

Original Comment Letters



# United States Department of the Interior

BUREAU OF RECLAMATION  
Mid-Pacific Regional Office  
2800 Cottage Way  
Sacramento, California 95825-1898

IN REPLY  
REFER TO:  
MP-400  
LND-6.00

DEC 09 1997

Mr. Walter Yep  
Chief, Planning Division  
U.S. Army Corps of Engineers  
1325 J Street  
Sacramento CA 95814-2922

Dear Mr. Yep:

Thank you for the opportunity to review the draft Project Modification Report for Prospect Island, provided with your October 22, 1997, letter. The Corps' proposed project is an important initiative in the overall plan for environmental restoration in the Bay-Delta and provides an opportunity to build upon the cooperative relationships among the various agencies and interest groups involved.

Our review focused primarily on those areas related to Reclamation's responsibilities for ongoing management of the northern portion of Prospect Island. As you know, Reclamation acquired this land in 1995 at the direction of Congress, and our intent is to transfer management responsibilities to the Fish and Wildlife Service upon the Corps' completion of the proposed restoration project.

Our review comments are detailed in the enclosed two sets of comments. One set of comments was prepared by our Division of Design and Construction and focuses on the discussions of potential seepage on Ryer Island and on geology and ground water (in the main report and in appendixes A, C, and J). As discussed in items 1 and 2 of these comments, we believe that the issue of potential seepage between Prospect and Ryer Islands and actions to resolve it need to be outlined more carefully. As you know, two Ryer Island landowners filed suit against the Federal Government in 1996 for damages they claim were caused to their lands by the flooding of Prospect Island in 1995. The outcome of those lawsuits could affect the Corps' ability to construct the proposed Prospect Island project. The Department of Justice plans to file a request for summary judgement within the next month. If a summary judgement is not granted, however, both lawsuits are scheduled to be heard in district court in May 1998.

The second set of comments was prepared by my project management staff and focuses on the main report. Many of these comments relate to the description of current conditions, the descriptions of alternatives, and potential adverse environmental effects. For example, the report states in several different places that Prospect Island is currently farmed. The land has not been

farmed since 1995, and both Reclamation's land and the land owned by the Port of Sacramento have been flooded since January 1997. The report should clearly describe these existing conditions and, as necessary, distinguish them from future conditions anticipated without the proposed project. Also, several inconsistencies were noted in descriptions of the alternatives and between the text and the plates, and these should be corrected. Another concern is potential adverse effects, including those on water supply and pumping, levee erosion, and seepage. Specifics about each of these are included in the enclosed set of comments.

I trust that you will consider our comments, even though we were unable to meet your November 27, 1997, requested date. Other work commitments by some of our reviewers made this date impossible to meet. We previously contacted Ms. Leslie Lew to let her know of our need for additional review time.

If you would like to discuss any of our comments, please call Ms. Lee Laurence at (916) 978-5204. If your engineering staff would like to discuss any of the comments by our Division of Design and Construction, they should feel free to call Mr. Jim Goodwin directly, at (916) 978-5316.

Sincerely,



Robert F. Stackhouse  
Regional Resources Manager

Enclosures (2)

cc: Leo Winternitz  
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