

From: Jherrlaw@aol.com [mailto:Jherrlaw@aol.com]
Sent: Thursday, November 15, 2007 3:55 PM
To: John Kirlin
Subject: Fwd: BDCP Report

Dear Mr. Kirlin:

I am forwarding you a copy of an e-mail I recently sent to the BDCP staff regarding their recent report on the effects of the various options being considered in that process. As you can see, it appears that the analysis to date has either ignored the effects on southern Delta water quality or has failed to report the effects suggested by the model runs.

Please distribute this to the Blue Ribbon Task Force members so that they are aware of the shortcomings in the BDCP process. Thanks, JOHN

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Sent: Wednesday, November 14, 2007 3:13 PM

To: PAUL.D.CYLINDER@saic.com

Cc: sunnemcpeak@yahoo.com; hildfarm@verizon.net; Ngmplcs@pacbell.net; Qagwaai@aol.com; Gartrell, Greg@ccwater.com; Zuckerman, Tom@talavera.us

Subject: BDCP Report

Dear Mr. Cylinder:

I have made my way through most of the BDCP **Conservation Strategy Options Evaluation Report** produced by the BDCP effort. That document purports to examine the effects of various actions on the ecosystem and other beneficial uses in the Delta. I have a number of questions which I cannot answer by reading the document. If you are not the correct person to answer these questions, please forward them on to the appropriate person and let me know who that is. My questions are as follows:

The operational parameters used in the modeling and set forth in Appendix B (Table B-6) list some criteria as operational constraints, with others being "managed to meet." What is the difference? Since the modeling summary references these criteria, there must be modeling results showing the effects on Southern Delta water quality and the D-1641 objectives. Where are those results? I can only find references to the Vernalis standard and others in locations not in the southern Delta.

Some modeling scenarios use criteria of "do not manage specifically to meet water quality standards." What are the purposes of those runs? It is difficult to imagine a proposal which specifically examines an appropriative permit holder not complying with its current permit conditions. Further, why would these particular standards be ignored? Why not ignore river flow requirements or X2, or any of the other and numerous permit obligations? I question how DWR and USBR, much less the fishery agencies can participate in an examination of the effects of various proposed operations without including their current permit obligations. Certain CEQA and NEPA do require this examination.

This "manage to meet" presumption appears to mean that water quality objectives/standards are goals, not operational requirements. This conclusion on my part is supported by the minimal treatment (almost non-existent) of the various Options when evaluating their effects on southern Delta water quality. As far as I can tell, the sole evaluation is the reference on pages 41-42 of Section 6 (the peripheral canal Option) which notes that "a peripheral aqueduct may adversely affect agricultural irrigation water quality in some parts of the Delta..." and could "adversely impact agricultural productivity in the south Delta."

What is the reason for not modeling CVP and SWP operations which result in compliance with the existing water quality objectives, which objectives are permit requirements of the projects? The modeling examines the effects on water quality at various locations in the northern, western and west-central Delta, but makes no analysis of the effects on water quality at the three compliance locations in the Southern Delta. By not examining the effects on southern Delta water quality, the report gives an unrealistic analysis of the Options, since any and all effects may change when the projects are indeed operated to meet their current permit requirements to maintain the 0.7/1.0 EC standards throughout the channels of the Southern Delta.

The only other apparent analysis of the Options on central or southern Delta water quality is language on page 47 of Section 6 and Figure 3-4 referenced therein (and similar terse references in the other Sections). The Figure shows that in summer months, a portion of the central Delta would get an increase in salinity of between (approximately) 25% to 100% from June through

August under the various Options when compared to the baseline and Option 1. This catastrophic result is only addressed in the text by the apparent reasoning that there might be better water quality at some other time of the year. This "trade off" would hardly protect the beneficial use. At what point will the examination result in a description of what would happen to farming under such extreme conditions?

The modeling also includes differing uses of the proposed permanent tidal gates and the Head of Old River barrier. The various scenarios are contrary to the operational parameters in the Final EIR/EIS for the SDIP (which encompasses the gate/barrier project). It is impossible to determine how the various Options affect numerous beneficial interests if changing operational criteria are used rather than holding them constant. How was it decided to adjust barrier operations under each Options and why? Is there any analysis of these various barrier operations on local water levels and flow? This is important for example when an Option proposes to have the HOR barrier closed "all year." Such a proposal ignores both the needs and water rights of the southern Delta as such closure prevents the channels from filling (tide and river inflow) and impairs the permanent gates efficiency.

It appears that each model run assumes that full exports are possible at all times of the year. Since full exports are the exception and not the norm under current permit and other operational criteria, what is the purpose of making this modeling assumption? Wouldn't a more informative approach be to examine how current operations (with numerous operational limitations) might change or not change under the Options? That way the public can see how or if an Option might allow different export levels. I believe it is just this issue of how much more often the export pumps might be operated which underlies the entire process.

I will not at this point go into the modeling's use of averages, but will address that issue at a later time. Please expedite responses to these questions. As you know, other processes are considering the information produced by the BDCP process. I believe everyone would agree that if the various BDCP Options contemplate catastrophic salinity increases in central and southern Delta channels, that should be made known well before any decisions are made with regard to the Delta's future.

Thank you for your consideration, JOHN

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