

**Reclamation District No. 548 (Terminous Tract)  
Reclamation District No. 2037 (Rindge Tract)  
Reclamation District No. 2041 (Medford Island)  
Reclamation District No. 2065 (Veale Tract)  
P.O. Box 1461, Stockton, CA 95201  
Tele: (209) 465-5883**

August 19, 2019

Via Email Only to [oal\\_amendRRP1@deltacouncil.ca.gov](mailto:oal_amendRRP1@deltacouncil.ca.gov)

Erin Mullin, P.E., Senior Engineer  
Delta Stewardship Council  
980 Ninth Street, Suite 1500  
Sacramento, CA 95814

**Re: Comments on the Proposed Rulemaking re the Delta Levees Investment Strategy.**

Dear Ms. Mullin:

The above-referenced reclamation districts hereby wish to indicate their support and joinder in the detailed comments submitted by the Central Delta Water Agency (CDWA) on this matter and in the suggested alternative language the CDWA has proposed for your regulations.

These reclamation districts have been actively maintaining their levee systems and performing necessary repairs, rehabilitations and improvements to those systems to ensure an adequate level of protection to protect the expansive private, local, state and federal interests that are protected by those systems. The Delta Levees Subventions Program, and in more recent years, the Special Projects Program, have been invaluable to helping to ensure adequate protection of those interests. As reclamation districts located in the lower priority tiers of the Delta Stewardship Council's (DSC) proposed priority scheme, the tremendous progress these reclamation districts have made towards that end will effectively come to a halt if the DSC's proposed regulations are adopted.

As indicated in the CDWA's comments, there is room for the DSC to recommend priorities for higher levels of levee rehabilitation and improvement while at the same time continue to support the provision of essential state assistance to achieve, repair and maintain lower, baseline standards for the entire Delta.

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Water Code section 85020 provides:

The policy of the State of California is to achieve the following objectives that the Legislature declares are inherent in the coequal goals for management of the Delta: . . .

(b) Protect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place. . . .

(g) Reduce risks to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection.

As the DSC and its staff know as well as anyone, the levee systems in the Delta are essential to protecting, as well as enhancing, the “the unique cultural, recreational, and agricultural values of the California Delta as an evolving place.” Without the levee systems, there would be an inland sea entirely devoid of such values.

The Legislature itself has expressly recognized the importance of these levee systems to protect those values:

The Legislature further finds and declares that the delta's uniqueness is particularly characterized by its hundreds of miles of meandering waterways and the many islands adjacent thereto; that, in order to preserve the delta's invaluable resources, which include highly productive agriculture, recreational assets, fisheries, and wildlife environment, the physical characteristics of the delta should be preserved essentially in their present form; and that the key to preserving the delta's physical characteristics is the system of levees defining the waterways and producing the adjacent islands. . . .

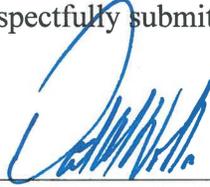
(Wat. Code, § 12981.)

The DSC's proposed regulations, which will effectively deprive these and all other lower priority reclamation districts from any future state funding to rehabilitate and improve their levee systems, is a tremendous step in the wrong direction. The Delta Reform Act of 2009 made it clear that the objective to “[p]rotect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place. . .” is as alive and well as it has ever been. With climate change and predicted sea level rise, is more important than ever to ensure adequate state funding continues to be meaningfully devoted to the levee systems in the Delta to protect and enhance these unique and statewide values.

The CDWA's proposed amendments to your regulations will help achieve that end. For all of the foregoing reasons, and the detailed reasons set forth in the CDWA's comments, if the DSC is determined to adopt regulations, rather than merely provide “recommendations” as directed by statute, then please consider adopting the CDWA's proposed amendments. In the alternative, please consider refraining from adopting any regulations and, instead, provide more

time for the DSC and its staff to work with local reclamation districts, DWR and the CVFPB to develop “recommendations” that would be a true step forward, rather than backward, towards providing meaningful state assistance toward the protection and enhancement of the Delta and its unique and invaluable statewide resources for current and future generations.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Dante J. Nomellini, Jr.', is written over a horizontal line.

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Dante J. Nomellini, Jr.  
Secretary & Attorney for RD 548, 2041 & 2065  
Attorney for RD 2037