



CALIFORNIA FARM BUREAU FEDERATION

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June 15, 2015

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

RE: Draft Delta Flood Management Investment Strategy Principles / Delta Levee Investment Strategy

Dear Ms. Messer and Mr. Jones:

The California Farm Bureau Federation (Farm Bureau) is a non-governmental, non-profit, voluntary membership California corporation whose purpose is to protect and promote agricultural interests throughout the state of California and to find solutions to the problems of the farm, the farm home and the rural community. Farm Bureau is California's largest farm organization, comprised of 53 county Farm Bureaus currently representing more than 57,000 agricultural, associate and collegiate members in 56 counties. Farm Bureau strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California's resources.

Farm Bureau is aware that the Delta Stewardship Council, in collaboration with the Delta Protection Council, the Central Valley Flood Protection Board, the Department of Water Resources, local reclamation districts, and others, is now approximately half way through its Delta Levee Investment Strategy (“DLIS”) process. Specifically, according to the DSC website, that process is scheduled to culminate in a Final Strategy and update to the Delta Plan by 2016.

The DSC has been recently engaged in a range of activities relating to the DLIS. The DSC released a Peer Review Interim Progress Report in mid-April. A Final Issue Paper has been released, and several technical memoranda to this document are currently the subject of a Delta Independent Science Board review, as well as a public comment deadline ending Friday, June 5th. The DSC recently issued a Notice of Preparation seeking scoping comments on a proposed Environmental Impact Report on the DSC’s DLIS Policy update to the Delta Plan. Additionally, the DSC has prepared and is currently seeking public comments on a set of Draft “Delta Flood Management Investment Strategy Principles.”

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The following comments are offered in relation to the DSC's draft "Principles" document--but also, more broadly, on the on-going DLIS process as a whole. Farm Bureau plans to actively monitor the remainder of the process and will weigh in as necessary and appropriate as the process progresses.

Comments / Recommendations:

- Achieving a P.L. 84-99 base level of protection throughout most of the Delta is an appropriate statewide goal to provide a basic engineering-based level of protection for Delta resources and assets, including Delta farmland, and to ensure the availability of future federal assistance as a common-sense financing strategy in the event of future levee breaches.
- Along with base-level protection throughout most of the rest of the Delta to a minimum P.L. 84-99 level of protection, long-term State investment in achievement of heightened protection standards is amply justified, even if costly, for critical through-Delta water supply corridors and for the eight critical Central and West Delta (Bethel, Bradford, Hotchkiss, Jersey, Sherman, Twitchell, and Webb Islands). This concept should form the core of the DSC's DLIS.
- Just as the State has not been dissuaded from pursuing other major infrastructure proposals despite significant shortfalls in necessary funding, the present shortfall in the available funds for Delta levees should not dissuade the State from pursuing the best course for future protection notwithstanding.
- In calculating levee investment needs and projected available funds, the DSC should be careful to avoid hyper-inflated cost estimates and assumptions. Instead, the DSC should look for the cost-effective engineering, cost-sharing, and contracting strategies possible, with robust input and involvement from local levee engineers and reclamation districts.
- Separate standards for urban versus agricultural levees that reflect Delta beneficiaries' ability to pay are appropriate.
- The complex network of non-project levees in the Delta should be viewed, not piecemeal or on an isolated, island-by-island basis, but rather holistically as an integrated system, and also in relation to the larger system of levees, weirs, and bypasses in the State Plan of Flood Control System, both within and upstream of the Delta.
- Intact Delta levees are fundamentally important to maintain in- and through-Delta water quality, even with potential future modification of through-Delta conveyance.

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- Economic assessment of agricultural lands should take proper account of the long-term productive capacity and regional economic value of the land, and not merely the per-acre assessment or fair market value of the land if sold in a one-time real estate transaction.
- A healthy agricultural economy in the Delta is necessary to ensure on-going local capacity to invest in necessary maintenance of and improvement of Delta levees.
- Updated recommendations in the Delta Plan with respect to Delta levees, under Water Code section 85305, should be taken as general guidance to state, federal, and local agencies, but should not be established as a hard-and-fast, set of prescriptive standards to which local and state agencies must blindly, or inflexibly adhere in isolation from all of the relevant information and circumstances in each case.
- Maintaining Delta levees is already costly and fraught with excessive and constantly increasing bureaucracy for local agencies and landowners with limited revenue sources. The DSC's recommendations should look for improved efficiencies and should not further increase the heavy financial and regulatory burdens already placed on the locals.
- Given the Delta's statewide importance, and in the light of the many benefits flowing to a wide range of direct and indirect beneficiaries of the Delta levee system through the state, Farm Bureau agrees with the DSC principle that funding for state investment in Delta levees should come from a much broader base of direct and indirect beneficiaries.
- One of the DSC's draft "Principles" states that, "State investments should emphasize rehabilitation of levees to improve safety, rather than subsidizing routine maintenance that is [the] landowners' responsibility." In fact, in the same way that preventive maintenance of a car can avert a catastrophic breakdown, routine maintenance is a fundamental part of improved Delta levee safety.
- Another of the DSC's draft "Principles" states that "State funds must enhance the ecosystem even if projects cost more to the State and to reclamation districts." The key word here is perhaps "enhance," with emphasis on the idea that any investment in "the ecosystem" in fact provide enhancement of the ecosystem commensurate to its cost. In the Delta, for example, where lands adjacent to waterways are, in many cases, too deeply subsidized to provide any true ecosystem benefits or quality habitat commensurate to the cost, setback levees in many locations would be quite inappropriate. Efforts to establish riparian vegetation on levees must consider Army Corps standards and potential trade-offs in terms of increased inspection and on-going maintenance costs, possible reduced levee integrity, and increased flood risk. Similarly, costs of so-called vegetated "toe berms" and levee "benches" should be carefully considered in relation to the science in support their actual ecological

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- benefits. Given limited funding, intelligent prioritization of small amounts of good quality, functioning habitat is preferable to thinly-spread investment in poor quality habitat over a larger area.
- The “Principles” seem to suggest that State levee subventions and special levees programs that provide cost-sharing to local RDs in the Delta have not been a wise, worthwhile, or appropriate investment on the part of the State. On the contrary, in terms of all they have accomplished—and thanks to the substantial financial and in-kind contributions of the local districts and landowners year in and year out—these programs have been an incredible bargain for the State and the People of California. Rather than cutting, reducing, or withdrawing subventions monies and other State cost-sharing, the DSC’s DLIS should look at ways to “grow the pie,” bringing in contributions from free riders of the system, and from the federal government.
 - As the proverbial “new kid on the block,” and also given its relatively limited charge under Water Code section 85305 with respect to Delta levees, it is appropriate that the DSC should closely consult with and afford considerable deference to the local experts and agencies and the state and federal agencies and departments that have been historically involved in Delta resource protection and in the day-to-day business of Delta levee maintenance and flood system management.
 - No future Delta levee assessment district should undermine or erode the financial capacity of local agricultural landowners and reclamation districts to directly protect specific lands, properties, and business interests.
 - With the notable and oft-heralded success story of Liberty Island in the North Delta—and, possibly soon, of Prospect Island as a potential twin of Liberty Island—it is pertinent to note that most presently flooded islands in the Delta are considered by biologists to be poor habitat for native fishes, due to land elevation and water depth, invasive plants and fishes, water temperature, and lack of circulation. This reality should enter prominently into the calculation of ecosystem benefits of State investments in the Delta levee system.
 - Supposed seismic risks to Delta levees should be realistically and scientifically assessed and mitigated to the extent possible, in a practical, common-sense manner, and not as if rational risk management were an absolute all-or-nothing proposition.
 - The original Delta Plan gave short shrift to much of the excellent information and to many of the well-reasoned recommendations found in the Delta Protection Commission’s Economic Sustainability Plan under section 29759 of the Water Code. To ensure an improved final product, this omission should be corrected in any updated flood- and levee-related policies of the Delta Plan.

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Thank you for the opportunity to offer this input on the DSC's "Principles" document, and on the DLIS process in general.

Very truly yours,

A handwritten signature in black ink, appearing to read "Justin E. Fredrickson", with a long horizontal line extending to the right.

Justin E. Fredrickson
Environmental Policy Analyst

JEF

cc: Delta Protection Commission
Central Valley Flood Control Association
Central Valley Flood Protection Board
Department of Water Resources, FloodSAFE
Sacramento County Farm Bureau
San Joaquin County Farm Bureau
Yolo County Farm Bureau