



DELTA STEWARDSHIP COUNCIL
A California State Agency

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June 27, 2012

Ms. Janice Piñero
Endangered Species Act Specialist
Bureau of Reclamation, Bay-Delta Office
801 I Street, Suite 140
Sacramento, CA 95814

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli
Felicia Marcus

Executive Officer
P. Joseph Grindstaff

Re: Scoping Comments on Notice of Intent to Prepare an Environmental Impact Statement on Remanded Biological Opinions on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project

Dear Ms. Piñero,

The Delta Stewardship Council appreciates the opportunity to provide comments on the Bureau of Reclamation's Notice of Intent to Prepare an Environmental Impact Statement for the Remanded Biological Opinions on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project (EIS).

The coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem are now state law, and also recognized in federal law. In their March 2, 2012 letter to the California Legislature, David J. Hayes, Deputy Secretary of the Interior, and John Laird, California Secretary for Natural Resources, said California Governor Brown and Secretary of the Interior Ken Salazar have "...reinforced their joint commitment to effective actions to achieve both a healthy San Francisco Bay Delta ecosystem and a reliable water supply."

This EIS presents an important opportunity not only to comply with the requirements of NEPA and the Endangered Species Act, but to evaluate the actions through the prism of the coequal goals. In particular, regarding the areas of potential impact from implementing the proposed project, the Council requests that water supply reliability as well as the ecosystem be considered under the impacts analysis. It is the policy of the state of California that the coequal goals be considered together without giving deferential treatment to either goal.

The Council also requests, to the extent that it may be appropriate as part of this EIS, an expansion of the fish species to be analyzed; at a minimum, being consistent with the list of fish species being analyzed in the Bay Delta Conservation Plan. The Delta Stewardship Council's draft Delta Plan does not

"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

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attempt to protect, restore and enhance the Delta ecosystem for only specific species, rather the Delta Stewardship Council believes a more holistic approach to the ecosystem and all its native fish species would be more effective. The Bureau of Reclamation may now have an opportunity to expand the analysis of the long-term operations beyond only those fish species currently listed, and include species, such as longfin smelt, which have a high likely hood of becoming listed sometime in the near future. Consistency of the fish species between this EIS and the BDCP should harmonize the analysis efforts and minimize any duplicate analysis between the operation of the two very related projects. Consistency with the BDCP fish species will add several additional fish species to the EIS, including the aforementioned longfin smelt, white sturgeon, Sacramento splittail, river lamprey and Pacific lamprey.

We appreciate the opportunity to provide comments on this Notice of Intent. If you have any questions regarding these comments, please contact Kevan Samsam of my staff at (916) 445-5011.

Sincerely,



P. Joseph Grindstaff
Executive Officer

cc: Delta Stewardship Council Members