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Non-Profit Law and Consulting in Conservation of Natural Resources and the Global Environment

Gregory A. Thomas
President

December 11, 1998

Memo to: Steve Ritchie, CALFED
Rob Cooke, CALFED
Dick Daniel, CALFED
Tom Hagler, EPA
David Fullerton, CALFED

From: John Cain

Re: Stage 1 actions in December 9 version of Revised Phase II Document

NHI revisions on Stage 1 Actions

Levees pg.98

Pg 98, second bullet

Grant projects to develop, and implement where feasible, best management practices for subsidence control.

Pg. 98, third bullet: A seismic risk assessment to evaluate the performance of the existing levee system during seismic events and the consequences of levee failure for economic and ecological systems dependent on delta levees.

Pg 99, #11: Implement current BMPs to correct control and reverse subsidence effects on levees and island interiors.

Pg 99, #12: Continue evaluation of seismic risk to integrity of the levee system and the ecological and economic systems dependent upon it and develop effective recommendations to mitigate that risk.

Pg 99, # 13, second sentence: Available risk management options may include but are not limited to: *Add new bullet point for this paragraph:* Subsidence reversal action on western delta islands.

Water Quality Pg. 100

Pg. 100, #4: Add actions at Marsh Creek to Mercury evaluation and abatement work section. **Assess Mercury contamination of Delta from erosion of mine tailings in the Marsh Creek watershed and remediate if necessary.**

Pg. 101, #7: *add new bullet:* Evaluate the potential to reduce salinity and otherwise improve water quality through increased voluntary releases from Friant Dam.

Ecosystem Restoration

Pg. 105, *New bullets:*

18. Evaluate the feasibility of rewatering the San Joaquin River between Friant Dam and the Merced river and, if feasible, implement consensus based actions for rewatering the river.
19. Consistent with the ecosystem restoration strategic plan, increase the area, frequency, and duration of inundated floodplain habitat where feasible by seasonally inundating flood bypasses (especially the Yolo bypass), hydrologic modifications, or levee setbacks.
20. Evaluate, and where feasible, implement subsidence reversal activities necessary to raise delta islands to elevations suitable for tidal marsh restoration.

Water Transfer Framework

Pg. 111

Add new bullet: Convene an expert panel of independent hydrologists, economists, ecologists, and legal experts to identify the opportunities and constraints to implementing water transfers and to recommend actions for developing a robust transfers market.

Storage.

pg. 113, # 9: Construct at least two to three groundwater banking facilities with target volumes of at least 500,000 acre feet storage. *Almost everybody agrees that more groundwater storage is a good thing. There is no reason to limit what can be done.*

Pg. 114, surface storage #1: In conjunction with FERC relicensing and with the consent of project owners/operators, perform reoperation analysis for existing hydroelectric power and water supply reservoirs to benefit local downstream water users . . .