

LO174 GCID



February 1, 2012

VIA ELECTRONIC MAIL: eircomments@deltacouncil.ca.gov

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

Re: Draft Delta Plan Environmental Impact Report

Dear Chairman Isenberg and Members of the Council:

Glenn-Colusa Irrigation District (GCID) is located in the heart of the Sacramento Valley and is one of the most senior diverters of water from the Sacramento River. GCID diverts water from the Sacramento River through a 65-mile long irrigation canal into a complex system of nearly 500 miles of laterals irrigating approximately 141,000 acres of valuable, productive agricultural land and delivering water to three wildlife refuges – the Sacramento, Delevan and Colusa National Wildlife Refuges that comprise over 20,000 acres of critical wildlife habitat. Farmers within GCID grow such diverse crops as rice, wheat, tomatoes, cotton, corn, walnuts, almonds and pistachios, which are shipped across the nation and the world. GCID also delivers water in the fall and winter to over 30,000 acres of private farmland, which is used for wintering habitat and food for migrating waterfowl and other aquatic and terrestrial species.

LO174-1

GCID has reviewed the Draft Delta Plan Program Environmental Impact Report (the “DEIR”) and our comments are outlined below. GCID also joins in and incorporates fully the comment letter submitted by the Northern California Water Association on the DEIR.

LO174-2

The DEIR Fails to Adequately Address the Potential Impacts from Implementing A “More Natural Flow Regime” in the Delta

The DEIR confirms that the draft Delta Plan’s¹ primary ecosystem tool involves the implementation of a “more natural flow regime.” To that end, Section 2.2.4.1 of the

¹ The DEIR was prepared for the project outlined in the 5th Staff Draft of the Delta Plan, dated August 2, 2011. To the extent there are any changes to the 5th Staff Draft of the Delta Plan, GCID reserves the right to provide additional comments on the Delta Plan as it is considered by the Delta Stewardship Council. Given the deficiencies in the DEIR and the fact that the Delta Plan continues to be revised, it is likely that a revised environmental document will need to be recirculated. Once this occurs, GCID will review and provide additional comments.

LO174-3

DIRECTORS

Peter D. Knight
DIVISION 1
Sandy Willard Denn
DIVISION 2
John P. Sutton
DIVISION 3
Donald R. Bransford
DIVISION 4
Bruce Rolan
DIVISION 5

MANAGER

Thaddeus L. Beltner
GENERAL MANAGER

COUNSEL

Somach, Simmons
& Dunn

Response to comment LO174-1

Comment noted.

Response to comment LO174-2

Comment noted.

Response to comment LO174-3

Regarding the impacts of the recommended Delta flow regime, please refer to Master Response 5. Regarding revisions to the Delta Plan, the Recirculated Draft PEIR analyzes the environmental impacts of the Final Draft Delta Plan, which the Council will consider for approval.

Mr. Phil Isenberg
February 1, 2012
Page Two

DEIR states that the proposed project includes through ER P1, direction to the State Water Resources Control Board (SWRCB) to complete “flow objectives and flow criteria by 2014 and 2018 [for the Delta and high-priority tributaries in the Delta watershed], respectively” (DEIR, p. 2A-39.) The DEIR assumes that the SWRCB “will meet the recommended deadlines” and that proposed policy ER P1 “could encourage a more natural flow regime in the Delta.”² (DEIR, p. 2A-39.)

Implementing a “more natural flow regime” will likely have significant impacts on the water availability for a myriad of beneficial uses in the Sacramento Valley. Available information demonstrates that implementing such a flow regime, geared towards improving fisheries in the Delta, could have very significant impacts on the Sacramento Valley’s fisheries, including its populations of Chinook salmon and steelhead. In fact, an April 2011 report³ reveals that implementing the type of natural flow regime recommended by the Delta Plan could undermine 20 years of work to improve conditions for salmon in the Sacramento Valley. Available information also shows that implementing a “more natural flow regime” will significantly impair existing beneficial uses for water upstream of the Delta. These reduced diversions in turn would have significant adverse impacts on birds using the Pacific Flyway; terrestrial species that use the Sacramento Valley’s farmlands as habitat; Sacramento Valley’s wildlife refuges; hydroelectric generation associated with the Sacramento Valley’s reservoirs (which would likely result in increased greenhouse gas emissions); recreation, including the major reservoirs in the region; and groundwater resources as a result of additional pumping to make up for lost surface water supplies.⁴

Regarding impacts on upstream fisheries, during the SWRCB’s 2010 Delta flow criteria proceeding, the Sacramento Valley Water User (SVWU) group presented testimony concerning hydrological modeling of some of the flow criteria proposals for consideration by the SWRCB. The hydrological testimony concerned, among other proposals, flow regimes proposed by members of UC Davis’s Center for Watershed Sciences to provide enhanced ecosystem services in the Delta watershed, including significantly increased Sacramento River flows to benefit salmon and significantly increased Delta outflows to benefit delta smelt (exhibit SVWU-60).⁵ The SVWU hydrological testimony demonstrates that such a flow regime would:

² The Delta Plan and DEIR rely upon the success of the policies and recommendations to achieve the coequal goals. The Draft Plan and DEIR cannot assume that the recommendations will be carried out, while failing to discuss the impacts of carrying out those recommendations.

³ Vogel, *Insights into the Problems, Progress, and Potential Solutions for Sacramento River Basin Native Anadromous Fish Restoration*, April 2011.

⁴ See comment letter on DEIR submitted by Northern California Water Association

⁵ All of the testimony and exhibits presented to the SWRCB by the SVWU group, including the referenced UC Davis report, are available on the SWRCB’s Web site at http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/svwu.shtml and have been available there since 2010.

No comments

- n/a -

LO174-3

Mr. Phil Isenberg
February 1, 2012
Page Three

- Significantly reduce storage in Shasta, Oroville and Folsom Reservoirs, with storage levels being drawn below levels specified for water temperature control in the National Marine Fisheries Service's last Central Valley salmon biological opinion, and even to dead pool in many years; and
- Significantly increase streamflows in the March-May period and significantly decrease streamflows during the rest of the year, resulting in probable violations of water temperature standards set to protect listed fish species.

LO174-3

In addition to the significant adverse environmental impacts to upstream fisheries, the DEIR's discussion of upstream water supply impacts is inadequate. While the DEIR posits that the proposed project would result in less-than-significant water-supply impacts because water users would augment their water supplies by implementing more local and regional water projects (DEIR, p. 3-85.), the DEIR fails to discuss where new local and regional supplies would come from for those that currently depend on "Delta water" as the sole available source of water. In the Sacramento Valley, for example, local and regional water projects generally rely on the use of water sources that are tributary to the Delta. Any expansion of existing local and regional water projects in the Sacramento Valley generally would increase the use of water from the Delta's tributaries. The DEIR simply fails to acknowledge these realities and account for differences in the water supplies available to the Sacramento Valley and those available to export areas. It would be impossible for the Sacramento Valley to significantly compensate for water-supply impacts caused by the implementation of a "more natural flow regime" when the available water sources essentially are all tributary to the Delta. The DEIR's discussion of the proposed project's water-supply impacts, therefore, fails to comply with CEQA.

The DEIR's Discussion of Water Resources in the Sacramento River Valley is Inadequate.

The inadequacies in the DEIR's discussion of upstream impacts likely result from the inadequate and erroneous discussion of the current environmental baseline setting in the Sacramento Valley. For example, the DEIR's discussion of environmental water use in the Sacramento River is woefully inadequate. The entire discussion is limited to less than twelve lines of text, with no mention of the substantial work undertaken to improve fish habitat far upstream on the Sacramento River, and no mention of the existing minimum instream flow criteria in several areas of the River.⁶ Without a complete and thorough discussion of the Sacramento River watershed, its habitat and existing flow patterns and regime, it is not possible for the public to understand what types of environmental impacts

LO174-4

⁶ The Northern California Water Association submitted a description of the existing streamflow requirements for the Sacramento Valley's major rivers under a September 30, 2011 letter to the Council.⁶

Response to comment LO174-4

Please refer to Master Responses 2 and 5.

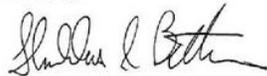
Mr. Phil Isenberg
February 1, 2012
Page Four

might result from implementation of the Delta Plan, particularly as it relates to the Plan's preference for a more natural flow regime.

In addition, Table 3-1 appears to contain errors or require some explanation. Table 3-1, for example, suggests that in 2001, there were 8,843,000 acre-feet of surface water supplies available in the Sacramento River watershed. In 2002, that number drops, according to the Table, to 4,799,800 acre-feet. How is it that the entire surface water supply for the Sacramento River watershed was reduced by nearly half from 2001 to 2002? In 2001, the breakdown of surface water supplies does not appear to add up to the total surface water supplies for that year.⁷ The breakdown in deliveries for 2002, on the other hand, exceeds the total amount of surface water supplies available. If these figures are indeed wrong, then the DEIR has failed to provide the reader with an understanding of the current environmental setting, and prevents an understanding of the environmental and water supply impacts of the Plan. It is also unclear whether these apparent errors are a symptom of problems throughout the DEIR, or if they are isolated.

The DEIR must be revised to provide an adequate discussion of water use in the Sacramento Valley and to correct or explain the information on Sacramento Valley water supplies. The DEIR must also be revised to identify the potential upstream impacts resulting from the implementation of the Delta Plan's preference for Delta fisheries and call for a more natural flow regime that is Delta centric. Once these revisions are made and the DEIR is recirculated, GCID will provide more detailed comments. If you have any questions, or need additional information, please do not hesitate to contact me.

Sincerely,



Thaddeus L. Bettner
General Manager

⁷ The Table shows a total, for 2001, of 8,843,000 acre-feet of surface water supply, with 8,500 acre-feet of local deliveries, 2,497,300 acre-feet of CVP deliveries, 239,500 acre-feet of "other federal deliveries," and 19,600 acre-feet of SWP deliveries.

Response to comment LO174-5

The information presented in Table 3-1 is as estimated (not measured) by the Department of Water Resources in the 2009 California Water Plan Update, as explained in the notes to the table. The DWR 2009 California Water Plan Update included the following values for "Local Deliveries" in the Sacramento River watershed:

Subbasin	2001	2002
Shasta-Pit	203.2	271.7
Upper NW Valley	7.4	8.3
Lower NW Valley	4.3	5.1
NE Valley	138.2	143.8
Southwest	13.9	19.5
Colusa Basin	26.7	7.3
Butte-Sutter-Yuba	1,567.7	1,564.2
Southeast	1,006.3	875.7
Central Basin West	311.0	220.6
Delta	5065.5	1228.2
Central Basin	498.8	455.4
TOTAL	8,843.0	4,799.8

The total for 2001 is within 0.04% of the sum of the individual values. The total for 2002 is within 0.002% of the sum of the individual values. The differences are due to rounding errors.

Response to comment LO174-6

Please refer to the responses to the previous comments.