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Mr. Richard Frank

Member
Delta Vision Task Force
650 Capitol Mall
Sacramento, CA 95814

Dear Richard,

I am sorry I missed you during your visit to Stockton this past week to take public comment on the Delta Vision process. I wanted to be there to provide my comments to the program. I hope you will accept and consider these written thoughts in your deliberations as your panel considers possible recommendations for the Governor.

I hope my history, expertise and knowledge of the Delta needs no further explanation herein to you. Clearly, for many, many years I have publicly avowed my belief the Delta is a unique, international, national and statewide resource that needs protection, preservation, enhancement and restoration.



Moreover as you have experienced first-hand, my opinions and positions on these matters are studied, reasonable, and weighted in view of the best interests of the Delta and its' stakeholders.

After years working in the Delta, participating on the Delta Protection Commission and listening to the voices of many stakeholders, I still believe in the "three-legged stool" concept of protection, preservation, and restoration to the environmental, recreational and agricultural "legs" of the Estuary.

The Commission's mandate and the consequent resource management plan envisioned a Delta that is an environmental jewel providing habitat, open space, and a nurturing atmosphere for the historical flora and fauna that call the Delta their home.

Simultaneously, we recognized the population centers surrounding the Delta demand recreational opportunities. Demand by the public to use the resource will continue to grow and facilities will be required to provide public access while protecting and preserving the Delta. This demand needs to be met without cost to the environment or agriculture.

Finally, there is a strong belief that we need to protect and preserve the agricultural element in the Delta. Agriculture is the historical economic engine for the region and facilitates a sustainable means to provide space, land, wildlife feed values and jobs that insure economic vitality throughout the year. However, we recognized the need to balance this value against the other two.

These elements and concepts are not new, the legislature identified these components as critical to protecting, preserving and enhancing the Delta in legislation that created the Delta Protection Commission in 1992.

You may recall, the “three-legged stool” idea was derived during our deliberations to instantly provide a visual and mental picture to grasp how the three major Delta components need to be addressed when planning for the future.

That is, if any one leg should be lengthened or another shorted with no regard for the other legs, the “stool” becomes ineffective and worthless as a whole. Hence the analogy to the Delta and its three competing interests.

The plans for a Peripheral Canal being considered by the Delta Vision task force are a major threat to the DPC’s careful and painstakingly crafted plan and vision for the Delta and an abrogation of the responsibilities for protection and enhancement already mandated for the Delta.

A by-pass canal in any form over time relegates the region to a brackish swamp. That is not preservation and enhancement of the historical Delta defined in the Act, and it is not a restoration of the region previously determined by state law to be the best course for the future of the Delta.

Interestingly, under the Delta Protection Act, the proposals being proffered are probably illegal as they effectively destroy the values protected and preserved by the Act, but, I will leave those arguments to the clever legal minds who will ponder this question for years to come.

I cannot comment on the science being offered in support of the proposals as it has become so subjective as to be of little use and value to anyone.

I will say, the science being brandied about in support of the proposals unfortunately seems to support whoever is paying the bill for the studies. Clearly, DWR and the water exporters have significantly greater resources to buy studies than the critters, fisherman, boaters, farmers, landowners and other stakeholders who live, work, play and persevere to preserve the Delta.

What I can comment on is the sixteen plus years of hard work, planning, public hearings, and participation by every major stakeholder in the region who determined this resource is best served by caring for the “three-legged stool”.

All the by-pass canal proposals ignore this great body of work that time has demonstrated works. Preservation of the Delta requires the continuing flow of fresh, clean water through the system and is as critical to its survival as breathing air is to you and me and irreplaceable in balancing the three main values the law requires be protected and enhanced..

In this enlightened world, with the great minds we have available to ponder this situation and the technology at their disposal, destroying one region and its values to benefit another region is unthinkable.

Owens Valley scenarios of any measure, ceased to pass public acceptance in the last century. We need to think beyond plans that redirect their impact to others and seek solutions that are worthy of the twenty-first century and beyond. We need to solve the water supply and consumption problems in Southern California permanently, within that region. Then we are appropriately meeting twenty-first century challenges.

I believe the Governor aptly named your panel the Delta Vision task force wisely. Visioning requires looking beyond what is apparent, beyond the haze and fog in the distance and beyond the known horizon to foresee that which cannot be readily discerned.

Envisioning a by-pass canal is looking in the rear view mirror. Not worthy of your time and effort. Looking rearward while attempting to move forward will only guarantee one-thing; a collision with the obstacles and forces we could have foreseen if we had been looking ahead. Don't allow this great State by way of your recommendations to make that mistake.

Thank you for your courtesy and consideration of my thoughts and comments on the proposals being weighed by the task force.

These are historical issues with potentially great economic affects on many divergent interests. I am hoping that you and your task force members have come to realize that we can no longer place an economic value on the flight of a bird over an open field, a healthy fish swimming through clean water or the ability to sit and enjoy nature, then destroy it and justify the expenditure.

We have to trust that future generations will marvel at our leadership and vision in protecting the Delta the way we have marveled at the leadership and vision it took years ago for those similarly ordinary folks to protect Yosemite Park, Muir Woods or Big Trees and the many more treasures we take for granted in our busy lives.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Patrick McCarty". The signature is stylized and cursive.

Patrick McCarty

cc: dv_context@calwater.ca.gov

Mike McGowan, Delta Protection Commission
Larry Ruhstaller, Delta Protection Commission
Dante Nomellini, Central Delta Water Agency