

**DELTA PROTECTION COMMISSION**

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*Contra Costa County Board of Supervisors*

February 24, 2012

*Sacramento County Board of Supervisors*

Dr. Gerald Meral, Deputy Secretary  
 California Natural Resources Agency  
 1416 Ninth Street, Suite 1311  
 Sacramento, California 95814

*San Joaquin County Board of Supervisors*

*Solano County Board of Supervisors*

Dear Dr. Meral,

*Yolo County Board of Supervisors*

The Delta Protection Commission is requesting that seismic levee upgrade alternatives be added for serious consideration in the Bay Delta Conservation Plan (BDCP).

*Cities of San Joaquin County*

An EIR requires consideration of feasible alternatives that attain many of the basic objectives of the project, but lessen the significant effects of the project. The Delta Protection Commission's Economic Sustainability Plan (ESP) recently concluded that seismic upgrades to most lowland Delta levees is the foundation of the best strategy to further the co-equal goals of water supply reliability and ecosystem restoration while protecting and enhancing the Delta as an evolving place. Seismic levee upgrades protect export water supplies from earthquake and flood risk at far lower cost than an isolated conveyance, and also create an important opportunity to improve habitat by supporting appropriate vegetation on the water side of enlarged levees. Seismic levee upgrades also generate a host of additional risk reduction benefits for public safety and infrastructure critical to the state economy (i.e. transportation, energy, farmland, local water facilities, etc.) that are not created by any other BDCP alternative.

*Cities of Contra Costa and Solano Counties*

*Cities of Sacramento and Yolo Counties*

*Central Delta Reclamation Districts*

*North Delta Reclamation Districts*

*South Delta Reclamation Districts*

*Business, Transportation and Housing*

In addition to the ESP, recently released results from the Delta Risk Management Strategy (DRMS) Phase 2 analysis show that seismically improved levees were identified by the Department of Water Resources as a promising risk reduction strategy in 2007 (when BDCP was in early stages of planning) that narrowed its focus to an isolated conveyance. In a January 2008 report to the California Legislature required by AB 1200, the Department of Water Resources and the Department of Fish and Game identified seismic levee upgrades as the lowest cost of the three most promising risk reduction alternatives, including an isolated conveyance facility that was estimated to cost less than \$5 billion at that time, one-third of the current cost estimate of an isolated tunnel conveyance.

*Department of Food and Agriculture*

*Natural Resources Agency*

*State Lands Commission*

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Given that seismic levee improvements received positive evaluations in two separate analyses by state agencies, and that a public independent review of the ESP by the Delta Science Program agreed that seismic levee upgrades were a potentially feasible strategy, the failure of BDCP to include a seismic levee upgrade alternative will almost certainly result in an invalid EIR. Rather than wait for that outcome after years of litigation, seismic levee upgrade alternatives should be added for serious consideration in the BDCP. Good public policy for the State of California demands full consideration of the Delta alternative that previous studies indicate would confer both the highest economic benefits and have the lowest costs to the people of California. The No Project alternative or Delta Corridor alternative (EIR alternative 9) do little to protect against seismic risk and are not substitutes for a seismic levee upgrade alternative.

Like the dual and isolated conveyance alternative, a seismic levee upgrade alternative might consider different sizes and matching habitat measures. The ESP recommends seismic upgrades for between 300 and 600 miles of lowland Delta levees and a significant reduction in the level of tidal habitat restoration proposed in the BDCP. Thus, variations of the seismic levee alternative might consider 300 miles or 600 miles of seismic levee upgrades, paired with 25,000 acres or 10,000 acres of tidal habitat.

Your consideration of this is greatly appreciated.

If you have any questions, please do not hesitate to contact me at 916-375-4800 or michael.machado@delta.ca.gov.

Sincerely,

A handwritten signature in purple ink that reads "Michael Machado". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Michael Machado  
Executive Director

cc: John Laird, Secretary, California Natural Resources Agency  
Phil Isenberg, Chair, Delta Stewardship Council  
Karen Ross, Secretary, California Department of Food and Agriculture  
Mary Piepho, Chair, Contra Costa County Board of Supervisors  
Don Nottoli, Chair, Sacramento County Board of Supervisors  
Steve Bestolarides, Chair, San Joaquin County Board of Supervisors  
Linda Seifert, Chair, Solano County Board of Supervisors  
Jim Provenza, Chair, Yolo County Board of Supervisors  
The Honorable Fran Pavley, Chair, Senate Natural Resources and Water Committee  
The Honorable Jared Huffman, Chair, Assembly Water Parks and Wildlife Committee