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tcag

Tulare County Association of Governments

May 28, 1998

**JUN 01 1998**

Attn: Mr. Rick Breitenbach  
CALFED Bay-Delta Program  
1416 Ninth Street, Suite 1155  
Sacramento, California 95814

RE: CALFED Bay-Delta Program Draft Programmatic EIS/EIR

Dear Mr. Breitenbach:

In conjunction with submitting comments for the CALFED Bay-Delta Program draft programmatic EIS/EIR, TCAG is including the recommendation for CALFED to adopt Alternative 3E (with two exceptions) as the preferred alternative to implement the CALFED Bay-Delta Program. This Alternative would provide the most efficient and feasible program to address environmental issues in the Delta and, at the same time, provide adequate water quality and water supplies for the rest of California. Alternative 3E would improve instream flows, Delta outflows, and timing of diversions to reduce impacts on fish through new storage and conveyance facilities. Aquatic habitats would be created benefiting numerous species which are dependent on this habitat. Alternative 3E would return the flow of the Delta to a pattern more closely resembling the natural (pre-development) pattern. The two exceptions suggested for Alternative 3E address In-Delta Storage and surface storage on the San Joaquin River.

The complexities and loss of agricultural land associated with developing Delta island storage facilities requires TCAG to define the In-Delta Storage proposal as impractical. Therefore, TCAG is recommending that the proposal be deleted from Alternative 3E. TCAG also opposes any project which would provide environmental flows from Friant Dam to the Delta. The entire Delta is listed as critical habitat for the Delta Smelt. This proposal, if implemented, would allow such flows from Friant Dam to be defined as water which supports and maintains the Delta Smelt's listed critical habitat, pursuant to the Endangered Species Act of 1973, as amended. The Friant Dam does not currently deliver environmental flows to the Delta. Therefore, to prevent Friant Dam water from being designated as such, TCAG is requesting that any proposal to increase storage at Millerton Lake for environmental flows be deleted from the programmatic EIS/EIR.

The draft programmatic EIS/EIR does not identify or recognize listed critical habitat for the Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*), which includes the bottom and water of the waterways and adjacent riparian zones of the Sacramento River and Delta [50 CFR Section 226.21], or the Delta Smelt (*Hypomesus transpacificus*), which covers the entire Delta [50 CFR Section 17.95(e)]. Therefore, TCAG is requesting that CALFED

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identify the two listed critical habitats in the proposed Revised draft programmatic EIS/EIR and include a determination of whether the requirements of the Endangered Species Act of 1973, as amended, would impede implementation of any of the proposed alternatives.

Finally, with no preferred alternative proposed in the draft programmatic EIS/EIR, TCAG is requesting a copy and opportunity to comment on the Revised draft programmatic EIS/EIR when prepared, a copy of the final programmatic EIS/EIR when circulated, and a copy of the Record of Decision. Please submit the requested information to:

George Finney, Executive Secretary  
Tulare County Association of Governments  
5961 South Mooney Boulevard  
Visalia, CA 93277

On behalf of TCAG, I want to thank CALFED for the opportunity to submit comments to the draft programmatic EIS/EIR. We look forward to receiving and reviewing the draft preferred alternative, final PEIS/EIR, and Record of Decision.

Sincerely,



Bill Sanders, District 1

Tulare County Board of Supervisors

Chairman, Tulare County Association of Governments

TULARE COUNTY  
RESOURCE MANAGEMENT AGENCY  
5961 SOUTH MOONEY BLVD  
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FIRST-CLASS



DEPARTMENT OF  
WATER RESOURCES  
SACRAMENTO  
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