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(sent via fax)

Mr. Steve Richie, Chief Deputy Director  
CALFED Bay-Delta Program  
1416 Ninth St. Suite 1155  
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August 7, 1998

Dear Steve:

Thank you for sending along the August 5th version of the "Developing a Draft Preferred Program Alternative" document.

I would like to suggest the following changes:

1. Add to page 11, the bullet items of what Stage 1 must address; Stage 1 must include an ongoing public process. That process will provide a forum for information dissemination, exchange, decision making and provide public scrutiny of the Adaptive Management Process. In addition, such public process shall provide interested parties with the opportunity to review the decision making process associated with identified CALFED Program "triggers."
2. Page 13 Ground water/Conjunctive Use programs insert in item b. "...compliance with local, state and federal regulations plans. (Explanation - Cities and Counties have for over thirty years been required by the State of California to conduct comprehensive General Plan processes. These plans are local government's attempt to address issues such as public services, housing, open space etc. California statutes and case law are clear on the requirement for these plans. CALFED's actions should therefore also be consistent with these plans.

3. Page 13 Ground water Conjunctive Use programs, add additional "dash" item under subsection d. Consistency with local ground water plans (such as AB3030 Plans) and City and/or County Comprehensive General Plans and applicable elements thereto.
4. Page 19 Watershed Program. Change introductory paragraph as follows: "provide for coordination and integration of existing and future watershed activities consistent with the CALFED Bay-Delta Program and its objectives. The watershed program encompasses all natural watersheds to the Bay-Delta system and the Trinity River Watershed. Explanation- The term consistency is a similar "test" standard with case law history in California land use planning. Use of this term, when possible, in CALFED's program will clarify intent and also establish a standard for actions consistent with other planning activities. The Trinity Basin was included in SB900/Proposition 204 funding for Bay-Delta Watersheds. Aside from this legislative and popular vote recognition, the Trinity Flow decision has the potential to significantly affect the flows in the Sacramento river. To the extent non-flow actions, funded through watershed funds, could achieve fisheries and ecosystem objectives, benefits would be accrued to those in the Delta. Without funds to carry out these actions flows will likely have to suffice and impacts will be accrued to those in the Delta. It is not logical to exclude the Trinity Watershed.
5. Page 19 Watershed Program, third "dash" item change to read; "...funding, support data collection, monitoring and reporting standards.
6. Page 24 Water Transfer Framework, change item #1 to read; "...transfer clearinghouse to ensure local public participation..."
7. Page 25 Water Transfer Framework, add item #8. Provide for process to evaluate transfers for consistency with local water resources planning efforts, plans and ordinances.
8. Page 26 Item #1 change to read; "...local landowners including individuals, Cities, Counties, Reclamation districts..."
9. Page 28 Item #1 change to read "...local landowners including individuals, Cities, Counties, Reclamation districts..."

- 10. Page 28 Item #6, change to read "Develop an ecosystem water market (potentially \$20 million per year) (yr 1-7). The ecosystem water market shall only be between willing sellers and willing buyers. Furthermore, the water so acquired shall be for a period not to exceed two years in duration. The water so acquired shall be on an interim transfer basis and shall not involve the purchase of water rights. Any such transfers must be consistent with local water resources plans, ordinances and processes."
- 11. Page 30 Item #1 change to read "...including landowners, Counties, Resource Conservation Districts..."
- 12. Page 30 Item #4 change to read "...in the upper watershed, which are consistent with the CALFED Program."

Thanks for the opportunity to review the document. I look forward to the next version. If you have any questions please don't hesitate to contact my office.

Sincerely,

*John S. Mills*

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