

From: [Tom Williams](#)
To: [Scoping_Delta_Plan@Delta Council](mailto:Scoping_Delta_Plan@Delta_Council)
Subject: Responses to Delta Plan NOP
Date: Friday, January 28, 2011 6:00:16 PM
Attachments: [ISD Response Letter 1-28-11.pdf](#)

Ms. Macaulay, as mentioned in my letter sent earlier today via US mail, I am also sending our response via email. However, due to the size of the Ironhouse Supplemental DEIR I sent on a disc via the mail, I am not sending it via email. Should you have any questions, please do not hesitate to contact me at (925) 625-2279.

Sincerely,

Thomas Williams
General Manager
Ironhouse Sanitary District
450 Walnut Meadows Drive
Oakley, Ca. 94561
Office: (925) 625-2279
Fax: (925) 625-0169
williams@isd.us.com

Fax
(925) 625-0169



IRONHOUSE SANITARY DISTRICT
450 Walnut Meadows Drive . P.O. Box 1105 . Oakley, CA 94561

Telephone
(925) 625-2279

January 28, 2011

VIA: U. S. Mail and E-mail
Ms. Terry Macaulay
Delta Stewardship Council
980 Ninth Street, Suite 1500 31
Sacramento, CA 95814 32
deltaplanscoping@deltacouncil.ca.gov

RE: Response to Notice of Preparation, Draft Environmental Impact
Report for the Delta Plan

Dear Ms. Macaulay:

Ironhouse Sanitary District (“ISD”) has received the Notice of Preparation (NOP) for the Draft Environmental Impact Report (“DEIR”) for the Delta Plan. According to Attachment 1 of the NOP, ISD is both a “responsible” and a “trustee” agency under the California Environmental Quality Act (CEQA) with respect to the development of the Delta Plan Environmental Impact Report (“EIR”). ISD is pleased to submit the following comments in response to the NOP, but first this letter presents background information on ISD.

Background

ISD’s primary mission is “To proactively serve and satisfy [its] customers” in the City of Oakley, Bethel Island, and unincorporated areas in eastern Contra Costa County “by improving the cost effectiveness of [its] service by building a team of people who will develop and maintain a quality service oriented attitude.”¹ To this end, ISD is building a new wastewater treatment plant which will enable the district to meet the capacity demands of its growing customer base. Ground was broken on April 22, 2009, with construction anticipated to be complete in October 2011. Please allow me to invite you to visit the ISD website
<http://www.ironhousesanitarydistrict.com/pages/plant/plant.html>

¹ Ironhouse Sanitary District Bylaws, June 1, 2010, p. 5.

where updates on the construction process are posted.

ISD is constructing the new wastewater treatment plant on a portion of the 285-acre property which it owns located adjacent to the south side of Big Break and the San Joaquin River in Oakley, Contra Costa County, California. Please see Figure 2-1, attached.² This 285-acre property is sometimes referred to as the “mainland.” Currently, 168 acres of the mainland are used to grow crops that are irrigated with treated wastewater (i.e., land application).

With the exception of a 57-acre parcel, ISD also owns approximately 3,500 acres on nearby Jersey Island. ISD manages its lands on Jersey Island as an integral part of its wastewater treatment process. ISD applies some of its treated wastewater to 450 acres to produce irrigated pasture and forage crops consumed by the approximately 2,000 head Jersey Island cattle herd which ISD manages as a cow/calf operation. In this manner, the pasture and forage crops absorb the nutrients present in the treated wastewater and are disposed of biologically rather than by mechanical means. Forage not consumed by the cattle herd is sold commercially. Revenue from the sales of the cattle and forage crops offset ISD’s cost of operations, thereby in some measure reducing the service charge paid by ISD rate payers.

Prior to the start of construction of the new wastewater treatment plant, the Board of Directors of ISD certified a Final Supplemental Environmental Impact Report (FSEIR) which analyzed the impacts of the new wastewater treatment plant.³ Under cover of this letter I am providing an electronic copy of this document to the Delta Stewardship Council for its use in preparing the Delta Plan.

ISD and its Relation to the Delta Plan

All 285 acres of the ISD mainland property and all of the approximately 3,500 acres on Jersey Island are located within the Primary Planning Area for the Delta Plan which is shown on Figure 1 at page 12 of the NOP. ISD

² Supplemental Environmental Impact Report for Ironhouse Sanitary District Wastewater Treatment Plant Expansion, Volume 1, Figure 2-3, October 2006.

³ Ironhouse Sanitary District Resolution No. 07-02, January 16, 2007.

has a substantial, vested interest in the future of the Sacramento-San Joaquin Delta and supports the preparation of the Delta Plan because there is a certain and imminent urgency associated with its preparation. As noted at page 4 of the NOP:

“..... the Department of Water Resources [has] completed several studies that identified a higher risk of Delta levee failure due to earthquakes than was previously understood, and that the levee failures would place public lives and Delta property at risk, interruption of reliable water supplies, reduce water quality of Delta water supplies, and possibly degrade ecosystems. The studies also described potential adverse effects to levee integrity, water quality, and water supplies that would be caused by **up to 55-inches of sea level rise that could occur by 2100.**” (Emphasis added.)

ISD believes that the Delta Plan must address the dual threats posed by levee failure and sea level rise (SLR) and the Draft EIR being prepared for the Plan is an essential component of the Plan preparation process. ISD, through the submission of these comments in response to the NOP, intends to focus the attention of the Delta Stewardship Council and the Delta Plan on ISD’s mainland and Jersey Island landholdings and the wastewater treatment facilities located on them.

Impact of the Delta Plan on the DPC’s Land Use and Resource Management Plan

In 1995, the Delta Protection Commission adopted a Land Use and Resource Management Plan (“Plan”) for the Primary Zone⁴ of the Delta. As adopted, the Infrastructure Section of the Plan contained the following Policy:

P-3. Ensure that new municipal sewage treatment facilities (including storage ponds) that support development or business outside of the Delta Primary Zone are not located within the Delta Primary Zone. The Rio Vista project, as described in the adopted Final

⁴ The Primary Zone defined by the Delta Protection Act of 1992, as well as the Secondary Zone which is the area outside the Primary Zone and within the “Legal Delta,” are both within the Primary Planning Area of the Delta Plan. NOP, Figure 1, p. 12.

Environmental Impact Report for such project, and **the Ironhouse Sanitary District use of Jersey Island for disposal of treated wastewater and biosolids are exempt from this policy.** (Emphasis added.)

The Plan was updated and readopted on February 25, 2010 and Policy P-3 was not changed. The NOP notes at page 1: "Several concurrent planning efforts will be reviewed during preparation of the Delta Plan, including the Delta Protection Commission Land Use and Resources Management Plan." In order to preserve and maintain ISD's ongoing ability to use Jersey Island for wastewater treatment and biosolids disposal, the Delta Plan must incorporate Policy P-3 verbatim or incorporate a substantially similar policy. In either case, ISD requests that the Draft EIR analyze the incorporation Policy P-3 or a similar policy into the Delta Plan.

Impact of the Delta Plan on Sea Level Rise (SLR)

ISD understands and appreciates the gravity of SLR. ISD requests that the Draft EIR and the Delta Plan analyze how the Delta Plan will mitigate the impacts of SLR on the western Delta Islands and preserve ISD's ability to perform its primary mission as it manages its mainland and Jersey Island properties.

Impact of the Delta Plan on the Existing Governance Structure of the Delta

Among other provisions, SBX7 1 (November 2009) enacted Section 85020 of the Water Code, which provides:

The policy of the State of California is to achieve the following objectives that the Legislature declares are inherent in the coequal goals for management of the Delta:

(h) Establish a new governance structure with the authority, responsibility, accountability, scientific support, and adequate and secure funding to achieve these [(a) through (g)] objectives.

Among the challenges facing ISD are: (a) the impact of the Delta Plan on the level of growth and development within the Primary Planning Area as it affects ISD's rate base, i.e. the change in the number of ISD ratepayers and the impact of this change on ISD's long-term ability to operate in a cost-effective manner, and (b) the long-term disposition of Jersey Island. In regard to the latter, ISD desires to preserve its options and to not have them limited by the new governance structure. ISD requests that the Draft EIR comment on the potential impacts of this new governance structure on elements of the existing governance structure, including ISD, and their ability to achieve their own objectives.

Impact of the Delta Plan on Carbon Sequestration and Greenhouse Gas Emissions-Climate Change

At page 25 the NOP states:

The EIR will evaluate potential effects on greenhouse gas emissions, such as those that could occur through programs that would require construction, and major operational activities and/or energy for operations that could affect greenhouse gas emissions or carbon sequestration. The EIR will discuss the potential for future activities that could occur under the alternatives to reduce or increase greenhouse gas emissions, **including potential use of ecosystem restoration actions to reduce carbon emissions from soils, that could contribute to climate changes.** The EIR will describe thresholds of significance or methods to define significance under various conditions, and **programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant.** The potential for effects would be addressed on an air quality basin and statewide basis. (Emphasis added.)

ISD requests that the Draft EIR, in concert with the preparation of the Delta Plan, analyze the potential use of Jersey Island for ecosystem restoration. ISD has preliminarily explored, both independently and in cooperation with state agencies, the potential use of portions of Jersey Island for ecosystem restoration actions which would reduce carbon emissions from soils that

could contribute to climate change. For example, ISD has explored the concept of constructing "cut-off" levees dividing Jersey Island into three areas so that one of the areas could be flooded to reduce oxidation of the peat soils, thereby reducing subsidence of the surface of Jersey Island. This is but one example of how Jersey Island could be used to achieve the goals of the Delta Plan as well as to mitigate its impacts.

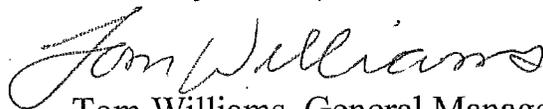
Impact of the Delta Plan on the Jersey Island Management Plan.

In June 2000, ISD undertook the preparation of the Jersey Island Management Plan and by April 2003 had completed a comprehensive Background Report. Shortly thereafter, ISD focused its attention and resources on the work necessary to design, analyze environmental impacts and obtain the permits for the new Wastewater Treatment Plant, and work on the Management Plan was suspended. Once the new Treatment Plant is operational sometime in October 2011, ISD intends to resume work on the Management Plan. ISD wants the Delta Stewardship Council to be aware of this effort and ISD intends to coordinate this effort with the preparation of the Delta Plan.

Conclusion

Thank you for sending the NOP to ISD and we look forward to the opportunity to comment on the Draft EIR and its analysis of the above and other issues of great importance to the Delta Plan and to the future of California.

Sincerely,



Tom Williams, General Manager

Cc: ISD Board of Directors and General Counsel

Attachments:

- (a) Figure 2-1: General Location Map & Existing ISD Project Facilities.
- (b) Disk containing Supplemental Environmental Impact Report for Ironhouse Sanitary District Wastewater Treatment Plant Expansion, Volume 1, Figure 2-3, October 2006.

