediment monitoring data).

Provision 5 – Cover Criteria for Invasive Species

Provision 5 specifies the objective presented in the Long Term Management Plan for invasive plant cover in wetlands and riparian habitat shall be no greater than 120 percent of the invasive plant cover measured at the end of the mitigation performance period. The SFPUC also notes that aggressive invasive plant reduction is proposed for both established/reestablished sites and enhanced sites. The success criteria in established/reestablished sites states that absolute cover for invasive plants will not exceed 5 percent. In order to meet these success criteria the SFPUC will strive to reduce cover of invasive plants to less than five percent. Therefore a 20 percent increase would be approximately 1 percent or less absolute cover, which will be very difficult to detect with a reasonable level of effort. Therefore this would not be an appropriate indicator to trigger management action. Likewise the existing cover of invasive plant species in certain enhanced sites may already be quite low. The SFPUC requests that the RWQCB consider alternatives to this criterion that are effective for detecting important changes in invasive species presence. The SFPUC proposes this new objective for invasive plant species cover:

Maintain or decrease cover of target non-native invasive plants in wetland and riparian habitat relative to baseline conditions (i.e. conditions measured at end of performance period)

Provision 5 – Criteria for Evaluating Riparian Regeneration

Provision 5 specifies an objective for regeneration of woody riparian species. However, the specified rate of seedling establishment may be variable depending on the stage of riparian vegetation development (early succession versus late succession). Based on discussions with the RWQCB and CDFG, the following alternative objectives for riparian regeneration are suggested for consideration:

- A. Maintain or increase the overstory cover of woody riparian species, relative to baseline conditions.
- B. Maintain or increase the understory cover of shrubs, seedlings, and saplings within riparian areas, relative to baseline conditions.
- C. Maintain or increase the herbaceous understory cover within riparian areas, relative to baseline conditions.

These objectives would utilize cover to evaluate regeneration within riparian vegetation communities. We propose that monitoring cover within multiple vegetation layers within the riparian habitat would detect changes that will indicate whether regeneration is adequate.

Mr. William Hurley & Mr. Xavier Fernandez
Re: Comments on Tentative Order WDR and WQC for the Calaveras Dam
Replacement Project
Page 5

Findings

The SFPUC would like to correct the following details of the Findings in the Tentative Order:

1. Page 4, Findings Item #2 first partial paragraph – the new bypass tunnel at ACDD will convey up to 30 cubic feet per second as proposed in the July 2010 flow schedule.
2. Page 4, Findings Item #2 first partial paragraph – The proposed project would include sluicing and mechanical repositioning.
3. Page 8, Findings Item # 10 – EIR was certified on Jan 27, 2011
4. Page 9, Findings Item # 10 5th bullet – Replace “impact areas” with “dewatered areas” for relocation of fish.

Closing

The SFPUC appreciates the continued efforts of the RWQCB to provide timely and valuable input to the Calaveras Dam Replacement Project and the processing of the Water Quality Certification and Waste Discharge Requirements.

Please contact Steve Leach at (510) 874-3205 or Deb Craven-Green at (415) 934-5756 if you have any questions regarding the comments submitted in this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deborah Craven-Green", followed by the text "FOR" in blue capital letters.

Deborah Craven-Green
Permitting Manager

cc: Robert Smith, USACE
Dan Wade, SFPUC
Craig Freeman, SFPUC
Steve Leach, URS Corporation