



July 2, 2010

Phil Isenberg, Chair
Delta Stewardship Council
650 Capitol Mall
Sacramento, CA 95814

Re: Comments on First Draft Interim Delta Plan, June 14 2010

Dear Chair Isenberg:

The City of Antioch (the City) appreciates the opportunity to present comments to the Delta Stewardship Council (DSC) on the First Draft Interim Delta Plan (Interim Plan). Please find below some background on the City's perspective and its role in the Delta ecosystem and economy. Following that is a list of comments, and then specific language for the DSC's consideration for future drafts of the Delta Interim Plan.

The historically fresh western Delta

Antioch has diverted fresh water Sacramento River water for drinking water, industrial and commercial use from the western Delta since the 1860s. The unique tidally-influenced fresh water habitat in the western Delta has supported the evolution of a healthy fishery and freshwater boating and fishing industry.

The City is the 'Western Gateway' to the Delta. Water quality at Antioch is directly related to Delta flow and appears closely related to the health of Delta fisheries, making Antioch's intake location a crucial Western Delta "data point" and a proverbial "canary in the coal mine" for the health of the Delta. The Department of Water Resources (DWR) measures water quality at Antioch, for the purpose of comparing water quality at Antioch to salinity thresholds established in a water supply contract between the two entities.

Historically, the Delta was a far fresher environment than it is today, and freshwater regularly flowed past Benicia and Martinez. Now, salinity typically intrudes 3 to 15 miles farther to the east (see CCWD 2010). Antioch has been impacted by declining Sacramento River flows since the early 1900s, when the large-scale agricultural water diversions began, and more recently by the Central Valley Project (CVP) and State Water Project (SWP).

Antioch's drinking water, its freshwater fishing and boating economy, and the health of the fisheries are intertwined and co-dependent. The City wants to protect vital public trust and economic resources that are dependent upon a historically freshwater Delta.

Comments and Recommendations for Specific Language in Interim Plan

Please find below the City of Antioch's comments, followed by specific language for your consideration in future drafts of the Interim Plan. These comments and recommendations are organized by sections in the current Interim Draft.

Comments

Comment #1: The Delta Stewardship Council should take a leading role to ensure 'up-front' Delta stakeholder engagement in the development of the Delta Plan.

The Interim Plan will likely serve as a foundational document for the final Delta Plan. As such, the Plan would benefit tremendously from meaningful stakeholder involvement. This view was echoed at the June 25, 2010, DSC meeting, where panelists from the Department of Fish and Game (DFG) described successful HCP/NCCPs and how early stakeholder engagement was key to heading off roadblocks later in the process.

However, to date, participation in Delta planning processes by stakeholders from the Delta itself has been very limited. For example, Delta stakeholders have not had meaningful involvement with the BDCP, only a cursory level of engagement.

We are hopeful that the DSC's solicitation of comments on the Interim Plan is a first step to significantly more meaningful stakeholder involvement in the Delta planning process. Antioch recommends that DSC can and should take a leadership role to ensure that Delta stakeholders are sought out to inform the Council on matters required by the Delta Reform Act.

Comment #2: The DSC should accurately describe historical Delta salinity, the causes of these changes and the current state of in-Delta water quality.

Antioch recommends that the Interim Plan (on page A-19) specify that the Delta was in fact historically fresher, and that the fresh water Delta extended much further to the west, than present conditions.

The salinity in the Delta has been altered from historic patterns by extensive flow management operations and by changes to the configuration of Delta channels. Currently, salinity is higher in both wet and dry years for almost all of the months of the year than it was historically. Variations in salinity were greater during historic, unregulated conditions, but the maximum levels of salinity were far less historically. For additional information and data on historic conditions, please see the City of Antioch's testimony on this issue to the State Water Resources Control Board (SWRCB) during the Delta Flow Criteria Informational Proceeding Hearings this past March

http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/docs/exhibits/antioch/coa_exh5_summary.pdf

Comment #3: DSC must include the impact of water exports on the Delta.

In the section titled Background on page A-19, the section discusses impacts to Delta water quality but omits the impacts of exports – impacts specifically recognized by numerous court cases, the Delta Protection Act, and scientific literature.

Comment #4: Interim and final Delta Plans should recognize that the economy of the Delta is not just based on agriculture and legacy towns.

The cities of Antioch, Pittsburg, Brentwood, and other communities in the Delta all support numerous businesses as well as marinas, boating and fishing. Recreation and tourism are vital economic engines in the Delta. All these locations should be considered when analyzing economic impacts.

Comment #5: In-Delta Drinking water quality should be added as a performance measure.

Consistent with DWR's current water quality monitoring location at Antioch, performance measures for drinking water quality should be added for locations such as Antioch, where water for municipal supply has been diverted for 150 years.

Comment #6: The Interim Plan should expand upon the concepts of relocating Delta drinking water intakes as set forth in Goal 3.5.2.

Antioch would like to work with the DSC to discuss options for relocating drinking water intakes in the Western Delta. At the June 24, 2010, DSC meeting, Stewardship Council Member Fiorini briefly mentioned the concept of "regional" solutions. Page A-6 of the Draft Interim Plan mentioned relocation of intakes impacted by the DHCCP/BDCP proposed project.

Antioch supports evaluating the concept of consolidating Delta intakes (both export and in-Delta) into "regional" intakes from which numerous diverters could draw water. This would reduce the number of intakes in the Delta and could provide more flexibility for crafting environmental solutions for the Delta and for ensuring water supply reliability to in-Delta diverters.

Comment #7: The Delta ecosystem's current degraded state is not "Co-Equal" with Water Supply. The Delta Plan must have a minimum "Do No Harm" policy, which in fact ensures improvement, not further degradation.

The health of the Delta ecosystem has been given far lower priority than water supply reliability. It is therefore critical that the Interim and the final Delta Plans specifically recognize that in order to achieve equality, there should not only be a cessation of harm

to the Delta, but that Delta health needs to be improved. The Delta environment has experienced over 150 years of alteration and degradation, so it is “coming from behind.”

Factors such as flow and water quality must be taken into consideration. The SWRCB Flow Criteria and DFG flow criteria, although not binding, are in fact critical to the goal of ecosystem “restoration.”

Recommendations for Specific Language for Inclusion in the Delta Interim Plan

In light of the above comments, the following specific changes are suggested to the Interim Plan:

- Page 10 (paragraphs 1-4): Add text on the economic importance of the western Delta: *municipal, industrial and commercial drinking water supply, fishing, boating, marinas, recreation and tourism*
- Page 20 (graphical illustration): Add Antioch’s municipal diversion to the map
- Page A-19 (paragraph 1): Add water exports and diversions as factors affecting water quality.
- Page A-19 (bullet #5): Suggest changing text from “Prior to the construction of today’s water supply and flood control facilities, salinities were lower in the winter and spring and higher in the summer and fall” to “*Salinity under current flow management operations and Delta configuration is higher in both wet and dry years for almost all months of the year, although the overall range in salinity (difference between maximum and minimum salinity) was higher under historic conditions.*”
- Page A-24 (paragraph 1): Suggest citing the recent report from the Contra Costa Water District indicating the historical extent of freshwater in the western Delta. This report was a part of the Contra Costa Water District’s testimony to the SWRCB during the Delta Flow Criteria Informational Proceeding Hearings this past March. Please see http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/docs/exhibits/ccwd/ccwd_exh6.pdf

Thank you very much for the opportunity to provide input and comments for the development of the Interim and final Delta Plan. We appreciate your consideration in this matter. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Harrington". The signature is written in a cursive style with a large initial "P" and "H".

Phil Harrington
Director of Capital Improvements and Water Rights
City of Antioch