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Ms. Delores Brown
Chief, Office of Environmental Compliance
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236

SUBJECT: Public Scoping – Proposed Bay Delta Conservation Plan

Dear Ms. Brown:

The East Bay Municipal Utility District provided comments by letter dated March 21, 2008 on the scoping process to prepare an Environmental Impact Report/Environmental Impact Statement (EIR/S) for the Bay Delta Conservation Plan (BDCP). The letter identified key issues and described the potential impacts on Mokelumne origin salmonids (fall-run Chinook salmon, *Oncorhynchus tshawytscha* and steelhead, *O. mykiss*) based upon the geographic location of where the Mokelumne River enters the Delta and the primary conveyance route for through Delta conveyance. BDCP Option 3 shows the placement of operable barriers to isolate Middle River with the conveyance intake at the DCC or Snodgrass Slough into the Mokelumne South Fork. The South Fork is one of the primary migratory pathways for Mokelumne origin fall-run Chinook salmon and steelhead which are both covered species under the proposed BDCP.

Based on the request by the lead agencies for ideas on mitigation during the public scoping process, the District recommends that you consider operational measures and/or structural measures to avoid or minimize effects on Mokelumne River salmonids for all alternatives that affect the species. Operational measures could include changes to operable gates and pumping rates during fish sensitive periods. Structural mitigation measures could include a method to route Mokelumne origin salmonids away from the primary water supply conveyance corridor.

One example of a structural measure is tunneling a Through Delta Conveyance channel under the Mokelumne River into the South Fork to allow the North Fork to be used for fish migration and separated from the South Fork with a flood gate. A fish ladder would provide access to upstream migrating salmonids from the South Fork into the Mokelumne River or to the Sacramento River. This action would convey juvenile salmonids migrating downstream from the Mokelumne and Cosumnes rivers into the North Fork where they would have a greater chance of locating the San Joaquin River and avoiding entrainment at the export pumps. Research funded by the CVPIA conducted in 2002 showed survival of coded wire tagged yearling Chinook salmon appeared to be higher for fish released in the North Fork, especially with the DCC gates open (Brandes P. and C. Hanson 2003. Unpublished Report. Evaluation of the effects of the operation of the Delta Cross Channel and proposed Through Delta Facility on the survival of yearling fall-run Chinook salmon migrating through the Central Delta).

Another structural option to consider would be the construction of a fish screen and boat lock at Terminous, to prevent fish passage from the South Fork of the Mokelumne River into Little Potato Slough. This option would also facilitate the downstream migration of juvenile salmonids originating on the Mokelumne and Cosumnes rivers. A third structural option would be to redirect the Mokelumne

River into the Sacramento River upstream of the Delta Cross Channel, via Meadows Slough. This option would place the migratory Mokelumne and Cosumnes fish into the Sacramento River where they would have a better chance of avoiding entrainment in the central and southern Delta.

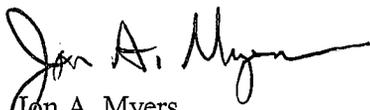
Under the option of dual conveyance, the scoping document needs to identify measures to reduce the impact of operating a Through Delta Facility. If the Mokelumne River is not routed into the North Fork and isolated from the South Fork, or other appropriate structural mitigations are not implemented, then avoidance measures need to be taken by reducing the project exports to provide positive San Joaquin River flows during juvenile salmonid emigration. Key migration periods for Mokelumne River origin salmonids are summarized in the table below. The data is based on captures in rotary screw traps and bypass traps below Woodbridge Dam for downstream migration and video counts and carcass surveys for upstream migration.

Key migration periods for Mokelumne origin salmonids		
Steelhead	Migration Period	Peak Migration Period
Adult immigration	October – March	December -- January
Fry emigration	March – June	April – May
Smolt emigration	April – July	June
Yearling emigration	January -- May	
Fall-run Chinook	Migration Period	Peak Migration Period
Adult immigration	September – January	October – November
Fry emigration	February – April	February – March
Smolt emigration	April – June	April – May
Yearling emigration	March – April	April

Based on the summary table, the critical months for protecting steelhead outmigrants would be April through June and February through May for Chinook salmon outmigrants. In addition to protecting juvenile salmonids, upstream migrating adult salmon and steelhead need to have access to the lower Mokelumne River if gated structures or bladder dams are placed on Three Mile Slough or False River. These structures need to provide access during key upstream migration periods. Improved monitoring within the Delta and near major pumping locations should be part of the study methodology to assess impacts and design mitigation measures.

We hope that you find these comments useful in your impact analysis and identification of mitigation and avoidance measures. If you have any questions, please contact Joe Miyamoto at (510) 287-2021 or email miyamoto@ebmud.com.

Sincerely,



Jon A. Myers
Manager of Natural Resources

JJM:dec