

**CALFED
BAY-DELTA
PROGRAM**

Reactions

1416 Ninth Street, Suite 1155
Sacramento, California 95814

(916) 657-2666
FAX **(916) 654-9780**

April 27, 1998

Honorable Maurice Johannssen
Member of the Senate
State Capitol, Room 5061
Sacramento, CA 95814

Dear Senator Johannssen:

This is in response to your letter of March 31, 1998, requesting that I suspend the public comment period on the CALFED Bay-Delta Program's draft *Programmatic Environmental Impact Statement/Environmental Impact Report*.

As you are aware, CALFED is a consortium of fifteen different state and federal agencies with legal responsibilities or authorities for activities within the Bay and Delta estuary. Decisions by the CALFED agencies are made in a collective manner by the entire group of agencies. This approach applies to a wide variety of decisions, including those on the context of the Bay-Delta Program, the content of the Programmatic EIS/EIR, and the timing of public comment period on the Programmatic EIS/EIR. I will bring your suggestion to their attention.

More immediately, however, I would like to respond to some concerns raised in your letter.

The CALFED draft Programmatic EIS/EIR is approximately 2,400 pages when all technical appendixes are included. This is a large document, and recognizing its size, we produced a 26-page executive summary that an interested reader can review to discover the highlights of the environmental effects of the Program. We also produced a 167-page Interim Phase II Report that describes the Program and discusses issues and controversies surrounding various facets of the Program. We have also prepared an index to the draft Programmatic EIS/EIR to make the document easier to review. But we really could not make the draft shorter. Our obligations under law are to disclose environmental effects of the proposed program. In a program as large as the Bay-Delta Program, that disclosure requires full explanations. A shorter document would not satisfy our obligations.

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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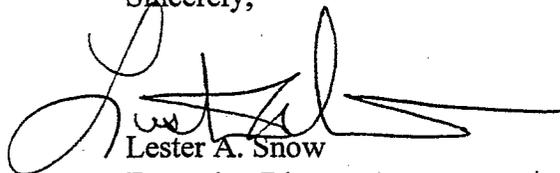
It is true that many activities are underway regarding water planning in California. Because water is such an important resource, water planning and related environmental documentation review is almost always underway in some part of California. Environmental documents are circulating for public comment for several of these activities. We have attempted to address this situation by discussing the cumulative impacts of the CALFED Bay-Delta Program and other water planning activities in Chapter 9 of the draft Programmatic EIS/EIR.

CALFED has established a 75-day comment period for the draft PEIS/EIR. Current state law requires a minimum comment period of 30 days (Public Resources Code §21091). Certainly the minimum period would be inappropriate for a program as wide-ranging as the CALFED Bay-Delta Program, but two and one-half months is not an inappropriately short period of time for review of a Programmatic EIS/EIR. We are concerned that, with a very long comment period, interested parties will find their attentions diverted to other matters that appear to be more immediately pressing. We are currently evaluating a number of requests for comment period extension and expect to develop a strategy by mid-May.

We have replies under separate cover to your inquiries regarding distribution of the draft Programmatic EIS/EIR. In our initial mailings, we forwarded hundreds of copies of the draft Programmatic EIS/EIR to interested parties. We forwarded approximately 1,100 copies of the Phase II Interim Report and the Executive Summary to another group of interested parties. Additionally, we sent out about 7,250 notices that we had released the draft. These notices included information on how to obtain additional material. We are continuing to mail copies of the draft EIS/EIR.

I hope this information is helpful. If you have any questions, please call me at (916) 657-2666, or your staff may contact Daniel McCarroll, Legislative Coordinator, at (916) 653-5704.

Sincerely,



Lester A. Snow
Executive Director