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Delta Stewardship Council
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Attn: Terry Macaulay

Re: Delta Plan Draft Environmental Impact Report

Members of the Delta Stewardship Council:

On behalf of the California State Association of Counties (CSAC), we thank you for the opportunity to comment on the Delta Plan Draft Environmental Impact Report (DEIR). CSAC is an association that represents county government before the California Legislature, administrative agencies and the federal government. Representing all 58 of California's Counties, CSAC places a strong emphasis on educating the public about the value and need for county programs and services critical for healthy and sustainable communities.

Counties recognize that the Sacramento-San Joaquin Delta is a region of significant statewide importance encompassing vital water, transportation, energy, agriculture and economic interests. In addition, we recognize that the Delta is in a state of crisis and there is a need for the development of new solutions to expand water resources to meet the growing needs of the state, while restoring and protecting the Delta's fragile ecosystem.

The DEIR, prepared by the Delta Stewardship Council staff, seeks to provide environmental analysis of the Delta Plan and describe alternatives to the Plan, in accordance with the California Environmental Quality Act (CEQA). As stated in the DEIR, the goal of the Delta Plan is to develop a comprehensive, long-term management plan for the Sacramento-San Joaquin Delta and the Suisun Marsh that achieves the "coequal goals" established by the Delta Reform Act.

CSAC has several broad policy concerns with the DEIR. First, we find the DEIR lacking in critical detail because the Delta Plan that it seeks to analyze and provide alternatives to, is not really a plan itself. As articulated throughout the DEIR, the Delta Plan is a combination of twelve policies and sixty-one recommendations, and is programmatic in nature with no specific actions to evaluate. The DEIR also states on page 2 of Section 2B that "this is a very conservative approach to environmental review given that the Council does not contemplate constructing or operating any facilities through the Delta Plan nor undertaking specific activities to implement the Policies and Recommendations, and has no authority to cause the Recommendations to be implemented." CSAC believes that in order to provide a comprehensive environmental analysis of the Delta Plan, actual project-level qualitative analysis must be included. Furthermore, the DEIR does not fully evaluate whether the Delta Plan achieves the coequal goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem. Thus, there is no rational basis for concluding that the Delta Plan is environmentally superior to other alternatives, or combinations thereof.

In Section 6 - Land Use Planning, the DEIR makes several comparative analyses using other like projects to determine if there is potential for impacts on local communities in a variety of different circumstances. While comparisons may contribute as a means of anecdotal reference, unless specific project- level qualitative analysis is conducted, there is no way of determining the specific impacts on a community. CSAC must emphasize that any proposed Delta solution should respect affected counties' land use authority and provide consistency with affected counties adopted policies and plans. CSAC encourages the Delta Stewardship Council to work cooperatively with the Delta Counties to address their concerns, including balancing the need for future habitat restoration with local land use planning processes. Furthermore, CSAC believes counties must be compensated for any third party impacts. We strongly support the Ag-Urban Coalition's Policy Principle that the Delta Plan must set forth a governance strategy wherein the Council is not another regulatory body but a facilitator to improve communication, coordination and integration amongst the various local, state and federal agencies that have responsibilities within the Delta.

In Section 10- Cultural Resources, the DEIR states that project-level impacts would be addressed in future site-specific environmental analysis; however, because named projects encouraged by the Delta Plan could result in changes to character-defining features, the Delta Plan could result in a significant impact to cultural resources, including the disturbance or destruction of historical buildings in the Delta. Once again, CSAC asserts that until project specifics are analyzed it is premature to determine if the Delta Plan is environmentally superior to other options. Counties believe that there must be special recognition that helps preserve and advance the economic vitality of "heritage" or "legacy" communities in the Delta.

Finally, CSAC supports the comments of the Ag-Urban Coalition and reiterates their call for the Delta Plan to be a comprehensive, integrated blueprint that utilizes the most effective combination of management tools to concurrently accomplish the coequal goals of statewide water supply reliability and restoration of a sustainable Delta ecosystem, while respecting the economy and unique characteristics of the Delta.

Thank you again for the opportunity to comment on the DEIR. Should you have any questions regarding our comments, please feel free to contact Karen Keene at 916-327-7500, ext. 511, or kkeene@counties.org, or Cara Martinson at 916-327-7500, ext. 504, or cmartinson@counties.org.

Sincerely,



Karen Keene
CSAC Senior Legislative Representative



Cara Martinson
CSAC Senior Legislative Analyst

cc: Mr. Joe Grindstaff, Executive Officer