

From: sunshine@snugarbor.net
Sent: Tuesday, September 02, 2008 3:53 PM
To: Context, DeltaVision@CALFED
Cc: sunshine@snugarbor.net
Subject: Comment on 3rd Draft of the Delta Vision Strategic Plan

Date: 9/2/08

To: Delta Vision Blue Ribbon Task Force
From: Nicole S. Suard, Esq., Snug Harbor Resorts, LLC
Re: Comments Draft Strategic Plan and Presentation at The Ryde Hotel on 8/27/08

Note: Please replace the comments I made at the meeting and/or on the meeting cards with the following:

Dear Delta Vision Blue Ribbon Task Force:

I am a third generation California boater. My family owns a small marina/resort off Ryer Island on Steamboat Slough. I have been boating in the Delta region since the early 1970's as a Sea Scout, and have also sailed up and down the California coast and have gone boat camping at a majority of the recreation lakes of California over the last 50 years. I (of course) have a strong interest in protecting opportunities for boater recreation, but also understand, after review of documentation *not* provided at your meeting, that there are times consideration of the long term public benefit may outweigh private interests. This may be one of those times.

After review of the Third Draft of the Strategic Plan, along with support materials and data found online through your website links and that of the California Protection Commission and Department of Water Resources, I respectfully submit the following comments to be included:

A. Increase recognition of the California Delta by designating the Delta as its OWN tourist region; or at the very least add the Delta to the San FranciscoBay tourist region. The issues and recreation offered in the Delta region are very different from other areas of Central California so the two areas should not continue to be a single tourist destination. In addition, I've seen Delta Vision-related references to maps showing the "hub" of the Delta. Hub is not a very charming word. The river towns along the Old Sacramento from Rio Vista to Sacramento are all historic. Why not call it the historic region of the Delta if it is actually necessary to define specific areas of the Delta?

B. As decisions are made regarding the "fate" of various islands or areas of the Delta, please make sure the data you use is *correct*. I am not a scientist, but I have found some important data inconsistencies regarding Solano County Delta lands, regarding seismic and flood records, and I will be presenting my questions regarding the data to the Solano County Board of Supervisors, who will then notify you if appropriate.

C. As you review data regarding possible causes of the decline in Fish populations, please note that the recent fish population decline started in 2000, just as Department of Water Resources implemented their new requirement that drinking water wells be chlorinated statewide. It seems the runoff of additional chlorinated water, combined with the gasses of treated sewage that is dumped into the Sacramento River just south of Sacramento might have some impact on the aquatic life. I've searched online and can find no such study but it stands as reasonable that heightened chlorine levels in the Delta could have an effect on fish and other aquatic life. (I.E. Hydrochloric gas mixed with the Methane gas or other gas from treated sewage results in what possibly toxic combination and at what levels?

D. With specific reference to Ryer Island, I object to any decision or action that would result in degradation of any of the "Project Levees" as defined by the Ransdell-Humphreys Flood Control Act of 1917 (Congressional Act). The intent of that legislation was to assure the specified Project levees would be maintained into perpetuity. I have seen one or two maps linked to your reference materials that indicate the

potential consideration of including RyerIsland in a list of islands to be flooded. It is absolutely inappropriate to void the 1917 Flood Control Act after all this time.

E. It is clear, based on a quick review of all the agency reports generated over the last two years, that the political powers of our State have already decided there will be a dual conveyance system (the new word for Peripheral Canal) and at least some of the lower lying islands will be taken for water storage and habitat purposes. Clearly we're being *rambo'd* on this issue. If implemented, the eminent domain action collectively may be the largest in Ca/US history. In all fairness to the farmers and families of the islands to be taken, plan to pay true market value based on 2004 or 2005 prices, plus reasonable lost future interest, or find appropriate "trade" lands. In addition, offer California Tax Credits to families who are forced to sell and may incur unanticipated excess capital gains or income taxes due to time limits on 1031 exchanges. Since the eminent domain action will be for public benefit of utilities, perhaps there will even be Federal Tax Credits of some sort to soften the burden on affected farming families in particular. "Do unto others as you would have them do to you." After all, if potential damage due to future earthquake risk is used as an excuse to take Delta farmlands, it is also reasonable that the government would also start appropriating locations clearly in line for a major earthquake, like San Francisco, San Jose and Berkley according to seismic reports used by the Delta Vision panel. *Just be fair.*

F. As I said at the Ryde Hotel meeting, I believe the information provided by the Delta Vision panel was inadequate to convey in a coherent way the actually vision and purpose of what is being proposed. In addition, many of the supporting documents were not available, and persons who do not have access to online search engines would have difficulty getting copies of all the documents referenced by the DV plan. Based on the comments of others at the meeting, you may have even omitted to include maps or documents that had been included at the 3 previous meeting in the southern part of the state. The lack of informative materials added to the frustration and distress of many of the persons present at that meeting, and gave the appearance that the DV committee was trying to hide facts. Please consider repeating the meeting with additional documentation and making sure that at future meetings supporting documentation is available.

Finally, please add me to your email list, and provide me with links to all documents the DV committee has used as resource material while making the decisions or recommendations contained in the Draft Strategic Plan.

Yours truly,

Nicole S. Suard, Esq., Managing Member, SnugHarbor Resorts, LLC