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The Delta Vision Foundation was established by former members of the Delta Vision Blue Ribbon Task Force, the independent body convened under Governor's Executive Order S-17-06. The mission of the Delta Vision Foundation is to encourage implementation and progress by the State of California toward achieving the Two Co-Equal Goals as defined in the *Delta Vision Strategic Plan*:

Restore the Delta Ecosystem
Ensure Water Supply Reliability

The Delta Vision Foundation monitors, evaluates, and provides information to government officials, policymakers, and the public about implementing the *Delta Vision Strategic Plan* recommendations as a set of integrated and linked actions.

July 6, 2012

Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Re: *Final Staff Draft Delta Plan*

Dear Chairman Isenberg and Members of the Council:

We commend you and the Delta Stewardship Council (DSC) for making significant progress in developing the *Final Staff Draft Delta Plan*. However, the Delta Vision Foundation (DVF) remains concerned that DSC has yet to convey and underscore the urgency for immediate action and must move forward to provide the essential leadership to implement effective actions to achieve the Two Co-Equal Goals while protecting and enhancing the Delta as an evolving place.

Specifically, Chapter 7, Reducing Risks, defers critical actions required by the 2009 Delta Reform Act until 2015. According to DSC staff, this date is based on the Department of Water Resources (DWR) estimates of study needed to set investment priorities. Without basis or foundation, the DSC has apparently accepted this guidance and further deferred action on this urgent issue. Relying on DWR for study design on this critical issue is ill-advised, as evidenced by the history of inaction and endless studies in the Delta.

In 1983, a DWR Flood Hazard Mitigation Plan called for preparing a Delta levee project: "The State intends to develop a comprehensive federal-state-local flood control project that would consider all islands in the Delta and to seek legislation to finance the non-federal share."¹ The 1983 report listed 30 islands as likely priorities, but no subsequent plan or report was prepared.

The 2000 CALFED Record of Decision called for improvements in through-Delta conveyance to improve Delta levees and water supply reliability. In seven years, DWR failed to advance through-Delta conveyance or provide seismic protection for critical levees.

In 2009, the Legislature created the DSC to coordinate and implement actions that had been deferred or delayed for 15 years or more. The Delta Reform Act specifically directed DSC to include levee investment priorities in the *Delta Plan*, in large part because in 26 years, DWR had failed to develop a levee plan or investment priorities. Now, nearly three years later, as the *Delta Plan* nears completion, the DSC has not yet developed levee investment priorities.

¹ *Flood Hazard Mitigation Plan for the Sacramento-San Joaquin Delta*, Department of Water Resources, September 15, 1983, page 2.

Early drafts of the DSC *Delta Plan* assigned the levee investment priorities to DWR, contrary to the Legislative direction. At least the DSC has changed the language such that DSC is now establishing priorities. However, this is clearly a false pretense. Recent statements by Mr. Grindstaff indicate that the DSC is relying on DWR to plan, schedule, and complete the priorities. DWR has repeatedly demonstrated that it lacks the urgency, planning capability, and implementation capacity to address levee priorities in the Delta.

Councilmember Nordhoff has provided a prioritizing approach and repeatedly suggested that the effort should take no longer than six months. Oral and written comments from DVF in September 2011, March 2012, April 2012, and again in June 2012 have suggested specific priorities that could be adopted now and a process for completing a comprehensive set of priorities within one to two months. Several Delta stakeholders have made similar suggestions.

Instead of a reasoned presentation or discussion of how the priorities can be completed promptly to guide investment of current bond funds, DSC has ignored the suggestions and deferred the priorities to 2015, by which time existing resources would likely be committed or expended. In the meantime, we can look forward to the mind-numbing debate between DWR and Delta stakeholders about levee standards. At a minimum, the DSC should be a better referee.

If the DSC and DWR actually complete the priorities by 2015, that will be 31 years after the DWR report called for a plan, 15 years after the CALFED Record of Decision, and 5+ years after the Legislature directed the DSC to prepare the *Delta Plan*. This lack of progress is discouraging and alarming because the DSC has been the primary hope and promise for addressing the urgent levee, water supply, and ecosystem issues in the Delta.

We write this strongly-worded letter with both sincere respect and deep concern to encourage you to incorporate essential provisions into the *Delta Plan* and provide the requisite leadership for immediate actions to begin achieving the Two Co-Equal Goals. The Legislature established the DSC as a small, nimble organization to provide leadership and coordination to cut through bureaucratic inertia, particularly on critical Delta issues. Instead, the *Final Staff Draft Delta Plan* lacks the sense of urgency and critical path to achieve results. It simply calls for more planning and studies on important issues—levee investment priorities, near-term action plans, water storage plans, and performance measures.

Achieving the Two Co-Equal Goals while protecting and enhancing the Delta as place requires bold leadership, strong coordination, and decisive action. We implore the DSC to seize the opportunity to demonstrate these capabilities and chart a new course for the Delta.

Please contact Charles Gardiner if you have any questions or additional needs.

Sincerely,



Sunne Wright McPeak
President, Delta Vision Foundation



Charles L. Gardiner
Executive Director

Cc: Joe Grindstaff, Delta Stewardship Council
DVF Board of Directors