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GLENN-COLUSA IRRIGATION DISTRICT
POSITION PAPER REGARDING
CALFED PHASE II INTERIM REPORT AND CALFED
BAY/DELTA PROGRAM DRAFT PROGRAMMATIC EIS/EIR

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On July 18, 1996 GCID provided CALFED with a GCID policy document outlining criteria or points of concern that would need to be addressed prior to the time that it could endorse any particular CALFED course of action. A copy of this document is attached hereto and incorporated fully herein. That policy document provided that GCID could support proposed CALFED solutions so long as those solutions also fully addressed upstream issues of crucial importance to GCID. In this regard, GCID has reviewed the three proposed CALFED alternatives described in the CALFED Bay/Delta Program Draft Programmatic EIS/EIR ("Draft EIS/EIR") and elsewhere and, to date, as presented, none of the proposed CALFED alternatives comports with the GCID policy and, as a consequence, none can be supported by GCID. This does not mean, however, that GCID is antagonistic toward the CALFED proposed alternatives. Indeed, GCID remains anxious to seek positive and responsible means to address the very serious problems that are posed. The following is intended to elaborate on GCID's current position.

GCID views the CALFED process as positive. In this context and, again, in the abstract, all three of the current CALFED proposed alternatives would probably provide a better situation relative to the situation that exists today. However, all three are built upon certain assumptions which are crucial to their acceptability to GCID. GCID is concerned about the validity of these assumptions and whether they can or will be realized.

The scope of the entire CALFED effort is, of course, much too large for anyone to provide the type of comment that would be necessary to embrace the depth of concern that we have with the current CALFED dynamic. However, one can begin to grasp our concerns best by focusing on a few specific aspects of the CALFED Program. In this regard, all three CALFED proposed alternatives are based upon the development of a "consensus assurances package." "Before CALFED can move forward with any preferred program alternative, the CALFED agencies and the many stakeholder communities must develop a consensus on an assurances package." CALFED Phase II Interim Report, March, 1998, at p. 149 ("Report"). There is, however, no indication how, when, or even if this can realistically be accomplished.

The Report also states that "Program elements which are outside the control of the CALFED agencies should be implemented as early as possible to reduce the risk that outside actors may affect implementation." *Id.* at page 150. GCID does not understand how there can be "outside actors" if consensus assurances packages have, in fact, been developed.

Additionally, by way of further example, CALFED draws a distinction between the "problem scope" and the "solution scope." The three selected potential

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alternatives appear to fix the "problem," the scope of which is Bay/Delta related, at the expense of areas, like Northern California, which are within the solution scope. GCID cannot support a solution to problems created by others absent assurances that the solution will not be at the expense of Northern California.

GCID also notes that the final CALFED package would include user funding and other similar miscellaneous provisions. GCID cannot support any alternative which will result in its use of water being taxed. Similarly, other provisions which are poorly defined and only briefly mentioned are not, as they are currently described, acceptable to GCID.

The CALFED alternative process also does not adequately address the hammer posed by the statutory and regulatory programs administered by participating agencies, including the Central Valley Project Improvement Act, Endangered Species Act, Clean Water Act and the State Water Resources Control Board ("SWRCB") Bay/Delta process. Reclamation has proceeded with its Programmatic Environmental Impact Statement and the SWRCB with its Bay/Delta process. Neither of these activities appears to fully contemplate adequately the CALFED process. Until all of these processes are integrated, they act as an impediment to GCID's ability to support any of the CALFED alternatives. Indeed, the CALFED Technical Appendix dealing with the California and Federal Endangered Species Act Compliance, dated March, 1998, does little but to further emphasize the as yet poorly developed state of CALFED thinking on matters of critical importance to GCID and areas upstream of the Delta.

The foregoing is not intended as a comprehensive review of the CALFED alternative process. Rather, it is intended as an indication of significant problems that are not, in our view, adequately addressed in that process. In essence, the current CALFED selection of preferred alternatives cannot be properly addressed because it is not complete. Too many crucial questions are left unanswered, thus piecemealing what may be the most significant single water-related decision-making process ever embarked upon by the State of California.