

Dan Nelson
Byron Buck

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OK TO ME
9/11

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7/17/97

Dear Messrs. Nelson and Buck:

Thank you for your July 11, 1997 letter commenting on CALFED's Water Quality Programmatic Actions. This is a response to some of the important points you have raised.

I appreciate your support for the concept of a Comprehensive Monitoring, Assessment, and Research Program (CMARP) that we intend to propose. Implementation of this program will provide us with the information gathering tools that will prove critical to adequately understand the severity of water quality problems, to prioritize them for corrective actions, to evaluate the success of prevention and control actions, and to make mid-course modifications as dictated by our adaptive management philosophy. Also, I strongly agree that the real challenge is to find a proper balance between information gathering and action. The agricultural and urban stakeholders have tremendous technical capabilities to bring to bear on this task; your assistance is invited, and will be appreciated.

As your letter suggests, I have asked staff of the Water Quality Program to take the lead in developing the CMARP, although the program will incorporate assessment activities related to the ecosystem, levee and channel stabilization and water supply reliability activities of CALFED, in addition to water quality. A draft framework document will be circulated to you and other stakeholders to enable your timely input to development of the CMARP.

Before we get into more detailed responses on technical content, I want to take this opportunity to try to convey my overall perspective of the issue. The description of the Water Quality Program appearing in the Phase II Alternative Descriptions Report and Appendix B is necessarily brief, and does not include a good deal of the supporting information. Some of the supporting information will appear in the Water Quality Component Report that we plan to disseminate prior to the August 6, 1997 meeting of the Water Quality Technical Group. Additional information appears in the Existing Conditions and Impact Analysis reports that are presently being reviewed internally and should be available for public review by September. Prefeasibility studies are planned throughout the remainder of Phase II, up to Fall 1998 when the final Programmatic document is scheduled for completion. Results of these studies will be incorporated into the program as the information becomes available. In addition, we have decided to produce a Water Quality Implementation Plan that will detail the process whereby additional studies are to be brought to bear on proposed water quality actions, and how pilot scale testing and evaluations are to precede irretrievable commitments of resources. This layered approach to developing the needed additional information makes use of all the time and financial resources available to us during this phase of the CALFED program.

I believe the Water Quality Component and Existing Conditions reports will provide a good deal of the information you envision in your proposed "state of the watershed" report. We do realize, however, that the state of the Delta watersheds is dynamic, and that the job of

characterizing their status would have to be ongoing if the knowledge is to be kept current . Accordingly, perhaps our Implementation Plan should include an ongoing watershed status assessment component that would be performed within the CMARP. I am looking forward to further discussion on the need for this program element when you have had the opportunity to review the products now under development.

Concerning the need to develop quantitative biological indicators of success for water quality actions, we agree that such indicators would be more valuable than numerical criteria applied to the water. Your letter mentions the difficulties involved; I would welcome your specific suggestions as to what quantitative biological criteria might be developed in the nearer future, and agree that one focus of the CMARP should be to develop understanding upon which such criteria might be based over the longer term.

We do intend that CALFED provide recommendations to the appropriate agency where some action under the jurisdiction of that agency would bring significant improvement to the quality of Bay-Delta estuary waters. This intent includes recommendations for regulatory enforcement as necessary, with the provision that voluntary, cooperative efforts must be given preference where such measures can be effective. In implementing the water quality and other aspects of the CALFED program, we intend to find ways to supplement or replace regulatory approaches with effective voluntary incentive-based methods.

With respect to the need to address total organic carbon and bromide, we are relying more on implementation of the Preferred Alternative to accomplish improvements in salinity, bromides, and natural organic matter than on the Water Quality Common Program. Reduction of the contribution of Delta peat islands to the organic carbon load in export water may, however, be significantly affected by Water Quality Common Program actions.

We view changes in land management practices as a hierarchy of potential actions beginning with voluntary, compensated, changes in cropping, soil, and water management practices by the current landowners; followed by temporary fallowing; and, by voluntary compensated permanent land retirement as a last resort. Maintenance of current agricultural productivity through such actions as drainage treatment are certainly among the options we believe should receive priority.

Regarding the issue of mine remediation and possible liability, we completely agree that, on one hand, mine remediation has the potential for greatly reducing toxicant concentrations affecting the Delta and its resident species; but, on the other hand, toxic site liability and financial responsibility issues present highly complex challenges. As the CALFED program unfolds, we will look for opportunities to enable CALFED to participate in a meaningful way in mine remediation activities, particularly where there is no identified financially responsible party.

Because sedimentation control measures in the watersheds of the Delta generally provide opportunities for ecosystem restoration, we think actions of this type more appropriately belong under the Ecosystem Restoration, as opposed to the Water Quality, component of the CALFED program. Selection of ecosystem restoration actions will take into account opportunities for

reducing erosion and sedimentation that adversely affect the ecosystem.

CALFED staff will be pleased to participate in a workshop to discuss San Joaquin Valley water quality issues, discuss potential actions related to Clean Water Act revision, or other water quality issues of interest to you.

Sincerely,

 Lester Snow
Executive Director

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