

**CALFED
BAY-DELTA
PROGRAM**

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August 29, 1997

Ms. Karen Schwinn
USEPA, Region 9
75 Hawthorne Avenue
San Francisco, CA 94105

Dear Ms. ^{Karen} Schwinn:

This letter will respond to comments on the proposed CALFED decision process presented in the EPA discussion paper dated July 31, 1997. EPA's comments are paraphrased to provide the context for the responses.

General Comments:

Comment: Question assumption that implementation of common programs will not vary significantly across alternatives; particularly the ERPP and securing environmental water.

Response: The common programs may vary slightly across alternatives with respect to the specific actions that may or may not be implemented, however, the goals and objectives to be achieved will not vary materially irrespective of the storage and conveyance alternative ultimately implemented. The list of elements, policies, and/or actions in each common program remains the same for each alternative, however, one or more may be "de-selected" or re-prioritized for each alternative to respond to geographic factors, physical factors, cost effectiveness, etc., associated with the conveyance component. With regard to securing environmental water-storage and conveyance options will present different management challenges, but the need to be met as expressed in the ERPP as a target will not fluctuate.

Comment: Step 2 "Detailed Evaluations: should develop measures of implementation effectiveness for the common programs.

Response: As stated above, we have evaluated effectiveness and cost of the common program elements as it is affected by selection of a particular storage and conveyance option. Generally, effectiveness of the common program elements is enhanced by the conveyance and storage components although

CALFED Agencies

California The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board

Federal Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service

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the elements may be re-prioritized to respond to the influence of the storage and conveyance components.

Comments: CALFED staff should not produce a draft preferred alternative nor perform "trade-offs" for the agencies. Rather, the CALFED agencies should determine a preferred alternative.

Response: With respect to development and selection of a staff recommended preferred alternative, it is our view that CALFED staff and agency staff are essentially one team. Obviously, we may look at a concept from less than a 100% focus that a specific agency representative might bring, but that's why the agency work groups and the PCT exist--to provide improved communication and a forum for discussion. As for each agency determining a preferred alternative, that concept runs counter to the intent of the CALFED effort. We hope to work as a team with the agencies to identify the best alternative to satisfy the varied needs of all the agencies to the greatest extent practicable. This is the intent of the process that we are designing. The staff will not be making a choice of a draft preferred alternative but, with much additional discussion at the technical level by the PCT, and at the policy level by the Management Team and CALFED Policy group, the staff will make recommendations to PCT and to BDAC, gather advice, make modifications and present this full package to the Management Team for them to fashion recommendations to the Policy Group.

Comments on step 1 -- Alternatives Narrowing

Comment: EPA recommends collapsing 3A and 3C; & 3B and 3D into two alternatives, and perform "sidebar" analyses of options for type of isolated facility. Investigate ability to modify facility to provide water to east side.

Response: Such is our intent. We are investigating the efficacy of collapsing all 4 alternatives into 1 with appropriate sidebars. We do not believe that a lined-channel is feasible in the Delta as a consequence of soil instability and ground water fluctuation. Some of the dual facility alternatives provide east side delivery capability. We will broaden that application to all alternatives with an isolated facility and add the capability to deliver water directly to the South Delta water users.

Comment: EPA concurs with dropping 3F and retaining 3E.

Response: Noted.

Comment: EPA concurs with dropping 3G and retaining 3B.

Response: Noted.

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- Comment: Alternatives 2C and 3I can be integrated into a "multiple intake" alternative, with four (4) possible intake components. Analyses should investigate various combinations of intake size and locations. We have provided various issues to be addressed and are available to help in the refining process.
- Response: Per the discussion at BDAC and the PCT meetings, we will be combining 2C and 3I for additional analysis. We will address the issues you have raised and appreciate the offer of assistance.

Comments on Step 2 --Detailed Evaluations

Water Quality

- Comment: Suggest adding "export drinking water quality" as a distinguishing characteristic of the alternatives analysis. Bromide thresholds as part of this factor should be clear and reasonable. Program should look at acceptable range of source water quality improvement rather than absolute standard. We suggest a range of bromide concentrations between 50 and 200 ug/L.
- Response: The addition of "export drinking water quality" as a separate distinguishing measure was considered during the formulation of distinguishing characteristics. We have chosen to display this as a parameter of "export water quality" since an alternative which provides better export quality will provide proportionately better source water for drinking purposes. Projected concentration of bromide (and other parameters of concern) will be displayed for each alternative.
- Comment: Add "ecosystem water quality" as a distinguishing characteristic; vis-a-vis concentrations of pesticides and other contaminants.
- Response: This parameter is included in the second level of analysis in the Distinguishing Characteristics matrix as part of "In-Delta Water Quality."

Ecosystem Quality:

- Comment: ERPP objectives for areas upstream of the Delta, as well as within the Delta, may be affected differently across alternatives.
- Response: It is the actions that may differ across the alternatives as they are implemented to try to achieve the objectives of the common programs which remain consistent regardless of the alternative selected. You are correct that the alternatives will perform differently when compared against the objectives.
- Comment: Specific information on the periodicity of flows necessary to support various floodplain processes should be available, and used as distinguishing characteristics.

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Response: Modeling of such flows is part of the ERPP's development and when available will be provided to interested members of the PCT.

Comment: Add measures of potential for successful long-term ecosystem restoration.

Response: All alternatives are designed to result in successful long-term ecosystem restoration through implementation of the ERPP and related actions of the other common programs, as well as management and operation of the storage and conveyance components. The cost of obtaining water from willing sellers for certain alternatives without environmental storage, may be higher (or lower) than in alternatives with storage, or may be harder to obtain. The adaptive management plan is designed to measure how well the implementation of the preferred alternative is doing toward producing successful ecosystem restoration and to produce changes in direction, if necessary, to ensure that the goal is attained.

Levee System Integrity

Comment: Bullet citing distinguishing characteristic as risk to water supply should be under water supply reliability and not levee system integrity. Should move bullet to water supply reliability.

Response: We agree.

Comment: We should develop measures to address "all" risks to Delta land uses in the Delta.

Response: The Levee System Integrity Common Program will be designed to reflect those risks it can reasonably address.

Comment: Effectiveness of the levee system will depend in part on how/where the floodplain restoration elements of the ERPP are implemented.

Response: While this is certainly the case in the upstream areas where the river meander restoration actions will take place, such will not be the case to the same degree in the Delta vicinity as the islands are threatened by the combined action of tide, wind fetch, and flood stage during floods. During non-flood time periods, the threat to Delta levees still remains from high tide and wind.

Comment: If alternatives will vary regarding the expected level, duration and frequency of high flows, it should be included as a distinguishing characteristic affecting levee system performance.

Response: We do not expect extreme variability across the alternatives from these factors. We will analyze these factors as part of impact analysis.

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Water Supply Reliability:

- Comment:** Water supply opportunities. Greatest consideration should not necessarily be given to changes in average annual supplies, rather critical or dry year supplies may be a better determinative. Shouldn't weight at this point, and unweighted information should be arrayed for decision makers to consider relevant tradeoffs.
- Response:** Agreed. We have revised the Distinguishing Characteristic parameters to reflect this approach.
- Comment:** Water transfer opportunities. Discussion needs to be rewritten. "Best" transfer opportunities, not necessarily those that increase supply deliveries. Capacity to enhance accomplishment of CALFED objectives should be best measure.
- Response:** Agreed. We have revised discussion of Distinguishing Characteristics to reflect more comprehensive nature of issue.
- Comment:** System operational flexibility. Staff should develop measures of operational flexibility both within years and across year, distinguishing by year type (critical to wet). Alternatives should be analyzed to maximize average annual and provide dry-year supplies.
- Response:** Noted. While the Distinguishing Characteristics capture this concept qualitatively, modeling this concept will need to wait for future, more detailed modeling efforts.
- Comment:** South Delta channel stages. This section should be deleted. South Delta channel stages should be addressed as a threshold issue, ensuring that each alternative considered for detailed evaluation satisfactorily meets the need.
- Response:** We disagree with this being a "threshold issue". For example, Alternative 1A which is designed to be non-facility, does address this issue at all. The Distinguishing Characteristic has been altered to address "Accessibility of water in the South Delta."
- Comment:** Should add water use efficiency as a distinguishing characteristic since water costs will vary depending upon alternative which will ripple through to incentives for water use efficiency.
- Response:** The Water Use Efficiency Common Program is not expected to vary much in response to whatever alternative is selected. In some alternatives, local agencies may be forced to conservation actions which are not included in the policies of our Program, such as landscape ordinances. The market will decide the intensity of conservation in the future, and we will display this as an impact. The Water Use Efficiency Common Program is intended to establish the "floor level of implementation" irrespective of water costs, which the implementation of

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Water Use Efficiency will not go below. The market may trigger increased conservation over and above "floor level of implementation."

Other Distinguishing Characteristics:

Comment: Assurances and effectiveness. Anticipate assurances will be more conducive to "common program" approach. Each alternative with assurance package unique to it, but covering uniform needs. Unclear whether feasible at this time to utilize assurances as distinguishing characteristic.

Response: While the assurances issue has as its corollary to the other common programs, in that regardless of which alternative is selected, a satisfactory assurance package will be implemented. There are factors unique to the storage and conveyance components which can have more significant implications for the alternative selection process than the other common programs. Consequently, how well the operation of an alternative can be "assured" is a distinguishing characteristic in our view.

Comment: Habitat disturbance. Should retitle "habitat impacts: and should address both habitat enhancement and disturbance. Alternatives should be evaluated with regard to the same distinctions of type and quality as outlined in the ERPP.

Response: We have changed wording of Distinguishing Characteristic.

Comment: Land use changes. CALFED needs to make a distinction between the types of land use changes. Some are beneficial, some are not. As a result, weighting of this factor to favor minimal land use change is unwarranted.

Response: Since regulation of land use is **not** in the CALFED mission and, as a practical matter, is statutorily within the authorities given to the Delta Protection Committee and the counties, the CALFED alternatives can only affect land use changes indirectly. Consequently, land use changes in the larger context do not differentiate between alternatives. The impacts which come from changes in land use, must be measured against the no action alternative to be responsive to the statutory requirements of CEQA/NEPA. CEQA/NEPA also gives special status to "Prime and Unique Agricultural Land," implying that impacts be analyzed and displayed and consideration of impacts be taken in the decision on an alternative. As a result, we have included impacts to Prime and Unique Ag Land in the second tier of information for the land use change Distinguishing Characteristic.

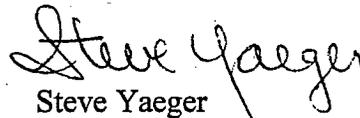
Comment: Socio-economic impacts. Need to identify measures to be used for evaluation and ranking.

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- Response: Noted. Will endeavor to move beyond this initial level as time and resources allow while remaining consistent with programmatic nature of effort at this time.
- Comment: Consistency with solution principles. This section seems redundant. Seems to be summary of all the distinguishing characteristics.
- Response: While the solution principles represent the ultimate distinguishing characteristics and measures of success, each alternative will achieve each of them to a greater or lesser degree. It is those pluses and minuses that the CALFED Policy Group will need when it rates the alternatives. We do not believe this represents a redundant category.
- Comment: Should use prefeasibility studies and cost estimates to evaluate anticipated costs and effectiveness of ERPP under various alternatives.
- Response: We will be doing so, but during this stage the analysis will be at the level of programmatic analysis. Future studies will take cost estimates to a prefeasibility level.

If you have any questions regarding the information in this letter, please give me a call at (916) 657-2666.

Sincerely,


Steve Yaeger
Deputy Director

cc: Carolynn Yale
Gayle Louis