2010-00003
Delta Stewardship Council
Correspondence 2010-00003

BOARD OF SUPERVISORS
COUNTY OF SACRAMENTO
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February 10, 2010

Secretary Lester Snow
California Natural Resources Agency
1416 9th Street, Suite 1311
Sacramento, CA 95814

Dear Secretary Snow:

On behalf the members of the Sacramento County Board of Supervisors, I congratulate you on your recent appointment as the Secretary of the California Natural Resources Agency. As you know, developing strategies to address and solve the State's water crisis is a high priority. As 2010 begins, our County looks forward to the prospect of working with you and your staff in the development of long-term strategies and solutions which will address land use and the water management practices in the Sacramento/San Joaquin River Delta.

In Spring 2009, engineers and planners from our Water Resources Department met with your staff (i.e., Joe Grindstaff, Keith Coolidge, Susan Garrett-Dukes, et al.) to discuss the status of the Bay Delta Conservation Plan (BDCP). At the request of the Resources Agency, Sacramento County prepared and presented a list of 14 potential mitigation measures to be analyzed and evaluated for possible inclusion into the final BDCP.

Resources Agency staff has since assembled a list of comments/issues from three other Delta counties, which

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was distributed for review at the December 17, 2009 meeting of the BDCP steering committee. During the April 2009 meeting, your staff emphasized that some of the issues presented would be worked out within the BDCP process, while others would take parallel but separate paths to resolution with other State agencies. I also want to take the opportunity to clarify that the issues outlined on pages 5 and 6 of the December 17th handout (attached) are general in nature and do not represent a comprehensive "fix it/mitigation" list. It is extremely important to Sacramento County that the above referenced issues are not bifurcated from the BDCP and Delta visioning processes and that each issue is addressed in a complete and comprehensive manner.

In closing, we acknowledge the many challenges you and your staff face as part of the public outreach and consensus building process. Sacramento County remains committed to continue working in partnership with the Resources Agency to produce a final product which will have positive long-term effects on the Delta's ecosystem, water delivery system, and existing communities. If you have any follow-up questions, please contact Michael Peterson, Principal Civil Engineer; Sacramento County Department of Water Resources, at (916) 874-8913 or PetersonMi@SacCounty.net.

Sincerely,

Don Nottoli

Don Nottoli, Supervisor
Fifth District

DN/lml

Attachment

Cc:
Members, Sacramento County Board Supervisors
Robert Ryan, Sacramento County Counsel
Michael Peterson, Sacramento County Water Resources

BDCP Steering Committee meeting
12.17.2009

Handout

Contra Costa County

Issue	BDCP Area for Resolution											
	Ch. 1	Ch. 3	Ch. 4	Ch. 5	Ch. 6	Ch. 7	Ch. 8	Implementation Agreement	PRE-Contractors	DFG/FWS Overlapping Plans	EIR/EIS	Comments
1. How will the BDCP address/incorporate storage needs of the system of which the conveyance project is part? How can capacity of a conveyance facility be determined absent these other components?												
2. DWR has been contacting landowners within Contra Costa County to obtain access to property through temporary entry permits. The County has concern about this process; elected officials need to be informed when these activities are planned.												
3. Some plans call for worsening of water quality in the western Delta. Is this the plan? What will be the impact to quality of groundwater? There are a number of individual wells and community well systems in eastern Contra Costa County.												
4. How will you ensure improved water quality for the central and western Delta? To what extent will this water quality rely on maintaining existing levees?												
5. When will negotiations for remedial actions (such as intake relocation or other fixes) begin?												
6. What water quality changes (and flow changes) will occur in Old River?												

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8. How will outflow change under the BDCP? What changes will occur in Sacramento River flow quantity and San Joaquin River quantity (changes will result in water quality impacts to City of Antioch and CCWD intakes).												
10. What impacts will BDCP have on water supply to Contra Costa County and water providers within the County?												
11. How will salinity in the south Delta be addressed? Some models indicate a worsening of salinity in the south Delta.												
12. BDCP Governance seems to be moving forward with its own governance, based on who 'owns the water' and who 'turns the knobs.' What assurances do Delta Counties and others have that Delta water quality, fisheries, ecosystems and water supply will be protected? What protections are already provided by the Delta Protection Act (Water Code Sections 12200 et seq.) and what else is required?												
13. How much Delta outflow is needed to sustain and improve resident Delta fish and anadromous fish species, and how will this be addressed in the conservation measures being developed?												
14. How much water does the ecosystem need in any given season of any given water year? Until this is determined, project and program planning seems												

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premature.												
15. Will reductions in export quantity be considered by the BDCP? If so, at what stage of the process? If not, why not?												
16. Will the EIR/S look at a non-structural alternative that relies on statewide water conservation, recycling, watershed management and regional self-sufficiency?												
17. How can you size the Peripheral Canal without having additional detail relative to flow needs for fisheries? Given the direct, quantifiable scientific correlation between flow and fish abundance, this information would seem important to have prior to decisions related to capacity of a canal.												
18. Under drought or low rainfall years, how will water quality in the PC be maintained, if not from continual flow? In other words, the bigger you build it, the more flow it will take to maintain water quality for PC water exports. Has DWR looked at this size/flow issue and resulting impacts on other water contracts in a drought situation?												
19.What is the design earthquake for the PC? What will it take to make the PC capable of withstanding the Maximum Credible Earthquake? What will such a PC look like and cost?												
20. There are a number of immediate actions recommended by the County,												

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the Delta Vision, with Blue Ribbon Task Force, and many water agencies, including levee improvements, ecosystem restoration, and channel barriers to improve fish protection and improve water quality, pilot fish screens for Clifton Court Exports.												
21. What is the cost of the proposed isolated facility? Were the cost estimates prepared responsibly by accounting for known obstacles/issues (difficult soils, drainage, river crossings, wildlife corridors, known vulnerabilities in related SWP facilities, mitigation funding)?												
22. Will the canal, as proposed be strong enough to survive a major seismic event in the Delta? What would be the cost of fully armoring the canal to withstand a significant Delta earthquake? What about seepage and evaporation losses?												

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Sacramento County

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3. Flood Control – no adverse impact to the floodplain a. Full mitigation of Snodgrass Slough impacts b. Protection of Point Pleasant from Delta Backwater impacts c. Gate/Control structure at cross of canal through Snodgrass Slough												
4. Water Supply Operations – avoid impacts to FRWA/Freeport Intake Operations												
5. Local Access/transportation – maintain local and through Delta roadway network for local economy/community and emergency response.												
7. Abandoned Infrastructure a. Provide funds for maintenance of levees abandoned as a result of isolated conveyance or through Delta conveyance b. Provide infrastructure connectivity for internal drainage systems cut off by isolated conveyance.												
8. SSHCP Compatibility – no conflicts/overlap with local HCP identified mitigation lands												
9. SRCSD Discharge												
10. Local Representation/Governance – meaningful local elected membership on governing bodies.												
11. Loss of Farmland a. Mitigate direct losses to farmers due to												

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conversion of ag land to wetland b. Mitigate ongoing economic losses to local/regional community resulting from reduction in ag protection												
12. Wetlands Creation a. Minimize impacts to active farming areas b. Provide full compensation to owners and local government due to loss of ag production c. Ensure wetland creation does not result in reduced levee maintenance in critical populated area d. Ensure wetland creation does not conflict with local HCP												
13. Economic Impacts a. Direct/indirect b. Loss of dependent industries												

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Solano County

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1. Payment of in-lieu property taxes for lands changing from private to public hands												
2. Payment for lost business opportunity and income, including socio-economic issues												
3. Continued payment of special district assessment(s) and fees												
4. Mitigation of costs for increased public services.(e.g. law enforcement, fire, rescue, roads, drainage, flood protection)												
5. Mitigation for economic impacts of agricultural land converted to habitat (lost business opportunities and income; continued payment of district assessments for funding for O & M and infrastructure (including levees) from project proponents; emergency services and road impacts; along with increased flooding due to changes that will be handled through the CEQA process												
6. No adverse changes to flood protection for surrounding areas including increased costs for O & M and regulatory compliance												
7. Funding and establishment of the responsible entity for monitoring and adaptive management of habitat projects and associated lands												
10. Analyze and mitigate for any flood impacts to Rio Vista												
13. Delta representation as a voting member on all governance bodies involved in oversight of the Delta												

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14. Willing sellers only												
15. Permanent protection/preservation of like or better quality agricultural lands for agricultural lands converted, compliance with local policies regarding conservation easements												
16. Maintain water quality by establishing Safe Harbor for agricultural and urban point and non-point discharges so that local runoff is not required to be improved above normal requirements due to creation of new habitat												
17. Mitigation for increased organic carbon at North Bay Aqueduct												
18. Mitigation for changes in salinity in the north Delta and in the Suisun Marsh												
19. The North Delta Water Agency Agreement with the State of California shall remain in full force and effect, both as to the specific terms of the agreement and the water quality and quantity intent.												
20. Credits for the counties and special district to obtain mitigation of future impacts associated with county and special district public works projects (e.g. roads, bridges, levee work) as part of habitat projects												
21. Mineral Rights – Habitat Restoration projects need to respect mineral Rights – (BDCP) A part of HCP Implementation												

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Yolo County

Issue	BDCP Area for Resolution											
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1. Provide new municipal water for the City of Davis, City of Woodland, and UC Davis, including expediting permits and providing habitat mitigation necessary for implementation												
2. Provide farmers with safe harbor agreements, fish screens, and buffers related to habitat areas or conveyance facilities												
3.Ensure that habitat restoration is consistent and integrated with and the Yolo County Natural Heritage Program, and as part of that integration: o Expedite permitting and provide habitat mitigation for any County or Reclamation District improvements within the Clarksburg region and Yolo Bypass, including but not limited to the construction and maintenance of roads, bridges, levees, and irrigation facilities o The Bay Delta Conservation Plan (BDCP) must provide permitting and regulatory assurances for actions that the County, the Cities of West Sacramento, Winters, Woodland and Davis, special districts, other public agencies, and local nonprofits in the County undertake that have the potential to result in the regulatory take of any of the BDCP target species												
4.Remediate mercury in the Cache Creek watershed at its sources: o Design and develop habitat restoration projects so as not to increase existing levels												

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of mercury bio-methylization within the Yolo Bypass and Delta; and o Remediate mercury accumulation within the Cache Creek Settling Basin												
5. Improve flood protection along the Sacramento River and for the Yolo Bypass												
6. Replace and expand any displaced farm labor camps												
7. Protect infrastructure: a. Protect the existing and future operations of the Port of Sacramento as an industrial and transport hub for the region, including its levees; b. Expedite permitting and reserve land for spoils necessary to deepen the ship channel 35 feet so that it can accommodate larger freighters; c. Protect the continued operation of State Route 84 as a major truck route for the transportation of agricultural products out of the Clarksburg region; d. Ensure that the future expansion of Interstate 80 across the Yolo Bypass and improvements to the Union Pacific Railroad are not precluded or impaired; and e. Ensure that any changes to the operation of the Sacramento Weir do not adversely affect Old River Road (County Road 22)												
8. Ensure that changes to the operation of the Fremont Weir, Yolo Bypass toe drain, or other proposals do not adversely affect planned												

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development of the future Elkhorn Specific Plan												
9. Fund construction and operation of the Pacific Flyway Center next to the Yolo Bypass												

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