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# SOUTH DELTA WATER AGENCY

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March 26, 2007

Ms. Gita Kapahi, Chief  
State Water Resources Control Board  
Bay/Delta Special Projects Unit  
P. O. Box 2000  
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Dear Gita:

As you know, I attended the POD presentation on Thursday, March 22, 2007. It was a very interesting workshop dealing with a very serious problem facing the Delta. I realize there were numerous opinions and conflicting data which may not be able to be fully worked out without some sort of cross-examination of witnesses, but I did want to correct some statements made by Mr. O'Laughlin so the Board is not left with any incorrect impressions.

Mr. O'Laughlin stated that there have been no violations or exceedances of water quality standards on the San Joaquin River since D-1641. That is of course incorrect. As we discovered in the CDO proceedings, DWR and USBR failed to meet the 1.0 EC standard at Brandt Bridge (on the San Joaquin River) during the winter/spring of 2003. In fact, they failed to notice or report the violation until the CDO proceeding, some two years thereafter. It is true that the Vernalis standard has not been exceeded since D-1641. However, the Bureau's previous practice was to let the early April salinities rise well above the standard because the VAMP pulse flows would result in an average salinity within the standard (the standard being a thirty day running average). This practice resulted in many instances of very high salinities for upwards of 15 days. Of course, the lower salinities thereafter do not "undo" the harm to crops caused by the high salinities.

Second, Mr. O'Laughlin left the Board with the incorrect impression that some parties were asking for additional, large flows on the San Joaquin River in order to overcome the reverse Delta flows which are presumed to be adverse to smelt. As stated at the workshop, it is believed that when the export projects cause negative flows on Middle and Old Rivers totaling 5000 cfs or more, smelt are drawn to the pumps and the hydraulics of the system are changed so that other factors affecting smelt are exacerbated.

None of the parties were suggesting that San Joaquin River flows should replace Sacramento flows as the source for exports. The flows in those two channels are a result of the export pumps drawing Sacramento River water across the Delta, and consist of storage releases and other natural and return flows. Generally, no San Joaquin River water is subject to export, except as surplus and return flows enter the Delta and become part of the common pool.

The proposal is that export operations should be adjusted at certain times to minimize the negative flow in those channels. The DWR/DFG Action Plan puts the export losses from such adjusted operations at approximately 500TAF. Mr. O'Laughlin's assertion that we would have to drain the San Joaquin Reservoirs and lose over a million acre feet of water are both incorrect and miss the point.

Third, Mr. O'Laughlin confused the presentations regarding salinity effects on the POD with the salinity issues on the San Joaquin and in the South Delta. The POD Group presentation (and others) noted that the increased salinities in Suisun Bay and the confluence were clearly factors in various processes affecting smelt. Mr. O'Laughlin suggested that recirculation on the San Joaquin should not be undertaken as it would not significantly affect the quality at Vernalis. This is both wrong and off point.

The 2004 Pilot Recirculation program showed that adding 250 cfs of DMC water to the River resulted in a 0.1 EC improvement of water quality at Vernalis. If New Melones releases remained the same, that small amount of water would therefore result in meeting the Brandt Bridge standard, as the 0.1 EC reflects the typical degradation from Vernalis to Brandt Bridge.

More importantly, none of the presentations were looking for an improved San Joaquin as a method of maintaining X2. As we all know, in all but the wettest years, all of the San Joaquin ends up in the export pumps and never reaches the lower part of the Bay-Delta.

Finally, Mr. O'Laughlin referenced that the temporary agricultural barriers resulted in worse water quality. This is an odd statement. The barriers partially mitigate the export pumps' effects on South Delta Water levels, but do little for water quality as they move and increase the null zones created by the pumps themselves. It is USBR and DWR's unwillingness to provide net flows during barrier operations that results in salinities increasing behind the barriers, which in turn makes violations of the interior Delta standards inevitable. To suggest that the removal of the barriers somehow causes high salinities or adversely affects Suisun Bay salinity is factually wrong, and again missing one of the main points of the workshop.

I will note in closing that none of the dams/reservoirs upstream of the South Delta on the San Joaquin system make any releases for the superior water rights of the downstream Delta users. None. It is disappointing to hear the representative of those upstream reservoirs argue

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against actions to mitigate the effects of the projects on the South Delta as a means of insuring that his clients might never be forced to provide for their own downstream obligations.

I am copying this to the Board members, but assume their busy schedules don't allow them to review every correspondence. I hope that you will be able to note these comments at the appropriate time and place. Please feel free to contact me if you have any questions.

Please call me if you have any questions or comments.

Very truly yours,



JOHN HERRICK

cc: Ms. Tam M. Doduc, Chair (SWRCB)  
Mr. Gary Wolff, P.E., Ph.D., Vice Chair (SWRCB)  
Mr. Arthur G. Baggett, Jr., Board Member (SWRCB)  
Mr. Charles R. Hoppin, Board Member (SWRCB)