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By email and mail
September 24, 2008

John Kirlin, executive director
Delta Vision Blue Ribbon Task Force
c/o California Bay-Delta Authority
650 Capitol Mall, 5th floor
Sacramento, CA 95814

RE: DELTA VISION STRATEGIC PLAN – FOURTH STAFF DRAFT, VOLUME
2: STRATEGY DESCRIPTIONS, SEPTEMBER 12, 2008

Dear Mr. Kirlin:

At the Delta Vision Stakeholder Coordination Group (SCG) meeting on September 17th, I mentioned my concerns with changes made between the second, third and now fourth drafts of the Delta Vision Strategic Plan. I said that the strong focus on addressing the Delta ecosystem as a whole had been diluted by this latest draft. We also talked during a break and you suggested I send comments. These comments are the subject of this letter.

I have been involved in working on ecosystem portions of the Plan through the SCG and the SCG's Ecosystem Work Group. Formal comments I made earlier to the Task Force on the Second Staff Draft were very positive regarding the substance of the Plan, and as such, I provided only a few suggested edits. I thought the earlier draft did a good job addressing the complexities of impacts on the Delta ecosystem and explaining the proposed strategies for sustainable management of the Delta.

I stated, "...we see the Delta Vision Strategic Plan as a major step forward in establishing a baseline for ecosystem restoration. In particular, we welcome the "ecosystem" approach prescribed by the plan. While other Delta planning efforts may often refer to the term "ecosystem," we find focus in those other efforts may be on only a few species, such as listed species. We appreciate the Task Force members' understanding that the Delta is affected to a large degree by what happens upstream and that the Delta can not be "fixed" while ignoring the Sacramento-San Joaquin watersheds."

While we continue to read that the Task Force believes in addressing the whole ecosystem (and I believe the Task Force is sincere in this desire), the strategies as now drafted have been reduced in scope in some critical sections. This is a marked change from the Second, to now Forth Draft. I provide examples below,

although the changes from the Second to Fourth Draft are extensive and the drafts so dissimilar that suggesting a few edits here and there may not be sufficient to get the strategies back on track. Text pertaining to ecosystems should be rewritten, and I am not talking about lengthening or adding to existing text, I am talking about rewriting the text in Volumes 1 and 2 to encompass consideration of all elements of the ecosystem and stressors, in addition to considering fish and invasive species which are the subject of current controversies and well covered by the latest draft.

Comments On Volume 1, In General.

Among stated goals is that “establishing” the Delta ecosystem and a reliable water supply for California are the primary, co-equal goals for sustainable management of the Delta. While we appreciate the goal, the current revision has diluted much of the context detailed in earlier drafts underling the description of the ecosystem which clearly defined an ecosystem as the full community of animals and plants, together with its physical and chemical environment. This was a concept carried throughout the text previously. For example, the second draft Delta Strategic Plan on pages 29-42 aptly described past, current and future conditions of the ecosystem, and also described needs and realities of restoration and management of the Delta ecosystem. I understand the Task Force probably desired the extensive text of the second draft be reduced in length, which is quite reasonable, but in making edits (in particular the edits that became Volume 2), the sound discussion covering the Delta ecosystem as a whole that were embodied on those pages were gutted. The second draft provided a clear connection between the underlying problems/actions that brought us to this current state of affairs and the strategies presented as resolution. This important context has largely been lost, not due to a reduction in length of text, but due to reducing the scope of discussion of what constitutes important components of the Delta ecosystem, stressors and solutions.

Comments On Volume 2.

General Comments:

1. Above I mentioned that edits to the “ecosystem-focused” sections in the second draft Delta Strategic Plan, on pages 29-42, have altered the scope of coverage of species, stressors and strategies, now focusing in places in the text on only a few components of the ecosystem. This same comment applies to Volume 2, and it is here where some revisions appear most contradictory to the intent of the Task Force to consider sustainable management of the whole ecosystem.
2. Vast migrations of waterfowl and shorebirds depend on the Delta and need to be considered in the plan. These species are protected by state and federal laws, as well as by international treaty. Performance Measures that address

these species have been stripped from the current draft. Waterfowl and shorebird Performance Measures should be restored in the plan and a Measure for Aleutian Canada goose should be added.

The Delta provides critical winter habitat for migratory waterfowl and shorebirds, supporting as many as 1.5 million ducks and geese, including several species in decline or of a special nature.

The Delta was once a vast tidal marsh, and as such it was among the largest and most important wetlands in North America to waterfowl and shorebirds. Of particular note, given the timing of waterfowl migration and the cycle of rainfall in the Central Valley, early migrating waterfowl and shorebirds often found the Delta among the few places having water in the early fall, as many of California's wetlands are seasonal and may not receive water until late fall or winter. Since about 95% of California's wetlands have been lost, remaining wetlands and any restoration efforts wherever they occur in the state are vital to the survival of waterfowl, shorebirds and other wetlands-dependant species. As the acreage of wetlands has declined, the importance of the Delta to early migrating and other wintering waterfowl and shorebirds has increased.

Despite the importance of waterfowl and shorebirds that winter in the Delta and the critical nature of the Delta to survival of these migratory species, all reference to targets for waterfowl and shorebirds has been stripped from the current draft of the strategies. In addition, previous requests to add targets for species of concern, for example the Aleutian Canada goose, have been ignored.

The Aleutian Canada goose is a species only recently removed from the Federal Endangered Species List, where 50% or more of the world's population now depends on the Delta for wintering habitat and where the dependency of the species on the Delta is increasing¹.

What good for species is done if improving the Delta for currently listed species, makes the Delta less hospitable for other important species? For example, if the unintended consequences of improving habitat for Delta smelt

¹ While the historic decline of Aleutian Canada goose was not attributed to habitat conditions in the Delta, the population status of the goose can be affected by what happens there, with 50% to almost 100% of the Aleutian Canada goose population dependant on the Delta during winter. Virtually the entire world's population of Aleutian Canada goose currently may use the Delta for two to three months and then spend two to three months in the northern San Joaquin Valley, or up to half of the goose population may use the Delta during the entire wintering period, depending on habitat and weather conditions. The species was placed on the Endangered Species List in 1966, when there were an estimated 800 individuals. Due to successful recovery efforts, the goose population rebounded to over 35,000 by 2002. The Aleutian Canada goose was officially delisted by the Fish and Wildlife Service in 2001. (I can provide references upon request.)

is to degrade or fail to consider improving habitat for the Aleutian Canada goose.

Comments on Specific Parts of the Text:

Page 7, Lines 32-35

Reference is made to linkages between waters/marshes and "...adjacent upland areas that support grasslands and seasonal wetland complexes including vernal pools are described in the Land Use Strategy (#6.2)." However, when you read references to this in the Land Use Strategy they are inadequate in describing such linkages, except in the case of such linkages helping to buffer the effects of sea level rise. The ecological value of linkages between wetlands and uplands was well described in earlier versions of the Plan. For many waterfowl and shorebird species such linkages are critical. Describing such linkages for such species will support related Performance Measures. Substantive text should be restored and placed into Strategy 3.1, and Performance Measures for ducks, geese and shorebirds should be restored/added. (see Action 4.3, Second Staff Draft for model text and Performance Measures)

Page 9, Line 46 and Page 10, Lines 1-4

This section provides acreage figures regarding restoration of tidal marsh in the Suisun Marsh, based on information contained in the Central Valley Joint Venture Implementation Plan. I don't believe the acreage information for the marsh as described in the Fourth Staff Draft is accurately stated, however I understand comments are being submitted by a representative of the Central Valley Joint Venture, so I will defer to those comments for the sake of accuracy.

Page 12, Lines 32-35

Here reference is made to focusing habitat restoration efforts on "...target species and natural community targets..." What are the target species and natural communities? If these are only those species and communities listed as "Performance Measures" in the draft plan, then this Fourth Staff Draft ignores waterfowl, waterbirds and other terrestrial wildlife that are critical components of the Delta ecosystem, including species of concern (such as species recently delisted or in a state of decline) that will respond in some fashion to any changes in Delta habitats. This section needs to be revised to reflect it is referring to addressing needs of endangered species, if that is the intent, or otherwise state the intent directly.

Page 13, Lines 27-32

Reference here is to mercury. Why is only mercury mentioned? For example, selenium also affects Delta species, including sturgeon and ducks². Current work by at least one of the regional water quality boards is now directed at setting Total Maximum Daily Loads for a portion of the Delta. Selenium loading in the Delta, and thus San Francisco Bay is driven to a large degree by loading from the San Joaquin River.

Pages 19-20, Strategy 3.3

This strategy should be revised to promote viable populations of all native and migratory species, and revised to not limit the ‘promotion’ of viable populations to only reducing risks of entrainment and predation. Entrainment is of limited impact to a few species. Predation really is a reference also to a few species of current concern. Earlier drafts considered the full range of stressors on all native/migratory aquatic and terrestrial species, and acknowledged unintended consequences. Considerable emphasis was placed on contaminants and other stressors, in addition to entrainment and predation effects.

In an ecosystem, species and stressors are interconnected in a complex web, thus this strategy needs to address the complexity of the Delta ecosystem, the full range of stressors, and the total complex of native and migratory species that inhabit the Delta.

This should be dealt with in this section of the Plan because this is where the Plan directly focuses on promoting viable populations of species.

As an example of why such revisions to this section of the Plan make sense and why more than predation and entrainment must be considered, take into account the effect of creating more open water on species of diving ducks. As open water habitat is increased for fish, the Delta’s habitat may become more attractive to diving duck species and less attractive to dabbling duck species. This could increase the potential for increased selenium contamination of lesser and greater scaup, two diving duck species currently in a state of decline which are protected by international treaty and which are now the subject of growing concern among federal and state regulators³. A significant portion of the Pacific

² The North San Francisco Bay, including portions of the Delta, is identified as being impaired by selenium, principally due to elevated concentrations in fish and waterfowl. The greatest source of selenium in North San Francisco Bay is the Delta, with the bulk of loading in the Delta coming from the San Joaquin River. (I can provide references upon request.)

³ Selenium is bioaccumulated, or concentrated, by filter-feeding bottom-dwelling organisms, such as bivalves. Because bivalves are a food of diving ducks, species such a scaup can concentrate selenium in tissues to levels that can be harmful to the ducks, or to people who eat ducks. In the San Francisco Bay, lesser and greater scaup and surf scoter are known to have elevated levels of selenium, which is among reasons why North San Francisco Bay, including portions of the Delta, is identified as being impaired by selenium. (I can provide references upon request.)

Flyway's scaup population winters in the immediate vicinity of the Delta. Focus on restoring one species should not result in placing another species in jeopardy.

The text and Performance Measures should be revised to reflect the full range of species and full range of stressors, as well as address the need to assess strategies for unintended consequences. There is no gain to reinventing a Delta ecosystem focused on supporting several listed fish at the expense of other species, such as waterfowl. A worst case scenario would be to replace one endangered native or migratory species for another, by creating a hospitable environment for one while making the environment inhospitable for the other. Performance measures for other species, such as ducks, geese and shorebirds (and other terrestrial species) should be restored or added to the Plan.

* * *

Ducks Unlimited is an international waterfowl and wetland habitat conservation organization with over one million members, supporters, and volunteers in the United States. The mission of DU is to conserve, restore, and manage wetlands and associated habitats for North America's waterfowl and wildlife.

Thank you for this opportunity to comment on the Fourth Staff Draft of the Delta Vision Strategic Plan, Volumes 1 and 2.

Sincerely,

A handwritten signature in black ink that reads "Rudolph A. Rosen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rudolph Rosen, Ph.D.
Director