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**To:** [Scoping\\_Delta\\_Plan@Delta\\_Council](mailto:Scoping_Delta_Plan@Delta_Council)  
**Subject:** Letter of Praise to Delta Council and Staff  
**Date:** Sunday, March 27, 2011 3:56:04 PM

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## Delta Stewardship Council

In reviewing the website of the Delta Stewardship Council there appeared to be a reference to a request for feedback for the Delta Stewardship Council's and the staff's efforts. So if you were fishing for "praise", I'll take the bait.

It appears as though the Delta Stewardship Council and staff have addressed my concerns in the initial or first draft of the Delta Plan. In the draft plan the third element of the **"Holy Trinity"** that brings the two seemingly inconsistent elements described in the initial phases of the Delta Plan's objective of meeting coequal goals together is that it is the policy of the State Delta Plan objectives under Section 85021 to **"reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation and water use efficiency"**.

In my letter of 1/28/2011 regarding the scoping session and my comments on what I saw was not being considered in the proposed scope of the DEIR I indicated the following:

"As far as the State mandated objective of "Coequal" goals for the Delta is concerned, after reviewing all of the publications including the legislative mandates provided to the public at that Concord meeting it became readily apparent to me that; **1) "Coequal"** does not mean equal distribution of the Delta's and therefore Northern California 's water resources with the entire State of California . In fact, the objectives, as identified in the brochures and legislative mandate, appear to be described for the Delta Plan project objectives under Section 85054 as **"protecting, restoring, and enhancing the Delta ecosystem"** and I'll restate and paraphrase that here. They are to re-establish, restore and develop a program to protect the ecological habitat values of the Delta; **2)** Secondly, the under the "coequal" goals of the Delta Plan are those of, **"providing a more reliable water supply system for California "**. While these objectives may appear to be inconsistent they are not necessarily incompatible. **3)** The third element of this **"Holy Trinity"** that makes brings them together is that it is the policy of the State Delta Plan objectives under Section 85021 to **"reduce reliance on the Delta in**

**meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation and water use efficiency".** (Although this component is not evident on p.34, under PART 4, Comprehensive Delta Planning, Chapter 1, The Delta Plan, and therefore does not appear to be proposed to be codified within the Delta Plan). I believe that the failure to codify and/or re-express this policy and objective in the Delta Plan may represent a dichotomy in Public Policy if not an inconsistency with the Legislated Mandate creating the requirement for the Delta Plan. The failure to re-express the policy may represent an incongruity and/or inconsistency in or between the two documents and could possibly provide for a legal vulnerability to the Delta Plan. It will need to be addressed and/or rectified in yet another section of the DEIR (although its full ramifications and binding adherence to its principals is not fully evident in the legislation as I reviewed it). That section may be entitled, for lack of a better name at this point, "Legal Framework". and I note here that this inconsistency could be viewed as an environmental impact. The cognitive dissonance it can create and may represent can have a de facto stressful if not outright lethal effect (negative impact) on the human intellect and psyche and therefore possibly considered to degrade human health and welfare. It therefore should be addressed in a Hazardous Materials Section. While being facetious here, I do want to use this example to emphasize the dis-coordinate cross-section of the elements of the legislation within which we are attempting to navigate in the implementation of its' requirements to create the Delta Plan. My deliberations here should be taken with a grain of salt water in our attempts to execute the CEQA requirements of the State code."

So, this inconsistency has now, at least been rhetorically, tied together. Good job.

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