

Comments on 3rd Staff Draft Delta Vision Strategic Plan

It is unfortunate that the third draft of this report did not have numbered lines down the left side of the page to make it easier to correlate comments to specific lines on a page.

Page 3

- Disagree that Delta can't be sustained in substantially its present form.
- Unfortunate that the economic and social viability of present Delta culture not considered as a co-equal value.
- Its the Sacramento-San Joaquin Delta not the "California Delta".

Page 4

- DBTF appears ready to throw out previous legal contracts and water rights in and north of the Delta.
- This report, as a whole, appears to give preferential treatment to environmental groups, NGOs, public agencies and water exporters south of the Delta despite report assertions.
- Permanent agricultural crops in the Delta should not be discouraged because that is where the water is.
- Over-promising (contracting by state & federal agencies) of water south of the Delta should be ended.

Page 5

- Executive order S-17-06 gives no recognition of the people and economy of the Sacramento-San Joaquin Delta.

Page 6

--It would be helpful to have the Joaquin River Group letter in the appendix to see what illegal water diversions are alleged in the central and south Delta.

Page 20

--While large scale ecosystem revitalization plans are proposed there are no assurances they will be successful. These projects would cause, in some cases, major economic and social viability costs to today's Delta businesses and communities. Before these changes are undertaken probability studies for success of targeted species regeneration should be completed and be publicly available. Probability studies of negative environmental effects should also be completed and publicly available. An example of the possible negative outcomes would be the spread of invasive species as a result of new habitat projects with increased linkages between habitats. It is not enough to say that the task is to restore underlying ecosystem structure, functions, and processes without guarantees of success for targeted species.

Page 22

--Despite the rhetoric about the Delta's unique character, there is no recognition of Delta agriculture as it exists and thrives now. There is the statement that the Delta should be designated for "Specific Agriculture Programs" to help Delta farmers take advantage of the unique soils and growing environment of the Delta. It is presumptuous to think that Delta farmers can't figure this out for themselves. They are the people and businesses directly invested with private capital.

Page 31

--Agricultural water in the Delta watershed is routinely upgraded by agriculture in the form of food and fiber. The water component that goes back onto the water system is, at times, better than what was received. Overall, agricultural return water in the Delta Watershed continues to improve.

Page 32

--Society and the free market pay for everything in one way or another. If the BRTF assumption is that water prices for all uses (in all locations?) should be expected to move closer together, then society will pay the cost in higher prices and less availability of food and fiber. It's always government policies that ultimately starve people, not the lack of resources to produce food.

--As far as the emphasis on use of the most productive agricultural lands goes – the Sacramento- San Joaquin Delta lands are some of the most productive.

--To also say that monocultures of irrigated agriculture have landscape and ecosystem effects is self evident. All human activities have ecosystem effects. Agriculture in all areas of the state has ecosystem problems it is dealing with. I would assert that the effects of irrigated agriculture in the Delta Watershed and the rest of California are overwhelmingly positive at the societal level. Production agriculture, unfettered by additional regulation, will deal with its problems and produce even more benefits for the people, state, and environment. Command economies have a dismal record in agricultural production. If BRTF's de-facto policy is to grow population at the expense of food and fiber production, that will also have landscape, ecosystems, and socio-economic effects.

Page 33 1st bullet

--Irrigated agriculture reliant on water exported from the Delta is already paying high costs for that water. It is not necessary to institute additional tiered water pricing for them unless they receive more water than they have received over a specified baseline (average of the previous five years 2003-2008?). These users are already making adjustments based on water availability and the present pricing system. Agriculture is an existing and beneficial use, upgrades water quality in the form of food and fiber, and continues to use water in a more efficient manner over time. The market as it exists for agriculture reliant on Delta export water is adjusting without increasing their costs for water. As an in-Delta conveyance comes on line, and additional south-of-Delta storage comes on line with appropriate export schedules, additional water should be exported and be made available to irrigated agriculture and urban needs on an equal per acre formula, not a per capita formula. This would assure additional water for both agriculture and urban use. This would also assure additional water for urban uses is used responsibly and agriculture would continue to use water efficiently in an effort to farm as many acres as possible in a profitable manner.

Strategy 2

Page 35

--Optimizing regional self-sufficiency is a laudable goal. It is incumbent upon our federal, state, and county officials to remove roadblocks to achieving this goal. If our political representatives don't do this, a political environment will evolve that will put all the environmental and species protection laws in jeopardy.

Page 36

--I don't understand the concept of why water management legislation should require coordination between water purveyors and waste water agencies. Legislation is already proposed concerning wastewater goals in this report. Does this proposal give south-of-Delta water purveyors some new authority or powers? Will the Sacramento Regional Sanitation District have to stop its outflow into the Sacramento River when water is being diverted in the proposed alternative conveyance/peripheral canal? Will the Delta receive all of this effluent?

Page 37

--Northern California will probably have a problem with the proposal that would "facilitate banking, extraction, and delivery of state...water supplies through immediate revision of state and federal place-of-use restrictions". It sounds as if the state can pump out groundwater supplies of Northern California to satisfy export uses after using more of Northern California private and public property for water infiltration. I see long legal battles concerning "area of origin" law and other established water uses.

--This is beginning to sound like a revenue generating program for state government by monetizing all water in California.

Page 38

--To manage major reservoirs for only salable water testifies to the inadequacy of the present and proposed system for present and future needs. More major dams will create regional peace and prosperity, and create more opportunities for species protection and regeneration. "Old thinking" says we are shackled with the constraints we have today. Re-arranging the chairs on a sinking ship may make you more comfortable for a short period of time. Our goals should be to manage for abundance, not scarcity.

Page 42

--Instead of completing 50% construction of a dual conveyance facility by 2020, 100% of the in-Delta conveyance should be completed by 2012 along with an upgrade of all Delta levees to at least PL 84-99 standards by 2020. This would get needed water to south-of-Delta users in the shortest amount of time. Many of the agricultural water users in the San Joaquin Valley will not be able to survive until the completion of the proposed dual conveyance system.

Page 44

--Relocating the North Bay Aqueduct intake along with full funding by state and federal entities is a reasonable near term action. This allows for near-term ecosystem restoration in the area of the present intake.

Pages 46,47,48

--This plan makes no guarantees of success, only a “good try” and billions of dollars of taxpayer money spent. Good stewardship of tax and bond money should prove that limited restoration projects confined to publicly owned lands and lands with current flood easements are successful before acquiring additional private property and easements for those purposes. The ability to prevent the expansion of the range of present and new invasive species should be demonstrated.

--Recommending 20,000 acres of tidal open water embayment by 2020 is another example of excessive habitat conversion at taxpayer expense without demonstrating success on a more limited level. Another 15,000 acres of this type of habitat is proposed for completion by year 2040. This is a giant and expensive science experiment with no guaranteed outcomes and nobody held responsible when it fails.

Pages 49,50,51

--Strategy 7 discussion states “Variable conditions are widely believed to benefit native species and to be detrimental to many invasive species”. This hypothesis needs to be demonstrated on limited basis on connected habitats in the Yolo bypass, over time, to provide greater certainty this is the case. At one time it was “widely believed” the earth was flat.

--The suggestion that “in critically dry years new flow requirements should result in salinity intrusions into the Delta and improved carryover storage in upstream reservoirs” will cause much damage to Delta agriculture. This again shows the folly of the BRTF suggesting that California manage for scarcity of water instead of an abundance of water. Our state and federal representatives should remove roadblocks to new dams and other storage facilities in all areas of the state. If this requires changes, modifications, or exceptions to the ESA, Cal ESA, EPA, Cal EPA, or the Wild and Scenic Rivers Act they should be made. To do less will eventually create a political environment that will put our environmental and species protection laws at risk. Increased, and adequate, regional water supplies creates only winners. It provides flexibility for dry periods, supplies for future population growth, adequate supplies for agriculture, and abundant supplies for environmental maintenance and restoration projects.

--Its time to make expedited efforts to complete the through-Delta conveyance before large amounts of water and taxpayer money are spent on questionable habitat restoration schemes. South-of-Delta interests need water now, not twenty years from now. The proposed dual conveyance system proposal will take many years to complete even without all the legal challenges that are sure to be made.

--Suggesting revision of water rights permit terms and conditions guarantees multiple legal challenges and the waste of time and the taxpayer's money.

Page 52

--Before there is any large-scale creation of new wetlands and tidal wetlands, it must be positively proved they will not add to the concentration of methylized mercury compared to the 2008 baseline.

Page 53

--Suggesting that municipal and industrial point sources of pollution should use treatment wetland systems for contaminant removal will just create new areas of concentrated contaminants that endanger the watershed and species coming into contact with these new polluted habitats. It would be preferable to upgrade to tertiary treatment systems. The systems would spawn new markets for the by-products produced.

Page 55

--Strategy 9 suggests adopting the principle of "effective" adaptive management to support ecosystem revitalization. It needs to be demonstrated that state and federal agencies can make this process work on limited scale projects in the Delta, over time, on publicly owned property before major habitat restoration projects are undertaken. Adopting a definition of adaptive management is not the same thing as effective management.

Page 57

--Strategy 10 suggests establishing multi-purpose migratory corridors along selected Delta river channels. The channels already exist. Sutter Island should not be restored to tidal and

aquatic habitat. This island is highly productive and planted, to a great extent, with high value permanent crops.

Page 59

--Using existing bond funds to immediately begin acquiring title or easement to floodplain lands would be a perversion of the what the citizens of California thought they were voting for with these bonds. Those funds should be used to fortify Delta levees and to complete the through-Delta conveyance so that water users south of the Delta can receive relief as soon as possible. That is what they thought they were voting for. Don't make those water users wait for future uncertain bond monies.

Page 60

--Strategy 11 Performance measures suggest more acres of land should be providing public benefits. The only lands, that I'm aware of, that are not providing public benefits are those that are owned by various government agencies. Prospect Island is glaring example.

--It is hard to imagine giving government control of more flood conveyance responsibility when it has done such a poor job of maintaining the system it already controls.

--Subsidence reversal farming should be done under a free market system, not a government program that will always be subject to government whims. If a real market for this type of enterprise existed it would be more successful, be much less costly to the people of California, and help sustain the economic and social viability of the Delta. Turning these subsidized islands into tidal open water embayments will do damage to the "Delta as place".

--To suggest that government agencies can "identify appropriate ways to enhance the agricultural economy" is a very bad suggestion. How are "appropriate ways" defined. Enhancing the agricultural economy of the Delta is best left

to those actively involved and invested in that economy, and their county governments. This is too big a job for state and federal governments that can't produce budgets of their own, or balance those budgets.

--In the performance measure section of this page it speaks of expenditures by public agencies for land acquisition, management, and maintenance. Government can't manage the land it has now. Has anyone noticed how our forests are burning down year after year? The taxpayers need to hold onto their wallets when progress is measured in expenditures.

Page 64

--Emergency evacuations of islands should not be used as a cover in assisting or allowing them to flood.

Page 66

--Strategy 13 suggests adopting an overarching policy for levee design, investment, financing, priorities, and maintenance. The second paragraph seems to suggest that the only beneficiaries of the present levee system are on the landside of those levees. The levee systems protect the water for the people of the State of California and the nation on the wet side. The people corporately should definitely be paying their appropriate share of levee maintenance costs.

Page 67

--It is not possible for DWR to adopt a levee policy seismic risk, climate change, and sea level rise in a truly factual or empirical manner. It only has unproven models, hypotheticals, and eco/political prejudices to work with.

Page 68

--After the discussion of preserving the economy and social values of the "Delta as Place" it is ironic that the performance measures of strategy 14 call for at least a partial depopulation of residents and jobs in much of the Delta.

--Strategy 15 suggests a new governance structure for the Delta. The proposals made under this strategy would put vast new powers in the hands of 5 to 7 individuals appointed by the governor. There is no discussion of qualifications, balance of interests, or regional balance. The time frames involved in formation and the proposed schedule of the duties of CDEW allow for overbearing influence of the presiding Governor. The unelected CDEW council would be able to issue debt-financing instruments without elected oversight. It would be able to delegate its authority to other non-elected public and non-profit groups.

--The Delta Protection Commission and Act are insulted with a backhand that says "...the DPC) thus far adequately protected the Delta's primary zone, but there is no guarantee that the current will to do so will be sustained".

--The DPC would be tasked with directly permitting all projects in the Delta and given appellant authority on proposed projects in the secondary zone. This would become a full time job for commissioners and make it much harder for private individuals to participate as commission members. This proposal would also move land use decision making out of the hands of elected county officials. The DPC should be left in its present form with appellant authority within the primary zone and be independent of CDEW or any other new government structure.

--The proposed legislative language that would be tied to any Delta-related bond or any other financing instrument would forever tie the state to a plan to meet the co-equal goal goals. This plan is only a temporary fix. It is not adequate to meet the present or future needs of a growing economy and a growing population.

--In conclusion, the strategies for strategy 15 should be scrapped. Any new governance structures should be avoided

until a plan is devised that is adequate to California's present and future needs for water.

--Strategies 16 and 17 should be scrapped along with the proposed new governance structure of strategy 15.

--The proposals of strategy 18 will only compound problems, create many new expenses for private industry and government, harm the state's economy and yield paltry benefits, if any, compared to the costs.

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