To: lsnow@water.ca.gov
CC: ritchie@water.ca.gov, RoseEnvEng@aol.com, awong@pacinst.org, tje@igc.apc.org
Subject: Public Comment on draft EIS/EIR

Transmitted via email; dated

September 23, 1999

Silicon Valley Toxics Coalition
760 North First Street
San Jose, CA 95112

Lester Snow, Executive Director
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 94814

Subject: Comments on Draft Programmatic EIS/EIR, June 1999

Dear Mr. Snow:

Silicon Valley Toxics Coalition is a 17 year-old non-profit, grassroots organization representing some 8,000 members of South San Francisco Bay communities joined in a campaign for pollution prevention, community and ecosystem health, and environmental justice. Among the guiding principles of our Coalition's work are sustainable and equitable use of the South Bay Region's water resources.

The Coalition is a leading participant in initiatives devoted to improving environmental and health conditions for communities facing water policy challenges from the expansion of the high-tech industrial economy. We supported the establishment of the Silicon Valley Pollution Prevention Center (SVPPC) to serve as a forum for dialog between industry, government and environmental sectors. Representatives of our community at the Center are actively engaged in the search for a sustainable model of industrial production respectful of the environmental health and economic security of South Bay communities.

The Pollution Prevention Center's Industrial Water Efficiency Program provides an example of the types of actions Silicon Valley Toxics Coalition believe necessary to achieve sustainable use of our region's water resources. The focus of the Industrial Water Efficiency Program is to evaluate and demonstrate the technical and economic feasibility of improving process water efficiency and reducing wastewater discharges

from high-technology manufacturing plants. Such projects can be used to identify and demonstrate multiple benefits to diverse water interests currently perceived as competing for limited regional and state water resources.

Competition between agricultural stakeholders and urban communities could be mitigated through aggressive support for water efficiency programs aimed at conserving commercial, industrial and institutional (CII) usage. Very large improvements in water use efficiency can generate significant economic savings to industrial plants and urban communities by paying attention to site-specific details while protecting the interests of rural, agricultural communities threatened by reallocation of California's water resources.

We believe that attention to site-specific details and local conditions, for all categories of water users, will improve CALFED's efficiency evaluations. Such an improvement will then help focus attention on potential benefits rather than on the sacrifices that different interests anticipate making to others.

Our experience with chemical spills and toxic contamination of drinking water sources in Santa Clara valley has led our Coalition to conclude that pollution prevention strategies are necessary for the public health and economic security of our region. "Closing-the-loop" in industrial water processes has proved to be an economical way of simultaneously reducing consumption of water resources, easing the burden on waste water treatment plants and discharges to the San Francisco Bay estuary, and reducing pollution to the environment from chemical contaminants. Such a strategy promotes both the ends of state water conservation and of rural and urban environmental justice communities within the state seeking a reduction of toxic threats to human health and their respective communities' economic security.

Unfortunately, we see little in the CALFED draft plan that would promote these mutually beneficial ends. The reductions envisaged in the draft from industrial water efficiency measures by 2020 are paltry, a mere 7% over the figure projected were CALFED to do nothing. Such limited reductions are statistically insignificant and cannot therefore be accurately measured; thus they could not be implemented in any meaningful sense. They do not they inspire the support of South Bay communities seeking environmental justice nor do they merit the support of our organization.

CALFED must set measurable, meaningful targets in its CII program. Gains from water efficiency measures should be a leading strategy of industrial regions and must be incorporated into the CALFED EIS/EIR.

Attached is a technical memorandum by John Rosenblum, PhD., outlining the potential gains from increased attention to CII water efficient

measures. These gains should command the interest of both rural and urban stakeholders as they would provide mutual benefits to both communities through measurable, cost-effective actions to reduce industrial water use that complement the goals of pollution prevention and resource conservation.

The CALFED CII element may be deficient due to CALFED program's apparent discounting of the needs of Northern California's urban communities. The draft EIS/EIR largely ignores California's underrepresented communities, including urban ethnic and linguistic minorities. We are disappointed so little attention is giving in the draft to urban strategies and the needs of environmental justice communities, i.e., urban communities of color or low-income communities located around the San Francisco Bay (a.k.a., 'Flatland' communities). The slogan "Let's Put the Bay Back in the Bay-Delta Program" is increasingly being heard throughout the San Francisco Bay Flatlands. It is a call the Toxics Coalition endorses. There must be no impression nor reality that "urban apartheid" is practiced within the CALFED program.

The existing Watershed Management Initiatives of the North and South San Francisco Bay communities, including the Santa Clara Basin Watershed Management Initiative to which our Coalition is a signatory member, should be fully engaged by the CALFED process. These initiatives could provide significant venues for engaging underrepresented communities in the CALFED program. Similarly, we call on CALFED to convene an Urban Watershed Council committed to redressing the Program's lack of focus on urban issues and environmental justice concerns.

Spanish and Vietnamese speaking members of South Bay communities, which nearly comprise a plurality of the population of the City of San Jose, have had limited opportunities to participate in the EIS/EIR review process. The CALFED Program has thus far failed to provide bilingual materials at public meetings, even when these where printed and available for distribution, i.e., at the Sept 7, 1999 San Jose Public Hearing.
CALFED has also neglected proper notification of Public Meetings in urban centers where Spanish speaking and other linguistic minorities comprise a significant portion of the demographic community. Interpretation and translation services have been lacking for significant urban ethnic minorities at CALFED public hearings.

(We define a "significant linguistic minority" as one where 10% or more of the residents of the community speak a non-English language in the home.)

The procedural and substantive lacuna in the CALFED public review process appear to be in violation of Executive Order 12898. Environmental Justice requires every segment of our multi-ethnic, multi-racial community be given the opportunity and means to participate

in government decisions which will impact the lives of our people. Until all communities are afforded this opportunity, the CALFED process will lack the legitimacy it seeks to chart a sustainable water future for all Californians.

Submitted on behalf of the Silicon Valley Toxics Coalition by

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cc: Torri Jon Estrada, Urban Habitat
Steve Ritchie, Chief Deputy Director
Arlene Wong, Pacific Institute
John Rosenblum, PhD., Rosenblum Environmental Engineering

attachment

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