

# Memorandum

APR 16 1996

To : Mr. Lester A. Snow, Executive Director  
CALFED Bay-Delta Program

Date : April 15, 1996

OPTIONAL FORM 99 (7-90)

## FAX TRANSMITTAL

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From : Department of Fish and Game

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GENERAL SERVICES ADMINISTRATION

Subject : No-Action Alternative for the CALFED Bay-Delta Program

We have reviewed the discussion paper regarding development of the no-action alternative and cumulative actions list for the CALFED Bay-Delta Program and offer the following comments:

### Role of No Action Alternative

The discussion paper describes how the no-action alternative's purpose is to provide a "reasonable" baseline for assessing the impacts of the action alternatives. It should be clarified that the existing conditions called for by CEQA also provides a "reasonable" baseline for this same purpose. The comparison with existing conditions as the baseline will also be important for the data and analyses required for the Department to complete consultation under CESA. It isn't clear how the results of the supplemental or "sensitivity" analyses will be used if there is controversy about including or excluding an action from the no-action alternative. If the results of these analyses are displayed in the PEIR/EIS most concerns should be addressed.

### Scoping Criteria

Most of the criteria described should be useful in screening actions for the no-action alternative. Some categories of actions, however, may not lend themselves to be screened by these criteria. For instance, policy and institutional measures may be difficult to screen.

Criterion 3 should also include reference to a Notice of Determination on a Final EIR or Negative Declaration as well as a completed FONSI. It should also allow for actions that don't require environmental documentation or are categorically exempt.

Criterion 5 would presumably result in eliminating a number of actions from the no-action alternative that would be expected to be implemented at some level even in the absence of proceeding with any other alternative in the PEIR/EIS. There are many core actions that could fall into that category. Care should be taken that they are not eliminated for the no-action alternative.

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### Possible Phasing of Analyses

We are not aware of such a phased analysis being conducted. While using a phased analysis may not be important to selecting an alternative there may be merit in using such an approach to help define how best to phase implementation of an alternative. An additional benefit would be to display at some mid-point, perhaps 15-20 years into project implementation, how each alternative is expected to compare to the no-action alternative. Data presented on how the alternative is meeting water supply demands, for instance, could be important. It may also be critical to display how early implementation of some actions will provide the greatest improvement in conditions for fish while other habitat measures may only show gradual improvements over much longer periods of time.

### Program Time Frame

Using 2030 may be reasonable when developing the cumulative actions list and may be as far as we can reasonably predict future actions and impacts, however, it may not be practical to limit the Program's time frame to that date. Some actions, such as habitat restoration, will extend well beyond that date. It may be more accurate to use that date as the time when all remaining environmental documentation and permitting will be completed, even though implementation would still be in progress.

### Appendix A

- The definition of some of the action categories seems problematic. For instance, the definition of Policies could be misleading since it implies that they are policies that need to be adjusted before the no-action alternative can be analyzed. It may be more accurate to state that these are policies that are being implemented or are expected to be implemented which could affect any of the Program resource areas. Physical facilities should include things other than water supply and storage facilities. Environmental Actions described on page A-5 address issues such as water quality not just fish and wildlife. Examples include Arroyo Pasajero and the Old River at Tracy barrier.

Changes should be considered to Appendix A. For instance, SB-34 related levee improvements, the South Delta Temporary Barriers Program, and expanded use of the joint points of diversion could be added. Other actions such as Sites Reservoir, enlarged Shasta, LBG, North Delta Water Management Program and Red Bank Dam Study should be deleted. The South Delta Program should not be included in the Environmental Action category. Consideration should be given to including regulation and policies regarding the introduction of harmful exotics through the discharge of ballast water, pending more restrictive drinking water quality standards, and the San Joaquin Drainage Implementation Program. A review of the draft

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report prepared for the Program by Department staff which describes related actions and programs may assist in completing a revised Appendix A.

When the time is appropriate for evaluating the actions in Appendix A, our Department would like to assist in that evaluation, or review the draft results of the Program team's efforts.

This concludes our input. If you or your staff have any additional questions or would like our review of future drafts of this work product please contact Mr. Frank Wernette at CALNET 8-423-7800.

*Cindy Costa*  
for  
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DFG/CALFED Bay-Delta Program Liaison

cc: Mr. Jim White, ESD  
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