

99-106

23443 S. Hays Road
Manteca, CA 95337
April 11, 1999

*Wendy con w/ D:
on response
for next meeting*

CALFED, Attention Wendy Halverson Martin
1416 Ninth St., Suite 1155
Sacramento, CA 95814

Dear Wendy:

Your April 6 memo to the Ecosystem Roundtable included information on the FY 2000 CALFED budget. The budget includes 10 million dollars for Habitat Restoration in Floodplains and Marshes, 22 million for River Channel Changes, and 20 million for Improved Instream Flows. I believe the BDAC should be informed as to the nature of these proposals and how they will be controlled to assure compliance with CALFED principles, including avoidance of "redirected impacts".

① How will the proposed restoration of floodplain habitat and the river channel changes be reviewed to assure compatibility with measures for flood protection and with control of aggradation in the main stem of the San Joaquin River and in the South Delta? Will the river channel changes include restoration and augmentation of bypasses such as the Paradise Cut bypass? Will the habitat restoration include restoration of unimpeded overflow of flood waters onto existing dedicated refuges, wetlands, grasslands, and preserves in the watershed of the San Joaquin River system?

② How will instream flows be improved, particularly in the overcommitted San Joaquin River system? Will all water acquisitions be required to be acquisition of "real water", or will some of them be basically reallocations from one time or purpose of use to another? Will all acquisitions be required to comply with section 3405 (a) (1) (I) of the CVPIA (Title 34) which dictates that transfers of CVP water "shall be limited to water that would have been consumptively used or irretrievably lost to beneficial use during the year or years of the transfer"?

(Section 3403 (f) defines CVP water as "all water that is developed, diverted, stored, or delivered" by the CVP). Will all reallocations of time or purpose of use of water have to comply with the State's "no injury" rule? What process will be used to assure that all measures to improve stream flow comply with all laws and CALFED principles?

Please distribute this letter and your answers thereto to all members of BDAC.

Thank you.

Sincerely,



Alex Hildebrand

cc Tom Zuckerman
SDWA Board
Mike Machado
Richard Pombo