

# Introduction and Approach to Responses to Comments

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On September 15, 2016, the State Water Resources Control Board (State Water Board) recirculated a draft revised *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* (Recirculated SED or SED) for public comment. The Recirculated SED included proposed amendments to the Bay-Delta Water Quality Control Plan (Bay-Delta Plan) involving Lower San Joaquin River (LSJR) flow objectives and southern Delta salinity objectives and an environmental analysis. The Recirculated SED contained substantial changes to a draft substitute environmental document released in December 2012 (2012 Draft SED) due to the large number of oral and written public comments received on that document and in light of new information. As detailed below, the Recirculated SED was subject to extensive additional public participation and the State Water Board received thousands of public comments.

This Volume 3, *Responses to Comments*, contains responses to those comments received on the Recirculated SED. The State Water Board will consider approving the proposed plan amendments at a public hearing in August 2018. Prior to acting on the proposed plan amendments, the Board will consider the responses to comments in Volume 3, along with Volumes 1 and 2, all of which are part of the Final SED. (Cal. Code Regs., tit. 23, § 3779.5.) The Board may approve the Final SED prior to, or at the same time as, the proposed plan amendments. (*Ibid.*)

This chapter describes the public participation and comments received on the Recirculated SED, the general approach to responding to comments based on the format and types of comments received, the format, content, and organization of, and terminology used in Volume 3, and the modifications to the plan amendments and the Revised SED contained in Volumes 1 through 3.

## Public Participation and Comments Received on the Recirculated SED

The written public comment period for the Recirculated SED was extensive and lasted for a period longer than the 45-day public review period required under the State Water Board's California Environmental Quality Act (Pub. Resources Code §§ 21000 et seq.; CEQA) regulations or the federal Clean Water Act. The document was released for public review on September 15, 2016, for a total of a 6-month public review period that ended on March 17, 2017, at 12 noon. The State Water Board originally released the document for a 60-day review period (from September 15, 2016, to November 15, 2016). In response to public requests, however, the original 60-day review period was extended two times to allow for additional public review: first from November 15, 2016, to January 17, 2017, at 12 noon; and then from January 17, 2017, to March 17, 2017, at 12 noon.

During the unprecedented 6-month public review period provided by the State Water Board, it received approximately 3,100 letters and communications, amounting to about 10,400 comments, from federal, state, and local agencies; elected officials; stakeholders; and members of the public. The State Water Board also conducted a public hearing over 5 days and in four locations (Stockton, Modesto, Merced, and Sacramento) to receive oral comments. The public hearing occurred between

November 2016 and January 2017. Comments were submitted in many different formats, including form letters, petitions, and unique letters. Form letters are the same letter provided by multiple commenters; petitions have multiple signatures on one letter identifying one or more unique comment(s) and may be attached to form letters; and unique letters are a single letter with individual unique comments contained therein submitted by a single or multiple commenters. Approximately 30,000 form letters and petition signatures were received; and approximately 3,100 unique letters were received (including those received during the 5 days of the public hearing). In total, approximately 19,050 pages of material (4.4 gigabytes) were submitted by the public.

The comments covered a broad range of policy and environmental issues. Major topic areas that elicited frequent comments included agricultural resources, regional economies, groundwater resources, fish and wildlife ecological health, commercial fishing, disadvantaged communities, the water quality control planning process, the alternatives and the description of the alternatives, and hydrology and hydrologic modeling. The State Water Board appreciates the active engagement of the public and stakeholders in the water quality control planning and CEQA processes. The State Water Board acknowledges that the plan amendments are controversial with some members of the public and stakeholders opposed, some in favor, and many, including individuals, local, regional and statewide organizations, and elected officials, expressing views that are strongly held. The State Water Board acknowledges that amending the Bay-Delta Plan presents many complex, challenging, and controversial issues and recognizes the efforts of all interested parties to review the SED and comment. The responses to comments provided in this Volume 3 represent the State Water Board's best effort to carefully and objectively review and consider the comments and supporting evidence provided by commenters.

Through these responses to comments and the public outreach the State Water Board has conducted, the State Water Board acknowledges there are costs to continuing to divert so much of the rivers, and there are costs to keeping water in the river. The plan amendments, particularly the LSJR flow objectives, are about sharing the river because Californians need and want healthy communities, healthy agriculture, and a healthy natural environment. The LSJR flow objectives would allow for more water to be left in the river than under current regulatory requirements and baseline conditions. The LSJR flow objectives also include flexibility for the State Water Board to work with water users on the tributaries, scientists and others to adaptively implement the required flows and in that context consider on-the-ground restoration or other measures that promote healthy fish populations. This allows stakeholders to work together to propose a suite of actions that truly help fish and wildlife in complementary ways.

## Regulatory Context

When proposing to undertake or approve a discretionary project, state agencies must comply with the requirements of the CEQA.<sup>1</sup> CEQA applies to discretionary projects that may cause a direct or indirect physical change in the environment. The State Water Resources Control Board's (State

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<sup>1</sup> CEQA's basic purposes are to: (1) inform the decision makers and public about the potential significant environmental effects of a proposed project; (2) identify ways that environmental damage may be avoided or reduced; (3) prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternative or mitigation measures when feasible; and (4) disclose to the public why an agency approved a project in the manner the agency chose if significant effects are involved. (Cal. Code Regs., tit. 14, § 15002, subd. (a).)

Water Board) water quality control planning program has been certified by the Secretary of the Natural Resources Agency as exempt from the requirements for the preparation of environmental impact reports, negative declarations, and initial studies. (Cal. Code Regs., tit. 14, § 15251, subd. (g).) Environmental review documents prepared under its certified program may be used instead of environmental documents that CEQA would otherwise require. (Pub. Res. Code, § 21080.5, subd. (a).) The exemption provided by Public Resources Code section 21080.5 is not a blanket CEQA exemption as environmental documents prepared under a certified regulatory program remain subject to the provisions of CEQA outside the scope of the exemption, such as CEQA's broad policy goals and substantive standards to identify and mitigate impacts. This Recirculated SED has been prepared pursuant to the State Water Board's certified regulatory program and complies with the substantive and procedural requirements<sup>2</sup> of the State Water Board's CEQA regulations. (Cal. Code Regs., tit. 23, § 3775 et seq.).

The purpose of public review of the Recirculated SED is to evaluate the adequacy of the environmental analysis for compliance with CEQA and to provide comments on the plan amendments. The CEQA Guidelines state the following regarding standards from which adequacy is judged.

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

(Cal. Code Regs., tit. 14, § 15151.) Under the State Water Board's CEQA regulations for exempt certified regulatory programs such as the water quality control planning program, the State Water Board must prepare responses to the significant environmental issues raised during the comment period. (Cal. Code Regs., tit. 23, § 3779, subd. (d).) As such, one purpose of the responses to comments contained in this Volume 3 is to address those significant environmental issue(s) raised by commenters. This typically requires clarifications of points contained in the draft Recirculated SED released in 2016. The CEQA Guidelines describes the evaluation that CEQA requires in the response to comments:

(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.

(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 consider either: (1) Revise

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<sup>2</sup> Courts have held that an agency need not comply with CEQA's procedures for the preparation of environmental impact reports, because a certified regulatory program represents a determination that the agency's own environmental review procedures are legally adequate. (*Ross v. California Coastal Commission* (2011) 199 Cal.App.4<sup>th</sup> 900; *Californians for Alternatives to Toxics v. Department of Pesticide Regulations* (2006) 136 Cal.App.4<sup>th</sup> 1049.) References herein to the CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000 et seq.) that do not otherwise apply to certified regulatory programs are made for guidance purposes.

the text in the body of the EIR, or (2) Include marginal notes showing that the information is revised in the response to comments.

(Cal. Code Regs., tit. 14, § 15088, subd. (c) and (d).) Lead agencies are not obligated to undertake every suggestion given them, 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. [...] reviewers 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) (emphasis added).) Given the above, the State Water Board does not respond to comments unrelated or not germane to the plan amendments or the evaluation of potential environmental impacts.

Another purpose of the responses to comments in this volume is to respond to significant comments, criticisms, and suggestions made to the plan amendments. The State Water Board must respond to comments made to the plan amendments under the Clean Water Act's public participation requirements, which require the State Water Board to solicit and consider public comments on the proposed plan amendments and prepare a responsiveness summary on significant comments, criticisms, and suggestions. (40 C.F.R. §§ 25.8, 25.10.) The Board is also required to set forth specific responses in terms of modifications of the proposed action or an explanation for rejection of proposals made by the public. (40 C.F.R. § 25.8.)

## Approach

The State Water Board has made a good faith effort to ensure that all comments were identified, considered, and responded to in Volume 3 of the Final SED. The Final SED presents all of the comments received on the plan amendments and the recirculated SED during the public review period, along with responses to comments. The following summarizes the approach the State Water Board took when identifying, considering and responding to the large volume of comments received.

- Many comments received were related to the plan amendments or the Recirculated SED but were very general in nature. These general comments did not receive unique individual responses. While the State Water Board is not required to respond to those comments received that do not raise significant environmental issue(s), it provides general responses to those comments and to general comments on the plan amendments, primarily in Master Response 1.1, *General Comments*. The types of comments or letters fitting this criterion are listed below.
  - The State Water Board received numerous form letters from multiple different commenters. The State Water Board identified examples of form letters as *form masters*. The comments in the form master were reviewed and responded to one time, instead of responding to the

- same form letter repeatedly. The remaining form letters were reviewed to confirm consistency with the form master, counted, and the total count of each form master received was recorded. Chapter 2, *Master Responses and Index of Form Masters*, provides the list of form master letters and their associated letter numbers submitted on the Recirculated SED. The responses to form letters are found in Chapter 4, *Responses to Comments Tables*
- The State Water Board identified if additional unique comments were submitted along with form letters. If unique comments were submitted, the unique portion of the comments from these *form plus letters* were responded to separately from the form letter portion of the comment. Readers should refer to the response to the form letter by looking at the form master list in Volume 3, Chapter 2, *Master Responses and Index of Form Masters*, and by looking up their name for responses to the unique portion of the comment found in Chapter 3, *Indices of Commenters*.
  - The State Water Board received several petitions on the Recirculated SED. These petitions were responded to as if they were a form letter. An index of the signatories to the petitions is provided in Chapter 3, *Indices of Commenters*.
  - Correspondence was received by the State Water Board regarding the Recirculated SED prior to the release of the Recirculated SED and start of the public comment period on September 15, 2016, and after the close of the public comment period at noon on March 17, 2017. Correspondence received prior to the September 15, 2016, release of the Recirculated SED were not considered as public comments on the Recirculated SED, because it was infeasible to review and comment on a document prior to its public release. Correspondence received after the March 17, 2017, noon deadline for public comments on the Revised SED was considered to be a late comment and was not considered or responded to.<sup>3</sup>
  - The State Water Board's public notice of filing of the Revised SED clearly stated that comments submitted on the 2012 Draft SED would not be responded to because it was wholly revised. Because the plan amendments and SED were revised after 2012, comments made on the 2012 Draft SED did not take the most recent changes in the Recirculated SED into account. Further, a lead agency should not be expected to parse comments on an initial document (2012 Draft SED) to determine which still apply to a revised one (Recirculated SED). Commenters were asked to submit new comments specific to the 2016 Recirculated SED. As such, comments on the 2012 Draft SED were not responded to in writing.
  - In an effort to facilitate the review process by responding only to those comments contained in the comment letters, the State Water Board refrained from directing the reader to responses to comments outside of the commenter's specific letter. However, several comments referenced, incorporated by reference, or cited comments sent to the State Water Board by other commenters. In these cases, readers should refer to Chapter 3, *Indices of Commenters* to identify the letter numbers they are interested in reviewing.
  - The State Water Board made individual responses to information contained in an attachment to a comment letter if the attachment commented on substantive issues related to the plan amendments or the environmental analysis contained in the Recirculated SED. If the attachment did not meet this criterion, no specific response was provided, although the attachment was

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<sup>3</sup> The State Water Board may refuse to accept any comments received after the notice deadline. (Cal. Code Regs., tit. 23, § 3779, subd. (b). )

reviewed and additional information to assist the commenter was referenced when available (e.g., reference to a master response). Attachments to comment letters are typically indicated using brackets [ ] in the comment response tables. The number of the attachment in the comment response tables is provided by the State Water Board through the coding and review process, and is not the number provided by the commenter. Generally, the first mention of the attachment is noted as a comment but simply reflects the title of the attachment provided. Figures, graphs, charts, maps, and other visual aids provided by commenters are also noted as attachments and are sequentially numbered in the comment response tables.

- The 5-day public hearing was transcribed by the court reporter and the transcript was reviewed and is included in the responses to comments. Individual public speakers and panels are identified and their transcriptions are classified as unique letters and responded to in the response to comments. In some cases, the transcripts were not clearly understood, likely due to the dynamic and conversational nature of some of the hearing testimony. Every attempt was made to understand the commenters' comments in order to provide a response. However, the State Water Board cannot infer the meaning or intent of comments. The State Water Board is not required to respond to questions or statements made by its members or staff during the public hearing and no written response to those communications is included in the Final SED. For ease of reference, the following people are identified as State Water Board members and staff:
  - Felicia Marcus, Board Chair
  - Fran Spivey Weber, Former Board Vice-Chair
  - Stever Moore, Board Member
  - Dorene (DeeDee) D'Adamo, Board Member
  - Tam Doduc, Board Member
  - Thomas Howard, Former Executive Director
  - Les Grober, Former Deputy Director, Division of Water Rights
  - Will Anderson, Water Resources Control Engineer
  - Yongxuan Gao, Water Resources Control Engineer
  - Daniel Worth, Senior Environmental Scientist
  - Timothy Nelson, Water Resources Control Engineer
  - Chris Carr, Environmental Scientist
  - Katheryn Landau, Environmental Scientist
  - Erin Mahaney, Senior Staff Counsel
  - Yuri Won, Senior Staff Counsel
  - Tina Cannon Leahy, Senior Staff Counsel
- Numerous presenters and speakers at the 5 days of public hearing also submitted written comments via letters or emails. In an effort to be thorough, the State Water Board reviewed all comments from a single commenter, even if that commenter provided comments both verbally (captured in a transcript) and in a written letter. The State Water Board reviewed and responded to all unique comments identified in transcripts and written materials and

presentations provided at the time the oral comments were given even if they are from the same commenter. In this manner, the State Water Board completely reviewed and responded to all comments from the same commenter even if they were made in different times during the public review period and in different formats.

- The State Water Board reviewed the comments in the exact form they were provided by commenters. This included review of comments with misspellings, grammatical errors, or writings not clearly understood presented in the comments. Every attempt was made to understand the commenters' comments in order to provide a response. However, the State Water Board cannot infer meaning or intent of comments. If the comment was not clearly understood, the State Water Board noted it.
- Some commenters alleged the State Water Board conceded or admitted points when it actually had not done so. It is not necessary for the State Water Board to deny each and every such allegation when responding to comments, and any lack of denial does not constitute agreement with the commenter. Instead, the responses to comments provide the reader with correct information about the State Water Board's analyses and proceedings.
- During the process of reviewing and responding to comments on the Recirculated SED, refined Statewide Agricultural Production (SWAP) model runs were performed (as described in detail in Master Response 8.1, *Local Agricultural Economic Effects and SWAP*). The refined SWAP results can be found in Chapter 11, *Agricultural Resources*, Appendix G, *Agricultural Economic Effects of the Lower San Joaquin River Flow Alternatives: Methodology and Modeling Results*, Master Response 3.5, *Agricultural Resources*, and Master Response 8.1. The State Water Board attempted to update all unique individual responses with refined acres; however, should a discrepancy be found in the unique responses to comments, readers should defer to the acreages found in Chapter 11, Master Response 3.5, and Master Response 8.1.

## Organization of Volume 3

All chapter references that appear in Volume 3 are Volume 1 Final SED chapter numbers and references, unless otherwise noted. Volume 3 of this Final SED is organized as follows.

- Chapter 1, *Introduction and Approach to Responses to Comments*, (this chapter) contains a description of the public participation and public comments received on the Revised SED, the approach to reviewing and responding to comments, the format, content, and organization of, and terminology used in Volume 3, and the modifications to the plan amendments and the Revised SED contained in Volumes 1 through 3.
- Chapter 2, *Master Responses and Index of Form Masters*, contains an introduction with a summary table identifying 22 master responses and a general description of the topics addressed by each master response. The Recirculated SED and the plan amendments were the subject of multiple comments on substantially similar topics or reoccurring comment themes or issues. The master responses were prepared to provide responses to these frequently raised topics, themes, or issues to avoid repetition and to provide a comprehensive response. Each master response provides a brief overview of the topics, issues, or themes the master response addresses, a table of contents to orient the reader to specific subtopics, followed by the responses. The individual responses to comments reference the master responses as appropriate. Master responses are presented in Chapter 2 (before the presentation of responses

to individual comments in Chapter 4) to familiarize readers with some of the most commonly raised topics and responses. If there are conflicts between specific responses to individual comments in Chapter 4, the master responses in Chapter 2 prevail. References for each master response are contained at the end of the master response.

- Chapter 3, *Indices of Commenters*, provides a list of the comment letter numbers and titles of commenters, when provided, from federal agencies and elected officials; tribal governments; state agencies and elected officials; local agencies and elected officials; non-governmental organizations; and members of the public, form plus letters and form letter commenters. These indices are organized by organization, commenter name, and letter number. Readers should use these indices to identify the letter number or numbers associated with their submissions and then find the comments and responses in the comment response tables that are contained in Chapter 4. Indices are organized by commenter type as described in Table 1-1.

**Table 1-1 Summary of Indices**

Index No	Commenter Type
1	Federal Agencies, Federal Elected Officials, and Tribal Governments
2	State Agencies and Elected Officials
3	Local Agencies and Elected Officials
4	Non-Governmental Organizations
5	Individuals
6	Form Submissions and Petition Signatories

- Chapter 4, *Responses to Comments Tables*, presents comments and responses in a tabular format organized in chronologic numeric order. Any misspellings, grammatical errors, or unintelligible writings in the comment field of these tables are the true and accurate representation of the comment provided to the State Water Board. Comment letters, emails, and other written or transcribed comments were assigned an identifying letter number as they were received and processed by the State Water Board. Letters were given a number starting with “WQCP\_001” as an identifier. The tables that appear in Chapter 4 will, on occasion, skip numbers. This is due to several possibilities.
  - Where the comment was a request for information, such as a request for an electronic copy of the document or extended speaking time at the hearing, that letter may have been assigned a number but was not included in this table, because it did not include any substantive comment on the Recirculated SED. These requests were responded to separately from the response to comments process. While not included in these responses to comments, the letters are included in the administrative record under general correspondence.
  - Commenters occasionally would submit a comment by email and by a duplicate hard copy via the U.S. Postal Service or courier. Both letters may have been assigned a number, but only one copy is included in the table for response.
  - The comment may have been erroneously sent to the designated address for public comments on the Recirculated SED but was, in fact, intended for the State Water Board for a different project.

Chapter 4 also provides a list of unique references cited in the responses to individual public comments that are not cited to in either Volume 1, Volume 2, or Volume 3, Chapter 3, *Master Responses and Index of Form Masters*, of the Final SED.<sup>4</sup>

Appendix 4A, *Public Comments on the Recirculated SED*, presents the original comment letters received on the Recirculated SED. Each comment letter is numbered for each letter or email, corresponding to the comment letter numbers presented in the indices in Chapter 3, *Indices of Commenters*, and tabular format in Chapter 4, *Responses to Comments*.

## Modifications Contained in Volumes 1 through 3

After careful consideration of all of the timely written comments and oral public testimony, no significant changes have been made to the proposed plan amendments. In response to comments or where necessary, however, minor revisions to, and clarifications of, the plan amendments and the Recirculated SED were made. The revisions to the plan amendments are summarized in Master Response 2.1, *Amendments to the Water Quality Control Plan*. The revisions to the plan amendments are shown in double underline/double strikethrough in Appendix K in Volume 2. The revisions to the Recirculated SED are shown in underline/strikethrough in Volumes 1 and 2. None of the revisions constitute “significant new information” requiring additional notice and consultation. (Pub. Resources Code, § 21092.1; Cal. Code Regs., tit. 14, § 15088.5.) Neither the revisions to the plan amendments nor the revisions to the Recirculated SED will result in any new significant environmental impact or substantial increase in severity of an environmental impact that was not previously analyzed in the Recirculated SED. New information added to the SED merely clarifies, amplifies, or makes insignificant modifications to the SED. Accordingly, recirculation is not required. (*Laurel Heights Improvement Assoc. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1129-1130; Cal. Code Regs., tit. 14, § 15088.5(b); see also *San Francisco Baykeeper v. California State Lands Commission* (2015) 242 Cal.App.4th 202, 224-225 [recirculation not required where lead agency added supplemental modeling and analysis to final EIR confirming conclusions in Draft EIR], *Beverly Hills Unified School District v. Los Angeles County Metropolitan Transportation Authority* (2015) 241 Cal.App.4th 627, 660-663 [recirculation not required where lead agency added new seismic studies in Final EIR].) The changes to the proposed plan amendments reflected in Appendix K are a logical outgrowth of the publicly noticed proposal and the public comments received. The changes are consistent with the 2016 public notice on the plan amendments and Recirculated SED, which stated that changes to the proposed plan amendments consistent with the general purpose of the amendment may be considered and adopted by the State Water Board.

This volume includes additional information related to the range of modeled plan amendment alternatives. This information clarifies and amplifies modeling analyses within the range of scenarios presented in the Recirculated SED. This information is relevant to the discussion of impacts already disclosed in the Recirculated SED and does not alter substantive conclusions about those impacts. This information supports the conclusions about potential environmental and other impacts of all alternatives disclosed and considered in the SED.

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<sup>4</sup> References in Volumes 1 and 2 of the Final SED are contained at the end of the chapter or appendix and have been updated to reflect any changes made in the chapter or appendix, as appropriate, in responding to comments.

## Terminology Used in Volume 3

This section provides a discussion of key terms related to the plan amendments and the alternatives used in the different chapters in Volume 3. As described in Volume 1: Chapters 1, *Introduction*, and 3, *Alternatives Description*, the plan amendments include the following water quality objectives.

- LSJR flow objectives
- Southern Delta Water Quality (SDWQ) objectives

In general, responses to individual comments contained in Volume 3 use the term *plan amendments* to refer to both the LSJR flow objectives and the SDWQ objectives. However, where necessary, specific distinctions are made between the LSJR flow objectives and the SDWQ objectives, consistent with the descriptions in Volume 1: Chapters 1 and 3. The proposed plan amendments (Appendix K of Volume 1) encompass LSJR Alternative 3, with a minimum percent of unimpaired flow of 40 percent with an allowed adaptive implementation range of 30–50 percent inclusive (adaptive implementation) from February through June, and SDWQ Alternative 2 (1.0 dS/m) and the program of implementation.

Finally, when referring to a specific alternative evaluated in Volumes 1 or 2, a response to a unique comment may use the following terminology, consistent with the descriptions in Chapter 1 and Chapter 3 of Volume 1:

- No Project Alternative (LSJR Alternative 1 and SDWQ Alternative 1)
- LSJR Alternatives 2, 3, and 4
- SDWQ Alternatives 2, and 3

## References Cited

None.