

May 10, 2002

VIA FACSIMILE AND U.S. MAIL

Mr. Dan Ray
CALFED Bay-Delta Program
1416 9th Street, Suite 630
Sacramento, California 95814

Subject: ERP Proposal #116 for Consolidated Pumping Facility
and Fish Screen - Directed Action

Dear Mr. Ray:

We appreciate that this important project has been specifically identified as a priority in the 2002 PSP. This priority identification is consistent with the priority placed on screening of the District's facilities by the resource agencies, e.g. CDFG, NMFS, USFWS, and USBR.

In this regard, we call your attention to the attached Memorandum dated November 6, 2000 confirming that the leadership of these resource agencies and RD108 agreed that the potential consolidation and screening of three of RD108's diversions on the Sacramento River was a high priority. It was further agreed that an investigation should be made to determine whether combining the three diversions at a single screened location would result in a lower cost than separately screening all three diversions. We completed the Fish Screen Reconnaissance Investigation Report in October 2001 that recommended a consolidated pumping plant and fish screen for Boyers Bend, Howels Landing, and Tyndall Mound Pumping Plants, thereby reducing the combined diversions from 377 cfs to 260 cfs. This investigation was funded by CDFG and the District.

The District subsequently sought and obtained a federal funding appropriation of \$1.38 million for fiscal year 2002 under the Anadromous Fish Screen Program for 50 percent of the project costs to conduct design and permitting activities including a detailed cost analysis. Non-federal funding under CALFED was applied for in October 2001 as a matching source to move the project forward and keep it on schedule.

In order to comply with the direction of the resource agencies and respond to the concerns of the CALFED Selection Panel, it is essential that the design activities and detailed cost analysis proceed as soon as possible, including environmental documentation and permitting. This work during 2002 would require a reduced cost share funding amount from CALFED of \$630,000 rather than the \$1,380,000 requested in our original CALFED proposal that included the start of construction and purchase of materials. Without these matching funds, the District may lose the Federal appropriation that we now have.



RECLAMATION
DISTRICT

108

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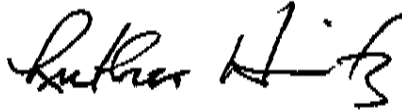
Engineers

*Laugenou & Meikle
Woodland, California*

Mr. Dan Ray
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We respectfully request that the selection panel consider a reduced CALFED funding level for this year of \$630,000 as a directed action in order to proceed with the necessary preliminary work and to keep this important project on schedule.

Very truly yours,



Luther Hintz
General Manager

Attachments

C: Kevin O'Brien/Downey Brand & Seymour
Rich Jenness/Laugenour & Meikle Civil Engineers
Peter Rude/CH2M HILL



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DAVID R. E. ALADJEM
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VIA FACSIMILE AND U.S. MAIL

MEMORANDUM

TO: Ryan Broddrick, California Department of Fish and Game
 Banky Curtis, California Department of Fish and Game
 Jim Lecky, National Marine Fisheries Service
 Kirk Rodgers, U.S. Bureau of Reclamation
 Wayne White, U.S. Fish & Wildlife Service
 Mike Thabault, U.S. Fish & Wildlife Service

FROM: David Aladjem *DA*

DATE: November 6, 2000

RE: RD 108 HCP

This memorandum summarizes the results of the meeting of October 18, 2000 among state and federal agencies and RD 108's Board of Trustees, staff and consultants in the office of Downey, Brand, Seymour & Rohwer, LLP. An attendance list is enclosed for your reference.

We discussed at length the status of the proposed habitat conservation plan (HCP) for RD 108's seven diversions from the Sacramento River. We agreed that it would be useful to have additional information relating to conceptual plans and estimated costs associated with screening of the larger unscreened diversions before completing the HCP. To that end, we agreed upon the following process:

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1. RD 108 will prepare, in cooperation with your agencies, a preliminary engineering analysis of conceptual plans and estimated costs of constructing positive-barrier fish screens at RD 108's Tyndall Mound, Boyers Bend, and Howells Landing pumping plants, including the practicability of consolidating two or more of these diversions into a single screened diversion. The District will estimate the cost of performing this engineering analysis and your agencies will assist the District in seeking and obtaining a grant of funds from an available source (or sources) to defray the full cost of for this work. The goal is to complete this analysis by March 2001.
2. Based on the results of the preliminary engineering analysis, RD 108, in cooperation with your agencies, will prepare grant application(s) seeking funding for planning, design and construction of a positive-barrier fish screen or screens from the CALFED Bay-Delta Program, the Central Valley Project Improvement Act, California Propositions 204 and 13, and other appropriate sources. Each of your agencies agreed to strongly support this effort to obtain full State and federal funding for all work associated with screening of existing facilities or associated with constructing a consolidated screened diversion and related facilities. RD 108 will support this effort by agreeing to meet the costs of operating and maintaining screened facilities after the completion of construction. It is anticipated that funding decisions will be made by the end of 2001.
3. Upon completion of the preliminary engineering analysis and decisions on grant applications for funding, the District, in cooperation with your agencies, will resume preparation and completion of the HCP based upon a proposed plan for the unscreened diversions.
4. NMFS and USFWS will expand the current biological opinion for operation of Wilkins Slough screened diversion to include species listed since the initial biological opinion (e.g., spring-run Chinook salmon, steelhead, splittail, etc.) and any other listed species that could be subject to take at the Wilkins Slough facility in order to provide continued incidental take protection. The term of the expanded permit will be until October 1, 2002.

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Please call if you have any questions or if this memorandum does not clearly state the agreement and understanding of this important matter by each of our agencies.

Enclosure

cc: RD 108 Board of Trustees
Luther Hintz
Chuck Hanson
Kevin O'Brien (firm)

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Meeting on RD 108 Fish Screens
October 18, 2000

<u>Name</u>	<u>Organization</u>	<u>Phone #</u>
David Altden	Downy Bend	916-441-0131
Jim Lecky	NMFS	562-580-4020
Kirk Rodgers	USBR	916-978-5010
BANKY Curtis	Fish & Game	916 358-2899
Pablo Arroyave	USDA	916-978-5198
FRITZ DURS	RD108	530-662-6076
Lu Hintz	RD108	530 437-2221
Kevin O'Brien	Atty - RD 108	916-441-0131
EMERY POUNDSTONE	RD 108	530 - 458 - 4930
Charles Hanson	Hanson Env.	925 937 4606
Jack Wallace	Dist 108	530 662 4405
Jim Balsdon	" "	530 458-5655
Michael Thebaud	USFWS	916 414-6600
Wayne White	"	(916) 414-6700
Ellen Berryman	USFWS	(916) 414-6600
Ryan Boddie	Fish & Game	

Sacramento Valley Landowners Association

May 10, 2002

Patrick Wright, Executive Director
CALFED Bay-Delta Program
1416 Ninth Street
Sacramento, Ca 95814

Dear Mr. Wright:

The Sacramento Valley Landowners Association (SVLA) Board of Directors submits the following comments regarding the proposed funding recommendations for the 2002 CALFED Bay-Delta Program Ecosystem Restoration Program. SVLA members have actively participated in projects relating to the Sacramento River for a number of years. Public input provided by landowners and local government is an important aspect of the planning process.

We are very concerned that the new CALFED process -- to wait until recommendations are made before receiving local public notification -- will effectively circumvent any meaningful local input.

The Sacramento River Conservation Area Forum (Forum) has provided an excellent opportunity for landowners and agency representatives to come together to openly discuss important issues related to the Sacramento River. SVLA has participated in the process since its inception.

The Forum Memorandum of Agreement (MOA) describes public agency support for "improving coordination and cooperation between public agencies and identifying agreements and relationships among the signatory public agencies in implementing the 1989 Plan and Handbook." The Forum was also designed to bring a balance between restoration actions and farming and ranching along the Sacramento River. Moreover, the Forum signatory agencies are nearly identical to the CALFED Bay-Delta Program signatory agencies and include the Army Corps of Engineers, California Department of Fish and Game, the Resources Agency, U.S. Bureau of Reclamation and U.S. Fish and Wildlife Service.

The Forum uses the principles and guidelines set forth in the "SRCA Handbook" to guide the implementation of the 1989 Upper Sacramento River Fisheries and Riparian Habitat Management Plan (1989 Plan). The goal of the Forum is to preserve existing habitat and reestablishment of a continuous riparian ecosystem along the Sacramento River in a manner that requires:

- Maintain a limited meander where appropriate,
- Accurate and accessible information and education that is essential to sound resource management,
- Full consideration to landowner, public and local government
- An ecosystem approach that contributes to the recovery of threatened and endangered species and is sustainable by natural processes, and
- Ensures that local concerns are fully addressed.

By adhering to the program principles and guidelines, fostering communication and support of the fisheries portion of the 1989 Plan, most of the 20 plus fisheries actions outlined have been accomplished or are in progress. Those actions included the temperature device at Shasta Dam, restoration activities on the tributaries, screening major pumping plants and solutions for fish passage at Red Bluff Dam, which ironically, the ERP Selection Panel chose not to fund.

The CALFED Record of Decision (ROD) states a commitment to seek to implement the Program through "locally based, collaborative programs such as the Sacramento River Conservation Area/SB 1086" (ROD pg. 34). Furthermore, ERP 2002 proposal solicitation package priorities includes M & T Ranch/Llano Seco, Sutter Mutual Water Company, Pleasant Grove Verona Water Company, and support conceptual models to support restoration of river, stream and riparian habitat. SVLA strongly recommends funding for M & T Ranch/Llano Seco. This is an excellent example of local input and coordination.

We acknowledge the efforts of the CALFED ERP program team in assembling the various reviews for each proposal and appreciate the inclusion of representatives of the Forum Technical Advisory Committee as members of the Sacramento Regional Review Panel. SVLA fully endorses the following CALFED funding recommendations:

- Meridian Farms Water Company's Positive Fish Barrier Fish Screen Project,
- Sutter Mutual Water Company's Tisdale Positive Barrier Fish Screen and Pumping Plant,
- Reclamation District 108 Consolidated Pumping Facility and Screen, and
- The Nature Conservancy's Sub-reach Planning for the Sacramento River.

Additionally, we urge you to move swiftly in finalizing contracts for the additional six projects within the conservation area considered for directed action.

However, the SVLA Board respectfully requests that the comment period be extended to allow adequate review of proposed projects within the conservation area. The current May 10 deadline for submitting comments on funding

recommendations does not provide the SVLA Board adequate time to evaluate projects within the conservation area.

Finally, we thank you for your consideration of these comments and recommend that in the future that the principles and guidelines set forth in the Handbook be the primary document from which funding decisions related to the conservation area are based. Additionally, we look forward to working with you as you labor to integrate regional and locally lead implementation of the CALFED Record of Decision and look forward to your response.

Sincerely,

Brendon Flynn
President

Cc: Mary Nichols, Secretary of Resources
Bennett Raley, Assistant Secretary U.S. Department of Interior