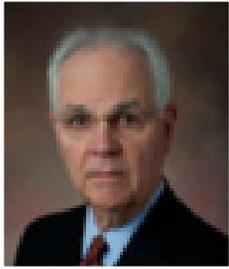


Delta Stewardship Council

VOLUME #2, NOVEMBER 2010



Phil Isenberg

Chairman's Viewpoint

A NEW GOVERNOR AND NEW LEGISLATURE, BUT CONTINUING CHALLENGES

California selected a new Governor this month, along with a lot of new legislators. Voters also approved a majority legislative vote to pass a state budget – but then adopted ballot measures that complicate budget balancing. Go figure!

But regardless of who is elected some big problems remain. A reliable water supply for California, how to protect and improve the Delta ecosystem and protection and enhancement of the Delta are high on that list. Governor Schwarzenegger will continue to work on this problem until his term is finished, and Governor-elect Brown is likely to take up the task as soon as he is sworn into office.

At the Delta Stewardship Council, we are working hard to follow the new water/Delta policy legislation signed into law in 2009. Our biggest job is to adopt an enforceable Delta Plan:

On or before January 1, 2012, the council shall develop, adopt, and commence implementation of the Delta Plan ... that furthers the coequal goals. (CA Water Code §85300(a))

The term “coequal goals” is one we use often at the Council, and it is one that is spelled out clearly in statute:

“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)

You can follow our work on our website deltacouncil.ca.gov, but I strongly recommend you pay attention to a couple of things:

See *Viewpoint*, Page 3

Council Supports Stronger Sacramento-Area Wastewater Discharge Requirements

Charged with ensuring all levels of government help meet the state’s coequal goals of a reliable water supply and a restored Delta ecosystem, the Delta Stewardship Council has voted to support a permit that would require more thorough treatment of Sacramento-area wastewater.

“If we’re serious about the Delta and its future, we have to start doing things differently – upstream, downstream, and in the Delta itself,” said Council Chair Phil Isenberg. “The science is clear, and so is the need for action.”

The NPDES permit that regulates the discharge of treated wastewater from the Sacramento Regional Wastewater Treatment Plant to the Sacramento River is more than 10 years old, and Central Valley Regional Water Quality Control Board staff has recommended a new tentative permit that would bring the Sacramento plant up to the same level of treatment required of all other large wastewater discharges to the Delta. Among other measures, it would reduce the plant’s daily discharge of ammonia into the Sacramento River by 13 tons, from 14 to one.

See *Treatment*, Page 4



Courtesy of Flickr user Ron Reiring

Sacramento-area water users may see cleaner water in the next 10 years under a permit – supported by the Delta Stewardship Council – that would require the Sacramento Regional County Sanitation District to reduce its ammonia discharge by 13 tons per day.

White Papers Provide Firm Foundation for Delta Plan

Seeking common ground from which to begin crafting a Delta Plan, the Delta Stewardship Council will be using a series of white papers to share expert opinion on the host of issues facing the Delta.

The first two white papers, discussed during October's meeting, addressed flood risk and ecosystem restoration, providing historical context and introducing issues that are relevant to the development of a Delta Plan.

"This provokes the conversations that lead to what we will do and the alternatives we will have in the EIR [Environmental Impact Report] and eventually the Delta Plan," said Council Chair Phil Isenberg.

See Papers, Page 4



Courtesy of CH2M HILL

The Delta, composed of thousands of miles of levees, is home to many native species. Flood risk and ecosystem restoration are just two of the many areas the Delta Stewardship Council will consider in creating the Delta Plan.

Contra Costa Project Added to Interim Delta Plan

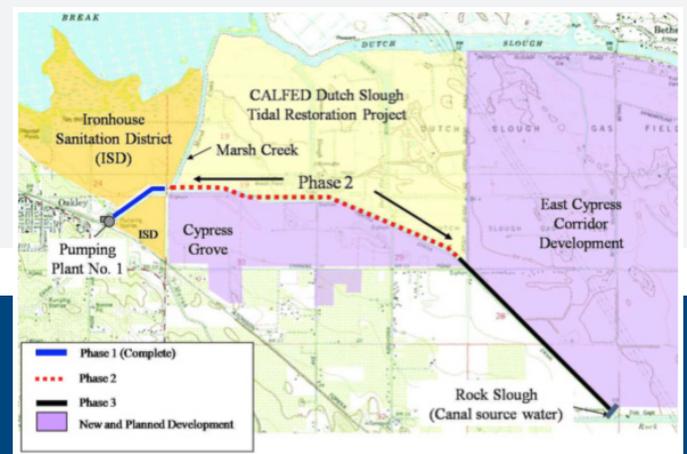
Finding that the work is integral to the restoration of the Dutch Slough Tidal Marsh, the Delta Stewardship Council has added to its Interim Plan a project to replace a 21,000-foot stretch of the unlined Contra Costa Canal with pipeline.

The overall Dutch Slough restoration effort, specially called for in water code statutes, will restore tidal marsh and other native habitats to 1,166 acres of land owned by the Department of Water Resources in eastern Contra Costa County.

The goals of this restoration effort are both targeted and broad. Improved habitat will benefit many species that call the Delta home, including threatened spring run Chinook salmon, endangered winter run Chinook salmon and Sacramento splittail. At the same time, the project will restore natural hydrology and increase nutrients in the larger Delta ecosystem.

The Contra Costa Water District has already completed the \$11-million first phase of the effort, with the second phase expected to cost \$45 million.

The Delta Stewardship Council found that the restoration project meets seven of eight policy goals outlined in the state Water Code, including improving source water quality, flood protection and public safety.



Courtesy of Contra Costa Water District Map

The Contra Costa Canal Levee Elimination Project, currently in Phase 2, runs along the southern boundary of the Dutch Slough Restoration Project. The canal, which will improve source water quality, increase flood protection and improve public safety around its opening, must be encased before the Dutch Slough Restoration project can be completed.

Viewpoint, Continued from Page 1

- **START WITH THE LAW.** Information on the Sacramento-San Joaquin Delta Reform Act of 2009 can be found on our [WEBSITE](#).
- **READ THE SECOND DRAFT NOTICE OF PREPARATION (NOP) [HERE](#),** the key document starting our environmental review process. We have reviewed two draft NOPs after receiving public comments and will adopt the final version for publication in December 2010. Agencies and the public will have a minimum of 45 days to provide comments on the NOP following its publication.

The NOP is the first step in preparation of the Environmental Impact Report (EIR) for the Delta Plan. The NOP provides a notice to federal, state, and local agencies and the public to provide comments on the content of the EIR and the range of alternatives, potentially significant impacts, and mitigation measures that will be addressed in the EIR. Key issues in the NOP surround the extent of the planning area that will be addressed by the Delta Plan alternatives. The NOP identifies the Primary Planning Area, which includes the geographic Delta. The secondary planning area includes areas upstream of the Delta and areas that use water from the Delta watershed – places where decisions about water, flood management, and the ecosystem have the potential to affect the Delta.

The Notice is a starting point. The final alternatives to be evaluated in detail in the EIR can and will be changed after we receive public comments.

- **READ THE DRAFT ENVIRONMENTAL REPORT WHEN IT IS RELEASED IN MID-JUNE 2011.** The Draft EIR will evaluate alternatives that the Delta Stewardship Council will consider during development of the Delta Plan. And, like

the Delta Plan itself, the alternatives will be guided by the legislation, including the eight policy objectives defined by the California Legislature (Section §85020):

- Manage the Delta's water and environmental resources and the water resources of the state over the long term;
- Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place;
- Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem;
- Promote statewide water conservation, water use efficiency and sustainable water use;
- Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta;
- Improve the water conveyance system and expand statewide water storage;
- Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection; and
- Establish a new governance structure with the authority, responsibility, accountability, scientific support and adequate and secure funding to achieve these objectives.

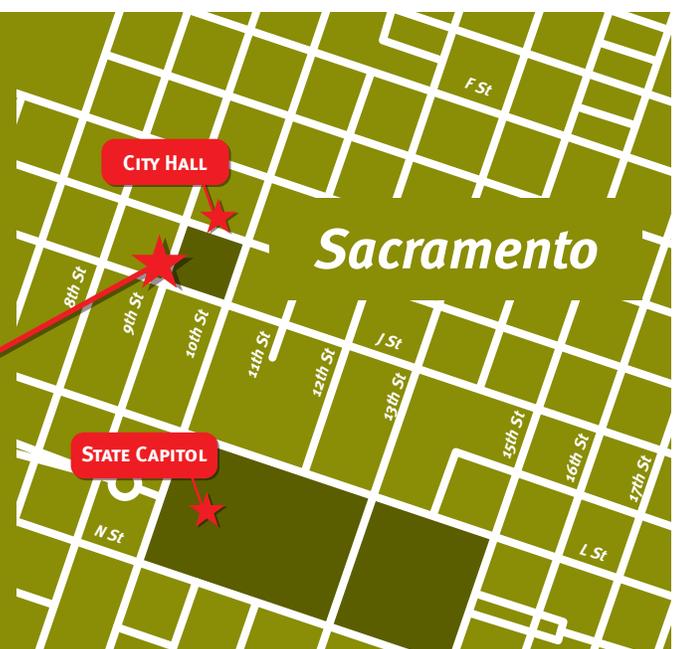
All this sounds complicated, and it is. But the Legislature and Governor want our process to be thoughtful, public, and detailed. Stick with us; the decisions could impact everyone in California.

DELTA STEWARDSHIP COUNCIL GETS A NEW HOME

The Delta Stewardship Council welcomes visitors at its new location. The office remains in the heart of downtown Sacramento, on 9th Street between I and J streets, but now includes easier access and parking for stakeholders and members of the public.

The new address is:

**980 NINTH STREET
SUITE 1500
SACRAMENTO, CALIFORNIA 95814**



Treatment, Continued from Page 1

In recent correspondence to the Central Valley board, Isenberg shared findings by the Council's lead scientist that the proposed permit is consistent with the best available science and is expected to improve water quality and the Delta ecosystem by limiting ammonia discharges into the Sacramento River.

At its October meeting, the Council voted 5-0, with Council Member Don Nottoli abstaining because he also serves on the board of the Sacramento Regional County Sanitation District, to ratify the chairman's letter, which included the findings of Lead Scientist Cliff Dahm in support of the position.

In a memo, Dahm commended the regional water board on its comprehensive assessment of the issues associated with the Sacramento Regional Wastewater Treatment Plant and noted that there is proof of multiple stressors affecting the Delta ecosystem. However, he said, it is also clear that the current balance of nutrients in the ecosystem – particularly ammonia levels – ranks among the most important of these stressors. Excessive amounts of some nutrients can promote the growth of harmful algae, which can degrade its quality both as a habitat for the Delta's native aquatic species and as a source of drinking water.

"The suggestion by the discharger that there is sufficient assimilative capacity in the Sacramento River to absorb 14 tons of ammonia per day runs counter to the mounting chemical and biological evidence downstream of the discharge," Dahm wrote. "It is time to make the (Sacramento plant) a key component of the overall Delta solution by bringing current treatment technology into the 21st century."

Council Member Randy Fiorini put a related observation in blunter terms: "You've been using the Sacramento River to dilute pollution," he told a plant representative at last month's meeting.

The tentative permit under consideration requires ammonia removal, also known as full nitrification, which would necessitate the construction of new nitrification facilities and the increased use of chemicals and/or power to remove ammonia from the discharged wastewater. In addition to the ammonia measures, it would require new microfiltration and UV disinfection.

Sacramento wastewater officials estimate that full compliance with the terms of the permit would require about \$2 billion in capital costs, which could be partially offset through local partnerships or by state or federal funding assistance. Regulators have proposed a 10-year period for compliance with the new permit.

Both Fiorini and Council Member Hank Nordhoff encouraged the Sacramento Regional Sanitation District to consider the financial benefits associated with selling the cleaner water when calculating the ultimate cost of improved water treatment.

The Central Valley Regional Water Control Board is scheduled to take up the matter at its meeting December 8-10 in Cordova.

Progress on Bay Delta Conservation Plan

With notable progress being made on a number of unresolved issues, the Bay Delta Conservation Plan (BDCP) Steering Committee plans to release a public viewing draft Nov. 18.

A consultant to the Delta Stewardship Council outlined the work being done by lead federal and state agencies to prepare the draft, including:

- Good progress on adaptive management;
- Further definition of the proposed BDCP implementation and governance structure; and
- Release of a "roadmap" to revise BDCP goals and objectives.

At its last meeting, the Council directed staff to prepare a draft letter to outline how the organization will interact with the BDCP process and incorporate the final BDCP into the Delta Plan.

The BDCP is intended to serve as a combined Habitat Conservation Plan and Natural Community Conservation Plan, providing the basis for a single biological opinion for water operations in the Delta. It is meant to provide for conservation of sensitive species and their habitats in the Delta in a way that will protect and restore water supplies.

Papers, Continued from Page 2

The white paper found several factors imperiling the Delta ecosystem, including attempts to reclaim farmland, efforts to protect areas from flood and actions to provide water for agriculture. Waste from agriculture, industry and urban areas also damages the Delta.

The debate about the ecosystem and the current situation in the Delta led the Council to consider other topics for future white papers. Isenberg noted the need for research focused on agriculture. At next month's Council meeting, the members will review a white paper regarding land use, which stands likely to include agricultural interests.

"Ecosystem restoration, restoring lands, retiring lands ... have direct and significant ties to putting together a Delta Plan," said Councilmember Don Nottoli.

Council members also agreed on a need for more information related to levee maintenance and construction. The Delta as it exists today is the product of a levee system, which is threatened by flood, earthquakes, sea level change and subsidence (the diminishment of levees).

“We need a Delta levee plan,” said Councilmember Randy Fiorini. “We need a plan like this to catch all the details. We at least need the outline of what a Delta levee plan should look like as we consider alternatives. It will help us be comprehensive in our strategies.”

To review the white papers and other planning documents, click [HERE](#).

ABOUT THE COUNCIL

The Delta Reform Act passed in November 2009 created the seven-member Delta Stewardship Council to ensure that state, regional and local projects and programs in the Delta are consistent with the state’s coequal goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Sacramento-San Joaquin Delta ecosystem. The coequal goals are to 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. A comprehensive Delta Plan will further the coequal goals and guide state and local agency activities related to the Delta.

Please visit our web site deltacouncil.ca.gov



DELTA STEWARDSHIP COUNCIL