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December 16, 2008

Secretary Mike Chrisman
Chair, Delta Committee
Resources Agency
1416 9th Street, Suite 1311
Sacramento, CA 95814

Dear Secretary Chrisman:

Summary: Solano County has reviewed the Delta Vision Committee Discussion Document of November 25, 2008, with particular interest in issues that will have negative socio-economic impacts on our community. We believe that some of the current language is problematic and should not be recommended to the Governor or included in any near-term Delta-related legislation. The following remarks describe our concerns:

- *Third bullet, Page 2.* Suggest that the State NOT condition acceptance of levee repair money on release of State from their "Paterno" liabilities.
- *Fourth bullet, Page 2.* Suggest the last sentence be altered as follows: "...associated environmental and socio-economic evaluations are key to moving forward." Also, we feel that both National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) will be required.
- *Seventh bullet on Page 2.* We suggest adding language as follows: "...to protect beneficial uses (including those within the Delta and Suisun Marsh) of water."
- *Eighth bullet, Page 2.* Suggest adding language as follows "Identify and incentivize reductions of other stressors to the ecosystem (especially if higher standards of treatment are required than in other areas of state)."
- *Ninth bullet, Page 2.* In reference to the Governor's objective to reduce residential per capita water usage, we believe that communities that currently practice conservation should be recognized and modeled rather than penalized for their existing efforts. There should be broad-based policies that provide the framework for decision-making regarding conservation at the local and regional level to ensure equity and overall consistency.
- *Tenth bullet on Page 2.* In relation to the ERP construction strategy, we stress the importance of complete mitigation of the socio economic impacts of the ecosystem projects.
- *Eleventh bullet, Page 2.* This paragraph is too vague to discern the intent.

Possible New Authorities and Funding

- *First Paragraph, Page 3.* We suggest that the wording of the second sentence be changed as follows: "Water conveyance, ecosystem and Delta economic revitalization are to proceed together on parallel tracks."
- *Second Paragraph, Page 3.* Suggest adjusting wording as follows: "New authority or funding is required for many recommendations impacting water supply reliability, ecosystem health, including economic development initiatives, enhancing and protecting the Delta's unique place, governance and strategic finance."

Water Supply Reliability Potential Committee recommendations include:

- *Item#1, Line two, Page 3.* Suggest adjusting wording as follows: "...BDCP ecosystem restoration objectives and mitigation of socio-economic impacts of those project objectives..."
- *Item #2, Second Paragraph, Page 3.* It is hard to comprehend the Nexus for this expansion of state authority to communities who do not receive water from the estuary. This entire paragraph may be a recipe for endless water rights protection litigation.

Ecosystem Restoration

- *First bullet on Page 4.* Although your recommendation to reduce per capita water usage is positive, we do not support enforcement of water conservation targets that allow the State Water Resources Control Board to fine local agencies. We feel that the Department of Water Resources is a better agency to administer a conservation regulatory program and suggest that the last sentence be replaced with "Develop a program for providing increased conservation through cost-effective best management practices. Develop a regulatory structure to ensure appropriate implementation of conservation measures and to quantify success in meeting the statewide target."
- *Second bullet, Page 4.* We suggest that you delete this bullet since volumetric pricing should be included in any conservation program and this is the subject of the first bullet. This is also true with outreach and information.
- *Item #1, Page 4.* We support the inclusion of local Delta agencies in establishing a task force to integrate the CALFED ERP Conservation Strategy into a proposed Delta Plan if there is court approval of entire plan, including additional storage and HCP/NCCP. Local government is interested in being a resource that the State can keep informed and solicit input from.
- *Item 5, Page 4, Sentence 2.* We recommend adjusting the wording of this item as follows: "Direct the State Water Resources Control Board to undertake appropriate proceedings to consider and implement streamflow standards in Suisun Bay and water quality for the Estuary..."
- *Item # 6, Page 5.* Need to protect riparian and appropriate rights to in-Delta diversion if you want to minimize their impacts. The State should pay for or guarantee replacement of water supply mechanisms.

Enhancing and Protecting the Delta

- *Item 1, Page 5. Suggest changing wording to “and expand the State and Local, both Public and Private Recreation Area network in the Delta.”*
- *Item #1, Page 6. We agree with your recommendation to modify interim governance for the Delta in a way that directly involves impacted local government in the major issues of strategic levee investments, ecosystem restoration, infrastructure and accommodation for projected sea level rise and other climate changes.*
- *Item #2, Page 6. We fully endorse and applaud your recommendation to establish a framework that allows the Delta Counties Coalition to help the State work through challenging issues. State Water Project etc. contractor mitigation of socio-economic impacts on local economies are a pre-requisite.*
- *Item #3, Page 6. Make desired modification of DPC more explicit. Make locally accountable officials the majority of any body making land use decisions with local impact.*
- *Item #5, Page 7. Although we realize the importance of identifying numerous funding sources, Solano County believes that this recommendation would give the State the ability to locally assess a fee with all revenue going to the State for a broad unspecified range of projects and programs. We believe it is most effective to be more specific about the projects and programs such revenues would fund.*
- Solano County is concerned that the actions in the Delta must not have an adverse effect on the communities. The facilities and habitat that will be implemented must fully mitigate their environmental, financial and social impacts to the satisfaction of the communities. We ask that the following language (under “Enhancing and Protecting the Delta”) be included:

Mitigate impacts to local Delta interests from Delta conveyance, habitat and recreation projects.

Direct all State agencies to immediately work with local Delta interests, including the five Delta counties and impacted Delta area cities, to obtain their direct input into all Delta planning efforts and Delta programs. Adopt a policy that the State will fully mitigate the local socio-economic impacts of conveyance, habitat and recreation projects and programs so local Delta interests will not be adversely impacted.

Thank you very much for the opportunities you have provided us to discuss our concerns and provide comments. Although we are hopeful that we can work collaboratively, the ultimate outcomes of Delta plans may require us to look at our legal options. We look forward to working with you.

Sincerely,



Michael J. Reagan,
Solano County Board of Supervisors

cc: Governor Arnold Schwarzenegger
All Federal & State Legislative offices representing Solano County
A.G. Kawamura, Secretary of Agriculture
Linda Adams, Environmental Protection Agency
Michael Peevey, President, Public Utilities Commission
Dale Bonner, Secretary of Business, Transportation and Housing Agency
Lester Snow, Director of Water Resources
Joseph Grindstaff, Director of California Bay Delta Authority
John Kirlin, Executive Director of Delta Vision
Solano County Board of Supervisors
Solano Cities
SCWA
Solano EDC
Solano Reclamation and Levee Districts
Other Delta Counties
CSAC