

From: Ken [mailto:ken@shapesearch.com]
Sent: Sunday, January 13, 2013 8:38 PM
To: Messer, Cindy@DeltaCouncil
Subject: Comments on Proposed Rulemaking - Final Draft Delta Plan

The Council should include regulatory policies governing conveyance, including the peripheral canal, because we need you to be the judge of whether the canal harms the Delta. The water contractors are running the BDCP and we certainly can't depend on them.

How can the Council decide what is good for the Delta when it doesn't take account of the peripheral canal? The canal is the biggest threat to the Delta. Trying to build a plan to restore the Delta while ignoring the canal just doesn't make sense.

We are opposed to the giant tunnels that the water contractors are pushing to drain the Delta. We understand that you have decided you don't have any authority to determine if the tunnels are a threat to the Delta or not. How can this be? How can you be the chief protector of the Delta yet you don't have any say so over the tunnels?

The Delta Plan says that you only have "contingent" authority over new conveyance facilities (AKA the GIANT tunnels). This makes no sense. You are responsible to see that the Delta is brought back to life. How can you accomplish your mission if you have to stand by and allow the water contractors to drain the Delta?

We understand that the State Water Resources Control Board is supposed to provide you with information about how much water must stay in the Delta and how much can be exported. But you have completed the Delta Plan before you even have that information. How can you say what is needed for the Delta when you don't have the most basic scientific information?

How can you achieve the co-equal goal of restoring the Delta when you don't even know how much water can safely be exported because the State Water Resources Control board hasn't provide the required scientific information? Aren't you putting the cart before the horse by going ahead with the Delta Plan when you don't have this information?

Why doesn't the Delta Plan discuss alternatives to the giant tunnels? What about Dr. Pyke's concept for a smaller facility in the west Delta?

Why doesn't the Delta Plan discuss the many alternatives to the giant tunnels submitted by many environmental groups?

Why does the Delta Plan assume that the only answer to California's water needs is the Giant tunnel project? Shouldn't you include in the regulations a range of alternatives that should be considered before deciding on the tunnels? What about the west Delta Intake Concept? What about harvesting flood waters from the Yolo Bypass or Sacramento Weir instead of taking water out of the Delta?

We think the regulations don't make sense because they don't say anything at all about how you will decide to approve or disapprove the giant tunnels. You've been at this for years. Surely by

now you could have developed some regulatory criteria to judge the tunnel project. Please go back to the drawing board and come up with some regulations that have teeth.

Why don't the regulations require the water contractors to consider a plan where they would harvest the millions of gallons of water that are wasted when the big storms come and the flow of the Sacramento River is diverted down the Yolo Bypass and over the flood control weirs into farmers fields. It make more sense to take this water than to drain the Delta.

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