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November 4, 2008

Secretary Mike Chrisman
California Resources Agency
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Sacramento, CA 95814

Secretary Linda Adams
California Environmental Protection Agency
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Secretary A.G. Kawamura
California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814

President Michael Peevey
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Secretary Dale Bonner
California Business, Transportation and Housing Agency
980 9th street, #2450
Sacramento, CA 95814

Re: Final Delta Vision Strategic Plan

Members of the Delta Vision Committee:

On behalf of the thirty-one member counties of the Regional Council of Rural Counties (RCRC), I am pleased to submit for consideration by the Delta Vision Committee (Committee) comments on the Delta Vision Blue Ribbon Task Force's (Task Force) Delta Vision Strategic Plan (Strategic Plan) as the Committee develops its recommendations for implementation to the Governor and the Legislature. RCRC has previously provided to members of the Committee the comments submitted to the Task Force by RCRC throughout the process (Vision and Strategic Plan). We are currently in the process of reviewing the final Task Force Strategic Plan and anticipate submitting detailed comments to the Committee prior to the December 5 workshop.

RCRC recommends that the implementation plan:

1). Provide adequate assurances that programs or facilities implemented or constructed in the Delta will not result in redirection of unmitigated significant impacts to upstream beneficial uses in the areas/counties/watersheds of origin; and, 2) Protect the interests of upstream areas by providing adequate area of origin water right protections i.e. that the future water needs for water in the counties and watersheds in which this water originates will not be jeopardized. (Not addressed in the Task Force Strategic Plan)

The Task Force has recommended that the co-equal goals be written into the Californian Constitution and/or written into statute.

If the Committee recommended implementation plan includes placing the co-equal goals in the California Constitution it should also include placing existing law relating to the areas, counties, and watersheds of origin in the California Constitution.

If the Committee recommended implementation plan includes placing the co-equal goals into statute it should also include in the statute adequate assurances that programs or facilities implemented or constructed in the Delta will not result in the redirection of unmitigated significant impacts to upstream beneficial uses in the areas/counties/watersheds of origin, and recognition and reiteration that the future water needs for water in the counties and watersheds of origin in which this water originates will not be jeopardized.

2) Streamline the Task Force proposed complex and costly governance structure, including the creation of another layer of bureaucracy i.e. California Delta Ecosystem and Water Council (CDEW Council) and the proposed “legally enforceable” CDEW Plan.

RCRC has previously pointed out numerous flaws with the proposed creation of a CDEW Council with overreaching powers (terminate or reduce funding for any federal, state or local agency that conducts activities inconsistent with the proposed Delta Plan or the policies of the Council/sue state and federal agencies to ensure compliance with the CDEW Plan, etc.) and the development of a new co-equal goals driven CDEW Plan with the potential to negatively impact beneficial uses in areas outside of the Delta.

If the Committee recommended implementation plan is to include an oversight council RCRC has previously suggested that it be an advisory only body including representatives from the areas of origin, the Delta, and water exporters. Another option that has recently been suggested is that if there to be an oversight council that it be composed of the membership of the Delta Vision Committee. RCRC could support either of these two options.

As an alternative to the creation of a council, RCRC has also indicated our agreement with another suggestion put forward by other stakeholders that consideration should be given to the creation of a new and adequately funded Division of Delta Resources within the State Water Resources Control Board.

Unlike the creation of the proposed CDEW Council, there appears to be widespread agreement with the creation of a new Delta Conservancy. RCRC believes that a good model for the Delta Conservancy would be the Sierra Nevada Conservancy as it includes both local and federal representatives.

3) Not include the adoption of the Task Force Strategic Plan as the Interim Plan for the Delta.

RCRC has previously pointed out numerous fundamental flaws in the Strategic Plan. Instead, decision making and funding decisions should be carried out by the designated implementing agencies under their existing authorities with clear direction provided by the Administration and the Legislature.

4) Not incorporate the co-equal goals into the mandated duties and responsibilities of the relevant state agencies.

RCRC believes that state agencies such as the State Water Resources Control Board, the Department of Fish and Game, and the Department of Water Resources must take a broader statewide view and not be constrained by the Task Force's Delta-centric focus when making decisions.

In conclusion, RCRC appreciates the opportunity to submit comments to the Committee on this important issue. Please contact me at (916) 447-4806 or kmannion@rcrcnet.org if you have any questions or comments.

Sincerely,



Kathy Mannion
Director of Water and Power

- c: Governor Arnold Schwarzenegger
John Moffatt, Deputy Legislative Secretary, Office of the Governor
Director Lester Snow, Department of Water Resources
Director Joe Grindstaff, CALFED Bay Delta Program