



June 13, 2012

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Mr. Phil Isenberg  
Chair  
Delta Stewardship Council  
980 Ninth Street, Suite 1500  
Sacramento, CA 95814

Via email: [DeltaPlanComment@deltacouncil.ca.gov](mailto:DeltaPlanComment@deltacouncil.ca.gov)

**Subject: EMWD Comments on the Sixth Staff Draft of the Delta Plan**

Dear Chairman Isenberg:

Eastern Municipal Water District (EMWD) appreciates the opportunity to review and comment on the sixth staff draft of the Delta Plan. The Delta Plan is of critical importance to the success of establishing a fix within the Delta and we believe that this draft is an improvement over previous drafts. EMWD would like to express our appreciation to both the Strategic Growth Council (Council) and staff for considering and incorporating many of the comments offered by public water agencies and the Ag Urban Coalition.

In particular, EMWD would like to commend the progress made in the sixth draft in addressing the multitude of stressors impacting the Delta ecosystem. As an agency committed to meeting the coequal goals of ecosystem restoration and water supply reliability, EMWD believes that a successful plan must effectively reduce the impacts of all stressors in the Delta environment in order to assure a healthy ecosystem that can support native species.

Importantly, this sixth draft recommends actions to assist in the recovery of endangered and threatened species. For example, it calls upon the State Water Resources Control Board and Regional Water Quality Control Boards to expeditiously address nutrient and pollution issues; recommends “marking” hatchery salmon, which could lead to a successful “mark-select” harvest system like the one in place in the northwest to help protect the naturally spawning fish from adverse effects of overfishing; and proposes a number of actions to address salmon predation.

In addition, this draft focuses more appropriately on functions of water flow in the ecosystem, rather than considering flow in an abstract or isolated manner. Water flows need to be considered along with physical habitat availability in a manner that provides overall benefit to Delta species. We support the more specific comments provided by the State and Federal Contractors Water Agency regarding water flow and hope to see additional progress on the description of water flows in the final Plan.

We are also pleased to see that this sixth draft lays out a process to develop a levee investment priority strategy by 2015. The Delta Reform Act of 2009 assigned the Council the task to prioritize public levee investments in the Delta. Past drafts largely left this task to the Department of Water Resources. We support the process outlined in this sixth draft, and

because we remain concerned about the seismic threats in the Delta, we urge the Council to consider moving up this deadline to the end of 2013.

There are two provisions within this sixth draft Plan that remains of concern to our agency related to "reduced reliance" on the Delta and the Bay Delta Conservation Plan (BDCP). With regard to the reduced reliance provisions outlined in Chapter 3 of the Plan, while the language is improved, some important clarifications are still needed. The Delta Reform Act gave the Council appellate jurisdiction over certain actions in the legally defined Delta and Suisun Marsh. It did not extend that jurisdiction south of the Delta or give the Council regulatory authority to review water management decisions in other parts of the state. The draft Plan should recognize and respect a local agency's authority in managing its water supplies and not try to impose water management requirements on agencies outside of the legally-defined Delta. We urge you to work with Metropolitan Water District of Southern California this month to develop language that will clarify this issue for the final Delta Plan.

Finally, as articulated in EMWD's previous Delta Plan comment letters, we continue to have concerns with the way the BDCP is addressed in both the body and the appendix of the Delta Plan. The final Delta Plan should clarify the responsibility of the Council to incorporate the BDCP into the Delta Plan.

Thank you for the opportunity to comment on the sixth staff draft of the Delta Plan. We strongly encourage the Council staff to work with the water community to address the areas of the draft Plan that needs further refinement. If you have any questions regarding this correspondence, please feel free to contact me at (951) 928-6130 or by e-mail at [jonesp@emwd.org](mailto:jonesp@emwd.org).

Sincerely,



Paul D. Jones II, P.E.  
General Manager

cc: Senator Bill Emmerson  
Senator Bob Dutton  
Senator Joel Anderson  
Assemblyman Paul Cook  
Assemblyman Kevin Jeffries  
Assemblyman Mike Morrell  
Assemblyman Brian Nestande  
Assemblyman V. Manuel Perez  
Metropolitan Water District of Southern California