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Mr. Lester Snow
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

Dear Mr. Snow:

Thank you for the opportunity to review and comment on the "Preliminary Working Draft, Ecosystem Restoration Program Plan, Implementation Objectives and Targets." (ERRP) This is a coherent, well-organized document, and we are pleased to see evidence of recent cooperative efforts reflected in the document. There are a number of important points, however, that we believe must be made more explicit in the document. These are of some importance to us, and we look forward to again working with you and your staff to develop the appropriate language.

From a general viewpoint, it is particularly difficult to evaluate some of the implementation objectives and targets without understanding the scientific rationale (which are to be presented later) and the adaptive management methodology (not yet defined). As an example, those targets that are phrased in terms of mid-1960's Delta channel hydraulic characteristics and level of water supply development can be interpreted in ways that could redirect unacceptable and inappropriate impacts on export water users and other diverters, since there were no SWP diversions during that time period and CVP diversions were about 1.5 MAF annually. While the selection of this period for a benchmark of ecosystem health may be acceptable, it must not be construed to target only those system changes which post-date this period. Restoration actions need to focus on all relevant factors. Better phrasing is needed to avoid inappropriate interpretations in subsequent drafts and to put such targets in an appropriate context.

We are particularly concerned about the very limited level of In-Delta restoration called for in the draft. We believe extensive In-Delta restoration is essential to a successful long-term Bay-Delta program. The wording of the objectives and targets appears to limit in-Delta aquatic habitat restoration to only about 20,000 acres, within existing channel areas and on the fringes of the Delta. The In-Delta restoration measures appear to be focused on 'edge' habitat. As you know, CUWA has suggested that it may be appropriate to flood some existing islands in the Delta to better meet functional goals such as increased residence time for nutrients and enhanced flood control, improved

in-Delta water quality, and increased conveyance capacity of main channels. It is very important to us that CALFED objectives and targets be expressed in a manner which will not inadvertently bias evaluation in a manner which would preclude serious consideration of the CUWA recommendations.

It appears that estuarine habitat improvements are to be confined to Suisun and San Pablo Bays. This is inconsistent with Dr. Peter Moyle's work, in which he notes that the western Delta is a part of the Estuarine Fishes Zone. It also fails to meet a key test for recovery of endangered species -- that their habitat is widely distributed through out their historic range. We believe that the Delta must provide adequate estuarine habitats so that species of concern such as delta smelt can thrive even during periods of severe drought. Some of the previous CUWA submittal would ensure that there would be significant shallow-water (and deep water) vegetated habitat in the center of the Delta; we believe it is important that the objectives and targets be written in a manner which does not preclude these aspects of the CUWA submittal from serious consideration.

We are also concerned that some targets are phrased in a manner which would lead to alternatives with very high costs. One important example is the repeated emphasis on restoring seasonally flooded and other riparian habitats in the Delta itself (for example Table 11, page 61, item A, 1, 2 and 3). This seems to imply using sunken Delta islands, behind levees, as a location for riparian and waterfowl habitats. If this is correct, there are many other areas where such habitats are more appropriate, more economical and can be made virtually self-sustaining.

We suggest, for example, that portions of the Yolo and Sutter bypasses and areas adjacent to them may be managed for this type of habitat, or the Napa Marsh, or the lands to the east of the Mokelumne River. Following a long-term program of island building, it may be appropriate for some in-Delta islands to be converted to these habitats, but the risks and costs involved in doing so at this time should be given more consideration in the next draft.

We are pleased to see that restoring meander corridors and associated floodplain inundation are a major target of the ERPP. But there may be some inconsistency in pursuing these aspects of the ERPP and the sub-objectives of Objective 4 (Table 1). Under some hydrologic conditions, inundation of the upstream floodplain, with all of its long-term benefits, may conflict with sub-objectives that call for reduction in salinity in Suisun Bay or increasing the occurrence of brackish water habitat in San Pablo Bay. As these sub-objectives, as stated, may only be accomplished by greater outflows, and some of these higher flows will inevitably be diverted to the floodplain/meander zone, it would appear that water users could be asked to make even greater sacrifices than are provided for under the December 1994 Bay-Delta Accord. This could be inconsistent with the CALFED objective of restoring and/or enhancing water supply reliability. We feel that the restoration of large areas of aquatic habitat in the Delta may be a better strategy for meeting habitat needs than additional outflow related concepts, and look forward to working with your staff in developing solutions.

There are a number of other targets which seem to suggest that water users may be asked to sacrifice in order to solve problems created by other interests. For example, we note that there is no target providing for load reductions in toxic discharges into the aquatic ecosystem, only a target providing for reductions of concentrations of such toxics in the system. We are certain that you do not mean to imply that more outflow will be required to dilute these pollutants; reductions in discharges are clearly in the interests of all. Some of the most significant toxic problems are concurrent with and not mitigated by additional outflow. Dilution should not be used for solving problems of toxics; it is not a beneficial use of water. We believe that the topic of contaminants needs to be more effectively either in these Implementation Objectives and Targets or in the Water Quality Common Element with appropriate cross-references.

As another example, the phrasing of Objective A 7(d) raises concerns. Increasing residence time "in Delta channels" is a function of reducing flow velocity through those channels. There are several ways to accomplish this:

- a. Decrease inflow, not possible if inflows must be increased to further freshen Suisun Bay;
- b. Increase the channel cross-section significantly (and therefore reduce net velocity); or
- c. Reduce exports at South Delta facilities and withdrawals in the Delta.

The phrasing of the objective implies that alternative "b" is not to be considered, and this is confirmed by other objectives and targets which suggest that in-Delta aquatic habitat restoration is to be within existing channels or along their edge. We believe it is essential for the phrasing to be amended so that the objective does not preclude accomplishment of appropriate objectives by means other than export restrictions.

Finally, there are a several objectives and targets which are clearly oversights and we would expect to see revised in the next draft. We bring a few to your attention to help you catch what will be obvious when your staff has an opportunity to reflect:

- a. Table 1, sub-objective A 7(f). There does not appear to be any general scientific connection between the salinity of a habitat and its productivity. Therefore, reducing salinity levels in Delta aquatic habitats can have no relationships to overall productivity. If what is meant is salts and other than chlorides, such as toxic nitrates and sulfates from agricultural drainage and urban runoff, perhaps this should be stated more clearly.
- b. Table 1, sub-objective A 7(g). Increasing flows of freshwater to the estuary will increase productivity only if these flows contain nutrients to support growth. That may be a function of their having been distributed over the

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broad floodplain of the upstream rivers -- which will reduce peak flows under many circumstances. The connection between flow and nutrients needs to be better stated.

- c. Table 2, page 17. Although some components of water quality are considered under secondary ecosystem processes and functions and under stressors, we believe that water quality should be a heading under Primary Physical Processes (or perhaps retitled as Physico-Chemical processes).
- d. Table 11, page 71, C1, C3 Target. We are confused. We do not understand how CALFED could propose the maintenance of harmful non-native species populations, such as inland silversides, as a target of restoration activity. Bennett (IEP Newsletter 1995) notes that this species preys on delta smelt eggs and competes for its habitat. This set of targets seems to be wholly inconsistent with the objectives which are at the core of the CALFED effort -- maintaining and restoring native species populations, particularly of those species in decline. This seems to be an oversight that warrants correction in the next draft.

While not directly related to the Implementation Objectives and Targets report, a significant concern surfaced at the workshop last Friday. Contrary to our expectations, we were advised at the January 3, 1997 workshop that the ERPP would not address the programmatic environmental mitigation needs of the storage and conveyance components of the Bay-Delta Program; it would address only ecosystem restoration needs. We are very concerned with how the programmatic environmental mitigation needs of selected facilities are going to be addressed in the plan. If this subject is not going to be addressed in the ERPP, how will it be developed, how will the permitting aspects be dealt with and how will it be integrated into the Bay-Delta Plan? We believe that a fully integrated plan is essential to the success of the Bay-Delta program and the programmatic EIR/EIS.

In summary, we are particularly concerned that the phrasing, and in some cases the substance, of some objectives and targets would implicitly eliminate important alternatives from serious consideration. In addition, there are some conflicts among objectives and targets that need to be resolved. This must be a concern to all, and we appreciate the opportunity to point several examples out for your consideration. We will look forward to working closely with your staff for the next draft.

Sincerely,

Byron Buck