

October 30, 2014

DLIScomments@deltacouncil.ca.gov



Ms. Cindy Messer
Deputy Executive Officer - Planning
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

**RE: Comments on the Delta Stewardship Council Report
“State Investments in Delta Levees - Key Issues for
Updating Priorities”**

Dear Ms. Messer:

The State Water Contractors (SWC) is an organization representing 27 public water agencies¹ operating within California who contract with the California Department of Water Resources (DWR) for water supplies from the State Water Project (SWP). The SWP supply delivered through the Sacramento-San Joaquin Delta (Delta) constitutes a significant portion of the supplies available to SWC members. The SWC are very concerned with the condition of Delta levees that have the potential for affecting water quality conditions in the Delta, as well as the SWP supply that is available.

The Delta Stewardship Council (DSC) has published a draft “State Investments in Delta Levees - Key Issues for Updating Priorities”, September 2014, which defines an approach to state investments under the Delta levees prioritization process. The Council paper states in part:

“Agreeing on priorities for State investment in Delta levees during the Delta Plan’s development, however, was difficult because of the complexity of the Delta’s flood control systems (see Figure 1) and disagreements about the level of protection that State-funded levees should attain, including which islands and tracts should be priorities for levee investments. Therefore, the Delta Plan’s regulatory policies include interim priorities to be used until a comprehensive investment methodology could be developed (RR P1)”.

¹ Alameda County Zone 7 Water Agency, Alameda County Water District, Antelope Valley-East Kern Water Agency, Casitas MWD on behalf of the Ventura County Flood Control District, Castaic Lake Water Agency, Central Coast Water Authority on behalf of the Santa Barbara FC&WCD, City of Yuba City, Coachella Valley Water District, County of Kings, Crestline-Lake Arrowhead Water Agency, Desert Water Agency, Dudley Ridge Water District, Empire West-Side Irrigation District, Kern County Water Agency, Littlerock Creek Irrigation District, The Metropolitan Water District of Southern California, Mojave Water Agency, Napa County FC&WCD, Oak Flat Water District, Palmdale Water District, San Bernardino Valley MWD, San Gabriel Valley MWD, San Geronio Pass Water Agency, San Luis Obispo County FC&WCD, Santa Clara Valley Water District, Solano County Water Agency, and Tulare Lake Basin Water Storage District.

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The purpose of the following comments is to provide the Delta Stewardship Council with important information for your consideration as the Council finalizes the “Key Issues” paper and completes a process of prioritizing investments in the California Delta levees. Most important to water supply reliability, the State needs strengthened levees along the Freshwater Pathway and on islands that protect export water quality to lessen the risk of earthquake initiated slumping. The prioritization strategy must recognize that the Delta is a dynamic environment threatened by large natural forces such as seismic events and climate change as well as anthropogenic subsidence. These factors require decision-makers consider not only the current and long-term risks and consequences of levee failure, but also potential benefits of aquatic habitat restoration in the Delta. Significant analysis on aquatic habitat has been done for the BDCP and should be considered. Finally, we urge you to proceed in a manner that embodies principles of long-term sustainability.

Our specific report comments are as follows (underline text represents proposed additions):

Page 6 - the draft paper states that the “[s]trategy will be developed using a comprehensive methodology that considers” a number of factors. We recommend that this paragraph list the significant public ecosystem and water quality impacts and benefits associated with flooded islands as part of the factors that will be considered.

Page 8 - there is a discrepancy in the 1996 AB 360 legislative language for Suisun marsh levees. While the law states 12 miles, the legal description is approximately 18 miles.

Page 9 – “Delta levees affect the quality of water, both positively and negatively, on which these users rely because.....”. We recommend that the levee paper include a statement regarding the negative impacts of dissolved organic carbon discharged from ongoing agricultural activities on levee protected islands.

“~~The~~ Select Delta levees also are important to the conveyance of water from the Sacramento River through the Delta.....”

“Failure or alterations of levees that result in degraded water quality can also harm water supplies....”
The reverse is also true. The failure or alteration of certain levees can result in improved water quality.

Delta ecosystem. The Delta’s and Suisun Marsh’s ecosystems depend on restoring native habitats and the water quality. Ninety eight percent of the historic native habitat was lost due to levee construction and draining of the former marshlands.

Page 10 – “Local levee maintaining agencies sometimes suggest that pursuing ecosystem related goals and objectives redirects funds that would otherwise be available to improve levees....”
The following statement should follow. Resource agencies sometimes suggest that pursuing current levee related goals and objectives are harmful to aquatic ecosystem restoration.

Delta as place. Include several sentences regarding the Delta’s aesthetic value including remnant tidal marsh areas that provide rich ecosystem diversity and a glimpse into the past when the Delta teemed with approximately 400,000 acres of abundant wildlife – 98% of which has been lost.

Page 11 – What threatens Delta levees?

“Four geologic, anthropogenic and hydrologic forces threaten the Delta levee system with steadily increasing rates and consequences of levee failure: land subsidence caused by agricultural practices, changing inflows,.....”

Include a sentence stating that boat wakes, rodents, wind fetch, ongoing levee creep and other factors also threaten Delta levees.

Page 15 – The following sentence should be modified to include a characterization of the risk level that applies to the range of cost estimates: “The costs of upgrading delta levees to ?? levels of risk are substantial, totaling \$3.8 billion to \$4.28 billion....”

Page 17 - Table 4, Priorities and Beneficiaries

Table 4 indicates the methods of evaluating levee investments with “interim priorities to be used until a comprehensive investment methodology could be developed”, based upon DWR Priorities for Delta Integrated Flood Management. There will continue to be reliance on the water quality and water supply benefits afforded by the integrity of the levees along the Middle River channels from the standpoint of dual conveyance and emergency conveyance initiatives for delivery of freshwater from the Sacramento River to the export pumps. Levees of strategic value for water quality and supply purposes include levees along critical corridors to the export pumps. In addition, additional analysis could be useful in identifying management approaches that prevent an increase in salinity intrusion due to tidal trapping at the eight western islands (Bethel, Bradford, Holland, Hotchkiss, Jersey, Sherman, Twitchell and Webb Islands.)

For example, for levees along the Middle River-Victoria Canal freshwater pathway, it is important to achieve a level of levee improvement that mitigates earthquake initiated slumping to the extent the levees remain above daily high tides. This facilitates flood fighting efforts to practically restore freeboard of a freshwater pathway the export pumps. Without strategic levee improvements, the Old and Middle River levees can deform substantially in major earthquakes, jeopardizing their dual conveyance function and the potential to restore levees for emergency conveyance purposes.

Page 19 – The following is a general comment regarding differing levels of flood protection offered by various plans: All of the standards provided are prescriptive or geometry based. Instead, prudent engineering and planning would dictate levee improvements be based upon site-specific levee needs and island benefits.

Page 22 – The following sentence should be further explained: “Information about local agency’s ability to pay, however, has been collected for only a few districts in the Western Delta.” Given that the Special Projects program has been expanded to be Delta-wide, ability to pay studies should be completed for every island.

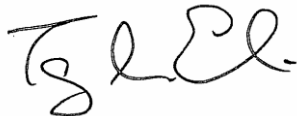
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Page 23 – Regarding provisions to acquire easements along levees the report states “few easements have been acquired.” An explanation should be added regarding why no easements have been acquired.

Page 24 – **Protecting restoration opportunities.** The statement that “significant adverse impacts to future restoration opportunities are to be protected...” is important. We suggest that similar language be used in the Introduction and in the ecosystem section on page 9.

If you have any questions, please do not hesitate to contact me at (916) 447-7357 ext. 203.

Sincerely,

A handwritten signature in black ink, appearing to read "T L Erlewine". The signature is written in a cursive, flowing style.

Terry L. Erlewine
General Manager