

From: [Janet McCleery](#)
To: [Delta Council Delta Plan Comments](#)
Subject: Comments on the Delta Plan Final Draft
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Attachments: [DeltaPlanComments_022912.docx](#)

Attached are my comments on the Delta Plan Final Draft. They are also attached as a Word document. Thank you for your consideration.

COMMENTS on the FINAL DRAFT DELTA PLAN

I was happy to read the positive efforts in the plan to represent the Delta as a place, include boating, and address the primary Delta issue of survival of both marine life (especially salmon) and water fowl which we so love to see flying over our homes.

Boating obstructions: I am glad to see the Plan now incorporates recognition of the effect of boating on the local communities, economy, and way of life. However, the Boating section fails to identify the need to adhere to the Rivers and Harbors Act and maintain the right of passage for boaters. This is needed to provide true protection for boating. The BDCP and USBR projects have in the past proposed installing gates blocking passageway between various Delta Communities, to the rest of the Delta, and out to the ocean. Fortunately to-date, these projects have been blocked or on indefinite hold. Since communities such as Discovery Bay were established as boating communities, property values, commerce and local economies are dependent upon being able to navigate in and out of the community. The Two-Gates project planned in 2009 would have significantly prohibited boating. Today, the only obstruction to access to Discovery Bay is the railroad trestle. To assure navigation, the trestle was constructed with two duplicate bridges. The Coast Guard will not approve shutting the primary bridge down for maintenance unless the alternate bridge is manned and operational 24 x 7 during that timeframe. To protect the Delta Communities, the same operational guidelines need to be enforced for any new structures. The proponents' of the various gates projects claimed that boats can navigate through such gates when open or can safely be in the adjacent waterways when the gates are being opened – a claim that has been strongly disputed by Delta boaters and the Recreational Boaters of California (RBOC). The plan should outline that any gates or dams on current navigation routes need to be, at a minimum, 24x7 operated locks. Boating cannot be continued or expanded in the Delta when there is a risk that the boaters could not be able to return home. When there are alternative routes, consideration needs to be made of the added distance required if taking the alternative route and the added pollution and cost due to extra fuel consumption.

A better evaluation of water usage: The Plan also does a very good job of discussing where we are today and how we got here. While I like the imperatives that are listed on page 21, one important imperative that is missing is an evaluation of how the exported water is used. The Plan discusses the conflicts that exist in trying to implement the coequal goals, but I didn't see anything regulatory or even strongly recommended pertaining to the use of exported water or identifying the need to reduce the export needs over time. Since we know climate change is coming, it is clear that reduction of exports is a need. As difficult as it may be, we need to prioritize the export uses. There have been numerous political attempts over the past 10 years to increase contracts for Westlands farmers and to prioritize water for Westlands farmers over Delta/Northern California farmers and even over urban users. It is the continued support of increasing and expanding Westlands farming without evaluating the overall benefit or detriment to the

state.

Habitat restoration: Although excessive exports are pointed to in the plan as the key stressor, instead of the primary push to decrease exports there is a large focus on habitat restoration as a key way to improve the ecosystem. Although the goal of habitat restoration is laudable, it remains unclear whether the projects to flood Delta islands do anything to improve marine survival rates. From the discussions at the November 30th Delta Independent Science Board meeting, after the scientists had toured the Delta and interviewed various groups measuring and monitoring current habitat restoration projects, they expressed concern that there is no measurement of how to tell the effect on smelt. The recent December 1st Independent Review Panel (IRP) executive summary concurs that habitat restoration by flooding Delta islands is an unknown experiment and states “signs linking specific RPA actions to improved conditions remain elusive.” As recommended by the IRP, “It is not too soon to step back and consider whether the intentions of habitat restoration efforts are tracking toward expected outcomes.” My concern is that there is a great deal of effort, study, and money going to habitat restoration with unknown results.

Habitat restoration vs. Delta farmland: This is particularly key when the habitat restoration depends on flooding fertile Delta farmland. The Delta Plan acknowledges the value of the fertile Delta farmlands but since the goal of the BDCP is to export more and more water to the desert Westlands farms, acknowledgement should be made that the Westland farms (a) require over 8 times as much water per acre to irrigate than the Northern California farms and (b) Westlands farmlands leech selenium and other various salts that disrupt the normal ionic balance of the aquatic system. Selenium is a chemical which has been shown to cause deformities (refer to the Kesterson Bird Refuge bird deformities) and rapid die off of migratory waterfowl, fish, insects, plants and algae.

The current direction to flood fertile Delta farmland (with unknown results on marine habitats) now growing produce for local consumption in order to pump water to desert farmlands leeching selenium to produce a growing amount of almonds each year to ship to China is an extremely questionable policy and will result in the need to import more produce from Mexico and elsewhere. The plan instead should push for water conservation and reduction goals for the Westland farmers who now are growing water-intensive crops such as cotton and almonds. The Delta Plan should recommend the need to have a comprehensive evaluation of water usage throughout the state. Along that line, bottling California water to export elsewhere when water is at such a premium should also be strongly discouraged in the Plan.

Risk of earthquakes: The Plan discusses the risk of earthquakes. To present a balanced discussion, the experts who disagree should also be included. A Shell Oil report stated that that one of the faults identified in DRMS doesn't exist, but is instead an “erosional feature” resulting from a meander of the Sacramento River. Deirdre Des Jardins in a Restore the Delta article <http://www.restorethedelta.org/cant-find-my-way-home/> notes that the U.S. Geologic Survey did not include any faults in the Delta in their catalog of recently active faults – recently being within the last 11,000 years. That being said, of course the farmers and communities in the Delta do want the levees maintained for the safety of their land and homes. But a balanced report of earthquake risks should also address risks to the water after export. From the same Restore the Delta report, it states that: “Meanwhile, it appears that the Ortigalita Fault that lies under San Luis Dam is much more active than faults identified as being under the Delta. There are real risks associated with faults under and around San Luis Dam and along the west side of the San Joaquin Valley where canals and aqueducts carry water south.”

Adaptive management is cited in the Plan as the way the various agencies will manage the Delta based on monitoring and analysis, but as stated in the Plan, most often the primary positive effects on the Delta were from a court order shutting down the pumps during the 2009 drought when salmon and smelt species teetered on the brink of extinction or judge's order to change operational flows on the Friant Dam to provide more fresh water outflow during salmon migration. The plan needs to say more than "If goals are not achieved, informed adjustments can be made." "Can be made" does not provide assurance that the agencies will be required to pay attention to the recovery plan guidance.

Respectfully submitted by Jan McCleery, Discovery Bay, CA 94505