



980 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
WWW.DELTACOUNCIL.CA.GOV
(916) 445-5511

DELTA STEWARDSHIP COUNCIL
A California State Agency

July 6, 2012

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli

Executive Officer
P. Joseph Grindstaff

John Funderburg
San Joaquin County Community Development Department
1810 East Hazelton Ave.
Stockton, CA 95205

Re: Lost Isle Expansion Project, SCH#2011102016

Dear Mr. Funderburg:

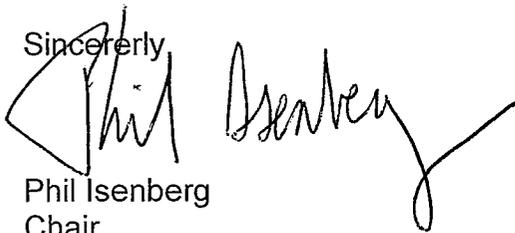
Last year, you received a letter dated October 14, 2011 from the Delta Stewardship Council indicating that this project, *"It appears that the project would likely meet the definition of a 'covered action', and would be subject to the Delta Plan, if the Delta Plan becomes effective prior to the filing of a notice of approval or determination for your project..."*

Since that time, several elected officials have objected to receipt of this letter since the Council has not adopted its Delta Plan. I apologize for any misunderstanding that occurred because of the letter.

Although we have not received a request from you, or any project developer that the previous letter be withdrawn, this communication does withdraw the previous communications.

If you have any questions, please feel to call me, or our Executive Director Joe Grindstaff.

Sincerely,



Phil Isenberg
Chair

Attachment: Letter dated October 14, 2011

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

- CA Water Code §85054



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DELTA STEWARDSHIP COUNCIL

October 14, 2011

Mr. John Funderburg
San Joaquin County Community Development Department
1810 E. Hazelton Ave
Stockton, CA 95205

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
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Hank Nordhoff
Don Nottoli
Felicia Marcus

Executive Officer
P. Joseph Grindstaff

RE: Lost Isle Expansion Project; SCH# 2011102016

Dear Mr. Funderburg:

The Delta Stewardship Council (Council) is an independent state agency charged with adopting and implementing a legally-enforceable, integrated resources management plan for the Sacramento-San Joaquin Delta, referred to as the "Delta Plan" (see generally, the Sacramento-San Joaquin Delta Reform Act of 2009, Div.35 of the California Water Code). Once the Delta Plan becomes effective as a state regulation (anticipated in Spring 2012), state and local agencies that propose to carry out, approve or fund "covered actions" must first prepare and file with the Council written certifications that those actions are consistent with the Delta Plan. Those certifications are subject to appeal, and a project may not proceed until it is consistent with the Delta Plan.

Council staff recently reviewed the Lost Isle Expansion Project Initial Study. It appears that the project would likely meet the definition of a "covered action", and would be subject to the Delta Plan, if the Delta Plan becomes effective prior to the filing of a notice of approval or determination for your project. As such we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

What is a covered action? It is "a plan, program, or project as defined by §21065 of the PRC that meets the following conditions: 1) will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh; 2) will be carried out, approved, or funded by the state or a local public agency; 3) is covered by one or more provisions of the Delta Plan; 4) will have a significant impact on achievement of one or both of the coequal goals or the implementation of government-sponsored flood control programs to reduce risks to people, property, and state interests in the Delta." (CA Water Code §85057.5)

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Mr. John Funderburg
October 14, 2011
Page Two

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(CA Water Code §85054) The Delta Reform Act of 2009 created the DSC and charged it with
developing a Delta Plan to achieve the coequal goals.

If you have any questions or would like to set up an initial consultation, please contact me at
(916) 455-5011 or ksamsam@deltacouncil.ca.gov.

Sincerely,



Kevan Samsam, P.E.
Delta Stewardship Council

cc: DSC Chron File



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Ms. Corinne King
San Joaquin County Community Development Department
1810 E. Hazelton Ave.
Stockton, CA 95205

Re: Initial Study for Neighborhoods K and L at Mountain House, SCH#2011092041

Dear Ms. King:

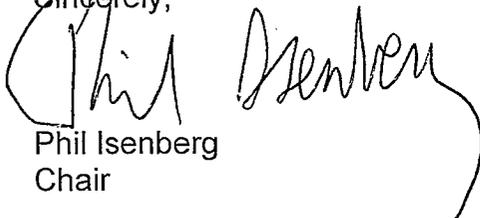
Last year, you received a letter dated October 11, 2011 from the Delta Stewardship Council indicating that this project, *"It appears that the project would likely meet the definition of a 'covered action', and would be subject to the Delta Plan, if the Delta Plan becomes effective prior to the filing of a notice of approval or determination for your project..."*

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Sincerely,



Phil Isenberg
Chair

Attachment: Letter dated October 11, 2011

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DELTA STEWARDSHIP COUNCIL

October 11, 2011

Ms. Corinne King
San Joaquin County Community Development Department
1810 E. Hazelton Ave
Stockton, CA 95205

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P. Joseph Grindstaff

RE: Initial Study for Neighborhoods K and L at Mountain House, SCH# 2011092041

Dear Ms. King:

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Ms. Corinne King
October 11, 2011
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Sincerely,



Kevan Samsam, P.E.
Delta Stewardship Council

cc: DSC Chron File



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Executive Officer
P. Joseph Grindstaff

Mr. Jeffrey Levers
San Joaquin County Public Works Department
1810 East Hazelton Avenue
Stockton, CA 95205

Re: Thornton Community Improvement Study, SCH#2011092049

Dear Mr. Levers:

Last year, you received a letter dated October 13, 2011 from the Delta Stewardship Council indicating that this project, "...as currently described, would likely not meet the definition of a 'covered action'.

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Sincerely,

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Attachment: Letter dated October 13, 2011

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October 13, 2011

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Mr. Jeffrey Levers
San Joaquin County, Public Works Department
1810 East Hazelton Avenue
Stockton, CA 95205

Executive Officer
P. Joseph Grindstaff

RE: Thornton Community Improvement Study, SCH# 2011092049

Dear Mr. Levers:

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Council staff recently reviewed the Initial Study with proposed Mitigated Negative Declaration for the Thornton Community Improvement Study. While the project does take place in the Delta it appears that the project, as it is currently described, would likely not meet the definition of a "covered action". However, the project could become a covered action in the future if it changes and, as a result, has a significant impact on the achievement of the coequal goals. As such we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

What is a covered action? It is "a plan, program, or project as defined by §21065 of the PRC that meets the following conditions: 1) will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh; 2) will be carried out, approved, or funded by the state or a local public agency; 3) is covered by one or more provisions of the Delta Plan; 4) will have a significant impact on achievement of one or both of the coequal goals or the implementation of government-sponsored flood control programs to reduce risks to people, property, and state interests in the Delta." (CA Water Code §85057.5)

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Mr. Jeffrey Levers
October 13, 2011
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If you have any questions or would like to set up an initial consultation, please contact me at (916) 455-5011 or ksamsam@deltacouncil.ca.gov.

Sincerely,



Kevan Samsam, P.E.
Delta Stewardship Council

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Executive Officer
P. Joseph Grindstaff

Mr. Zabih Zaca
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

Re: 11th St. East Tracy Overhead Bridge Replacement Project, SCH#2011032023

Dear Mr. Zaca:

Last year, you received a letter dated October 13, 2011 from the Delta Stewardship Council indicating that this project, "...as currently described, would likely not meet the definition of a 'covered action'.

Since that time, several elected officials have objected to the mailing of this letter since the Council has not adopted its Delta Plan. I apologize for any misunderstanding that occurred because of the letter.

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Attachment: Letter dated October 13, 2011

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October 13, 2011

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City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

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Executive Officer
P. Joseph Grindstaff

RE: 11th St East Tracy Overhead Bridge Replacement Project, SCH# 2011092023

Dear Mr. Zaca:

The Delta Stewardship Council (Council) is an independent state agency charged with adopting and implementing a legally-enforceable, integrated resources management plan for the Sacramento-San Joaquin Delta, referred to as the "Delta Plan" (see generally, the Sacramento-San Joaquin Delta Reform Act of 2009, Div. 35 of the California Water Code). Once the Delta Plan becomes effective as a state regulation (anticipated in Spring 2012), state and local agencies that propose to carry out, approve or fund "covered actions" must first prepare and file with the Council written certifications that those actions are consistent with the Delta Plan. Those certifications are subject to appeal, and a project may not proceed until it is consistent with the Delta Plan.

Council staff recently reviewed the Initial Study with proposed Mitigated Negative Declaration for the 11th St East Tracy Overhead Bridge Replacement Project. While the project does take place in the Delta it appears that the project, as it is currently described, would likely not meet the definition of a "covered action". However, the project could become a covered action in the future if it changes and, as a result, has a significant impact on the achievement of the coequal goals. As such we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

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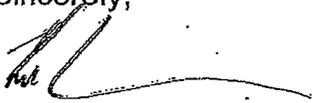
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Mr. Zabih Zaca
October 13, 2011
Page Two

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If you have any questions or would like to set up an initial consultation, please contact me at (916) 455-5011 or ksamsam@deltacouncil.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevan Samsam", with a long horizontal flourish extending to the right.

Kevan Samsam, P.E.
Delta Stewardship Council

cc: DSC Chron File



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July 6, 2012

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Hank Nordhoff
Don Nottoli

Executive Officer
P. Joseph Grindstaff

Christopher Huitt
California State Lands Commission
100 Howe Ave, Suit 200 South
Sacramento, CA 95825

Re: San Francisco Bay and Delta Sand Mining Revised Draft EIR, SCH# 2077072036

Dear Mr. Huitt:

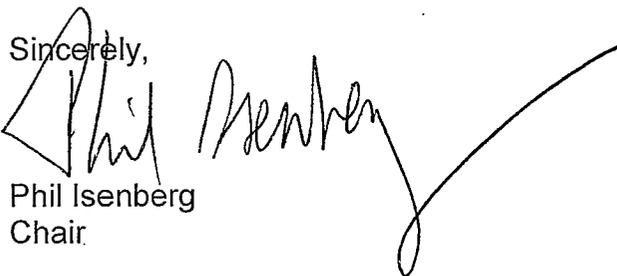
Last year, you received a letter dated November 2, 2011 from the Delta Stewardship Council indicating that this project, *"It appears that the project would likely meet the definition of a 'covered action', and would be subject to the Delta Plan, if the Delta Plan becomes effective prior to the filing of a notice of approval or determination for your project..."*

Since that time, several elected officials have objected to receipt of this letter since the Council has not adopted its Delta Plan. I apologize for any misunderstanding that occurred because of the letter.

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Phil Isenberg
Chair

Attachment: Letter dated November 2, 2011

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DELTA STEWARDSHIP COUNCIL

November 2, 2011

Mr. Christopher Huitt
California State Lands Commission
100 Howe Ave, Suite 100 South
Sacramento, CA 95825

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Felicia Marcus

Executive Officer
P. Joseph Grindstaff

RE: San Francisco Bay and Delta Sand Mining Revised Draft EIR, SCH# 2007072036

Dear Mr. Huitt:

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Council staff recently reviewed the Draft EIR for the San Francisco Bay and Delta San Mining project. It appears that the project would likely meet the definition of a "covered action", and would be subject to the Delta Plan, if the Delta Plan becomes effective prior to the filing of a notice of approval or determination for your project. As such we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

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Mr. Christopher Huitt
November 2, 2011
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Executive Officer
P. Joseph Grindstaff

Mr. Adam Brucker
Senior Planner
City of Stockton
345 North El Dorado Street
Stockton, CA 95202-1997

Re: ALCO Stockton Recycling Facility Mitigated Negative Declaration, SCH #2011102047

Dear Mr. Brucker:

Last year, you received a letter dated November 1, 2011 from the Delta Stewardship Council indicating that this project, "...as currently described, would likely not meet the definition of a 'covered action'.

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Sincerely,

Phil Isenberg
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DELTA STEWARDSHIP COUNCIL

November 1, 2011

Mr. Adam Brucker
Senior Planner
City of Stockton
345 North El Dorado Street
Stockton, CA 95202-1997

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RE: ALCO Stockton Recycling Facility Mitigated Negative Declaration, SCH # 2011102047

Dear Mr. Brucker:

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Council staff recently reviewed the ALCO Stockton Recycling Facility Mitigated Negative Declaration. While the project does occur in the Delta it appears that the project, as it is currently described, would likely not meet the definition of a "covered action". However, the project could become a covered action in the future if it changes and, as a result, has a significant impact on the achievement of the coequal goals. Should that occur, we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

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Mr. Adam Brucker
November 1, 2011
Page Two

What are the coequal goals? "Coequal goals' means the two goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, and natural resource, and agricultural values of the Delta as an evolving place." (CA Water Code §85054) The Delta Reform Act of 2009 created the DSC and charged it with developing a Delta Plan to achieve the coequal goals.

If you have any questions or would like to set up an initial consultation, please contact me at (916) 455-5011 or ksamsam@deltacouncil.ca.gov.

Sincerely,



Kevan Samsam, P.E.
Delta Stewardship Council

cc: DSC Chron File



DELTA STEWARDSHIP COUNCIL
A California State Agency

980 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
WWW.DELTACOUNCIL.CA.GOV
(916) 445-5511

July 6, 2012

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli

Executive Officer
P. Joseph Grindstaff

Mr. John Kearns
City of Suisun
701 Civic Center Blvd.
Suisun City, CA 94585

Re: Suisun City 2035 General Plan Update Notice of Preparation, SCH#2011102046

Dear Mr. Kearns:

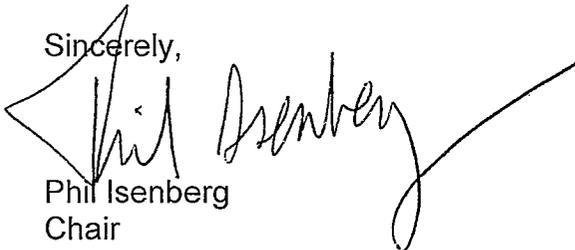
Last year, you received a letter dated November 1, 2011 from the Delta Stewardship Council indicating that this project, "...as currently described, would likely not meet the definition of a 'covered action'.

Since that time, several elected officials have objected to the mailing of this letter since the Council has not adopted its Delta Plan. I apologize for any misunderstanding that occurred because of the letter.

Although we have not received a request from you, or any project developer that the previous letter be withdrawn, this communication does withdraw the previous letter. As a result, the Council staff has not reviewed or expressed a tentative opinion as to whether the project in question could conceivably be a covered action.

If you have any questions, please feel to call me, or our Executive Officer Joe Grindstaff.

Sincerely,



Phil Isenberg
Chair

Attachment: Letter dated November 1, 2011

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– CA Water Code §85054



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DELTA STEWARDSHIP COUNCIL

November 1, 2011

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli
Felicia Marcus

Mr. John Kearns
City of Suisun
701 Civic Center Boulevard
Suisun city, CA 94585

Executive Officer
P. Joseph Grindstaff

RE: Suisun City 2035 General Plan Update Notice of Preparation, SCH # 2011102046

Dear Mr. Kearns:

The Delta Stewardship Council (Council) is an independent state agency charged with adopting and implementing a legally-enforceable, integrated resources management plan for the Sacramento-San Joaquin Delta, referred to as the "Delta Plan" (see generally, the Sacramento-San Joaquin Delta Reform Act of 2009, Div. 35 of the California Water Code). Once the Delta Plan becomes effective as a state regulation (anticipated in Summer 2012), state and local agencies that propose to carry out, approve or fund "covered actions" must first prepare and file with the Council written certifications that those actions are consistent with the Delta Plan. Those certifications are subject to appeal, and a project may not proceed until it is consistent with the Delta Plan.

Council staff recently reviewed the Notice of Preparation for the Suisun 2035 General Plan Update. While the project does occur in part in the Delta it appears that the project, as it is currently described, may not meet the definition of a "covered action". However, the project could be a covered action if it has a significant impact on the achievement of the coequal goals. Should that occur, we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

What is a covered action? It is "a plan, program, or project as defined by §21065 of the PRC that meets the following conditions: 1) will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh; 2) will be carried out, approved, or funded by the state or a local public agency; 3) is covered by one or more provisions of the Delta Plan; 4) will have a significant impact on achievement of one or both of the coequal goals or the implementation of government-sponsored flood control programs to reduce risks to people, property, and state interests in the Delta." (CA Water Code §85057.5)

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

Mr. John Kearns
November 1, 2011
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If you have any questions or would like to set up an initial consultation, please contact me at (916) 455-5011 or ksamsam@deltacouncil.ca.gov.

Sincerely,



Kevan Samsam, P.E.
Delta Stewardship Council

cc: DSC Chron File



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DELTA STEWARDSHIP COUNCIL

A California State Agency

July 6, 2012

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Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
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Don Nottoli

Executive Officer
P. Joseph Grindstaff

Mr. Christopher Jordan, AICP
Planning Manager
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Re: Sustainability Element and Climate Action Plan Subsequent EIR, SCH#2011062031

Dear Mr. Jordan:

Last year, you received a letter dated October 31, 2011 from the Delta Stewardship Council indicating that this project, "...as currently described, would likely not meet the definition of a 'covered action'.

Since that time, several elected officials have objected to the mailing of this letter since the Council has not adopted its Delta Plan. I apologize for any misunderstanding that occurred because of the letter.

Although we have not received a request from you, or any project developer that the previous letter be withdrawn, this communication does withdraw the previous letter. As a result, the Council staff has not reviewed or expressed a tentative opinion as to whether the project in question could conceivably be a covered action.

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Sincerely,



Phil Isenberg
Chair

Attachment: Letter dated October 31, 2011

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October 31, 2011

Mr. Christopher Jordan, AICP
Planning Manager
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli
Felicia Marcus

Executive Officer
P. Joseph Grindstaff

RE: Sustainability Element and Climate Action Plan Subsequent EIR, SCH# 2011062031

Dear Mr. Jordan:

The Delta Stewardship Council (Council) is an independent state agency charged with adopting and implementing a legally-enforceable, integrated resources management plan for the Sacramento-San Joaquin Delta, referred to as the "Delta Plan" (see generally, the Sacramento-San Joaquin Delta Reform Act of 2009, Div. 35 of the California Water Code). Once the Delta Plan becomes effective as a state regulation (anticipated in Summer 2012), state and local agencies that propose to carry out, approve or fund "covered actions" must first prepare and file with the Council written certifications that those actions are consistent with the Delta Plan. Those certifications are subject to appeal, and a project may not proceed until it is consistent with the Delta Plan.

Council staff recently reviewed the Sustainability Element and Climate Action Plan Draft Subsequent EIR. While the project does occur in the Delta it appears that the project, as it is currently described, would likely not meet the definition of a "covered action". However, the project could become a covered action in the future if it changes and, as a result, has a significant impact on the achievement of the coequal goals. Should that occur, we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

What is a covered action? It is "a plan, program, or project as defined by §21065 of the PRC that meets the following conditions: 1) will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh; 2) will be carried out, approved, or funded by the state or a local public agency; 3) is covered by one or more provisions of the Delta Plan; 4) will have a significant impact on achievement of one or both of the coequal goals or the implementation of government-sponsored flood control programs to reduce risks to people, property, and state interests in the Delta." (CA Water Code §85057.5)

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Mr. Christopher Jordan.
October 31, 2011
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Sincerely,



Kevan Samsam, P.E.
Delta Stewardship Council

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(916) 445-5511

July 6, 2012

Mr. Clifford Harvey
State Water Resources Control Board
1001 I Street, 15th Floor
P.O. Box 100
Sacramento, CA 95814

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli

Executive Officer
P. Joseph Grindstaff

Re: PG&E Pittsburg-Tesla 230 kV Transmission Line Reconductoring Project,
SCH#2011102034

Dear Mr. Harvey:

Last year, you received a letter dated October 31, 2011 from the Delta Stewardship Council indicating that this project, "...as currently described, would likely not meet the definition of a 'covered action'.

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Sincerely,

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Chair

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DELTA STEWARDSHIP COUNCIL

October 31, 2011

Chair

Phil Isenberg

Members

Randy Florini

Gloria Gray

Patrick Johnston

Hank Nordhoff

Don Nottoli

Felecia Marcus

Executive Officer

P. Joseph Grindstaff

Mr. Clifford Harvey
State Water Resources Control Board
1001 I Street, 15th Floor
P.O. Box 100
Sacramento, CA 95814

RE: PG&E Pittsburg-Tesla 230 kV Transmission Line Reconductoring Project,
SCH # 2011102034

Dear Mr. Harvey:

The Delta Stewardship Council (Council) is an independent state agency charged with adopting and implementing a legally-enforceable, integrated resources management plan for the Sacramento-San Joaquin Delta, referred to as the "Delta Plan" (see generally, the Sacramento-San Joaquin Delta Reform Act of 2009, Div. 35 of the California Water Code). Once the Delta Plan becomes effective as a state regulation (anticipated in Summer 2012), state and local agencies that propose to carry out, approve or fund "covered actions" must first prepare and file with the Council written certifications that those actions are consistent with the Delta Plan. Those certifications are subject to appeal, and a project may not proceed until it is consistent with the Delta Plan.

Council staff recently reviewed the PG&E Pittsburg-Tesla 230 kV Transmission Line Reconductoring project Mitigated Negative Declaration. While the project does occur in part in the Delta it appears that the project, as it is currently described, would likely not meet the definition of a "covered action". However, the project could become a covered action in the future if it changes and, as a result, has a significant impact on the achievement of the coequal goals. Should that occur, we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

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Mr. Clifford Harvey
October 31, 2011
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Kevan Samsam, P.E.
Delta Stewardship Council

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DELTA STEWARDSHIP COUNCIL

A California State Agency

July 6, 2012

Mr. John Funderburg
San Joaquin County Community Development
1810 East Hazelton Avenue
Stockton, CA 95205

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli

Executive Officer
P. Joseph Grindstaff

Re: Cortopassi Minor Subdivision and Lot Line Adjustment, SCH#2011102022

Dear Mr. Funderburg:

Last year, you received a letter dated October 21, 2011 from the Delta Stewardship Council indicating that this project, "...as currently described, would likely not meet the definition of a 'covered action'.

Since that time, several elected officials have objected to the mailing of this letter since the Council has not adopted its Delta Plan. I apologize for any misunderstanding that occurred because of the letter.

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Phil Isenberg
Chair

Attachment: Letter dated October 21, 2011

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October 21, 2011

Mr. John Funderburg
San Joaquin County Community Development
1810 East Hazelton Avenue
Stockton, CA 95205

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli
Felicia Marcus

Executive Officer
P. Joseph Grindstaff

RE: Cortopassi Minor Subdivision and Lot Line Adjustment, SCH# 2011102022

Dear Mr. Funderburg:

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Council staff recently reviewed the Negative Declaration for the Cortopassi Minor Subdivision and Lot Line Adjustment project. While the project does take place in the Delta it appears that the project, as it is currently described, would likely not meet the definition of a "covered action". However, the project could become a covered action in the future if it changes and, as a result, has a significant impact on the achievement of the coequal goals. As such we would encourage you to consult with us to ensure the project's consistency with the Delta Plan and the coequal goals.

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Mr. John Funderburg
October 21, 2011
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