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June 15, 2015 DELIVERED VIA E-MAIL

Mr. Dustin Jones
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento 95814

Dear Mr. Jones:

Thank you for the opportunity to comment on the Delta Flood Management Investment Strategy Principles.

While developing principles to guide the levee investment strategy is a good idea, the appropriate time to do so is after the completion of consultant work. To do so before is to give the impression that conclusions are being drawn without the benefit of the consultant analysis. Unfortunately, that is exactly the impression that one is left with in reviewing the Principles document.

Both the "conclusions" drawn in the Principles paper and the earlier decision of the Council on "State interests" as it relates to the levee strategy appear to be dismissive of "Delta as Place" values, even as these are called for in statute to be consistent with any decisions on the co-equal goals.

As for specific comments on the Principles paper, please consider the following:

Page 1, paragraph 2 – the reference to Liberty Island leads to a misleading assumption: that the flooding of Liberty Island was due to insufficient levee maintenance or poor levee construction, and that this is somehow emblematic of the entire Delta. Actually, Liberty Island has long had a reduced height levee that is overtopped as frequently as there are high flows moving through the Yolo Bypass. A 1997 levee breach damaged during a high Bypass flow period was never repaired and the island was subsequently purchased for habitat purposes. It is inappropriate to include it as an example of flood risk in the Delta, any more than the existence of the Yolo Bypass is a criticism of flood risk in the Delta.

Page 1, paragraph 3 – the reality is that "some" of the secondary zone of the Delta has been urbanized (and practically none of the primary zone, at least since the advent of the Delta Protection Act of 1992); this is an important distinction. And it is equally worth calling out that "too much" of other flood prone areas (starting with the greater Sacramento region outside the Delta) have been "unfortunately" urbanized, leading to additional pressure on the Delta to accommodate the desire to move floodwater further downstream.

Page 1, paragraphs 5 and 8 – much emphasis is placed on a desire to reduce flood risk in the Delta in a way that is "cost effective"; this seems to be code for a statement meaning "it is too costly to fix all Delta levees and therefore only some will be improved to a higher standard." It is worth noting that a recent estimate offered to the Council by Gilbert Cosio of MBK Engineers estimated the cost to bring Delta non-project levees to a PL 84-99 standard at up to $806 million; after improvements are made under Prop. 1E, this amount is estimated to fall to approximately $645 million. At the bottom of page 1, there is a statement that "Currently available State money is about ten percent of current estimates...". Based on the estimate offered by Mr. Cosio, this is not even close to being accurate, and appears to set a inaccurately high price tag as an argument that there is not enough funding now (or will ever be in the future) to make a PL 84-99 standard throughout the Delta cost effective.

Page 2, paragraph 2 - aside from the concern mentioned immediately above, there needs to be greater distinction between what is meant by "large urban centers" and "small communities".

Page 2, Principle 2 - reclamation districts do not have land use entitlement authority; it is incorrect to state that they urbanize the Delta. It would also be worth adding a statement here opposing urbanization in flood-prone areas upstream of the Delta, since the movement of floodwater down the river systems creates additional pressure on Delta levees.

Page 2, Principle 3 - what if routine maintenance of Delta levees is in the State's interest? What if maintenance of Delta levees mainly benefits other Delta levee beneficiaries (specifically, transportation/energy infrastructure or fresh water corridors for the exports) rather than island landowners? This statement again appears indicative that the authors of this paper have reached a conclusion before the analysis is complete.

Page 2, Principle 5 - what about non-urban rural communities? How do they fit in?

Page 2, Principle 7 - ecosystem enhancement is not a responsibility of reclamation districts. At the very least, it is a responsibility of all Delta levee beneficiaries. An even more compelling argument can be made that it is a public responsibility.

Page 3, Principle 9 - how do the Delta's unique values matter? Unfortunately, the brevity and general nature of this statement seem indicative of the Council's consideration of "Delta as Place" values thought this Principles paper (and in the earlier discussion over State interests); namely, that they are an afterthought at best.

Thank you for the opportunity to comment.

Sincerely,

Erik Vink
Executive Director