

ST48 Sierra Nevada Conservancy



AUBURN OFFICE
11521 Blocker Drive, Ste. 205
Auburn, CA 95603
p (530)823-4670 f (530)823-4665

Sent via E-mail: deltaplancomment@deltacouncil.ca.gov

February 2, 2012

Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Dear Chairman Isenberg and Members of the Council:

Re: Comments on Delta Plan DEIR

Thank you for the opportunity to provide input on the Draft Environmental Impact Report (DEIR) for the Delta Plan. Our comments revolve around potential impacts of policies in the preferred alternative that affect the Delta Watershed, or so-called second planning area.

There are numerous references to the Delta Watershed being an important source for water reliability and Delta ecosystem restoration, the co-equal goals which are the primary and fundamental purpose of the DEIR. While the Draft Plan proposes policies that could significantly impact the Delta Watershed, these policies are not analyzed for their effects on the upper watershed – effects such as habitat loss, loss of upper watershed ecosystem restoration, impacts on future growth in communities (land use and planning), scenic vistas, cultural/archaeological resources, and loss of recreational opportunities.

ST48-1

As an example, the DEIR includes a policy for developing and enforcing new flow requirements for the Delta and high priority tributaries (ER P1). References to this particular policy are made throughout the DEIR under the discussions of impacts to reliable water supply (page 2A-5: line 39), delta ecosystem restoration (page 2A-24: line 33; page 2A-26: line 20 Overview; and page 2A-38 and 39: Sections 2.2.2.4 and 2.2.2.4 .1 Modification of Flow Objectives and Flow Criteria in the Delta and Delta Watershed), and water resources (Sections 3.4.3.2 and 3.4.3.2.3 Impact 3-3b).

A report by the California Water Boards related to flow requirements (*Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem: Prepared Pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009*, August 3, 2010) suggests that 75% of unimpaired Sacramento River inflow is needed from November through June to support native Delta fish. Historically the average inflow from the Sacramento River is approximately 50%, according to the report. Finding an additional 25% for the Delta to meet this single objective would be difficult under the best of circumstances. In a year like this one, where Sierra snowpack sits at just 37% of normal, it could

ST48-2

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Response to comment ST48-1

Please refer to Master Response 5.

Response to comment ST48-2

This is a comment on the Project, not on the EIR. Social and economic impacts are not effects on the environment under CEQA, and are not analyzed in the EIR (CEQA Guidelines §§ 15064(e) and 15131).

be impossible. While the numbers are arguable, given they are just averages, they illustrate a key point: the Delta Plan can't require downstream actions that are unexamined and potentially unsupportable by the upstream water source.

Another area that has the potential for significant impact on the Delta Watershed is the proposed project recommendations relating to Section 2.2.1.2 Surface Water Projects, which encourages the development of local water supplies for reduced reliance on the Delta. The Delta Watershed is currently home to many water storage and diversion facilities that already serve communities, cities and metropolitan areas within and outside the Delta Watershed region. The emphasis on local supply development will naturally focus attention to the upper watershed, the source of most of the State's water. Yet potential impacts to ecosystem health and water supply in the upper watershed are missing from the DEIR.

And finally, the SNC believes that success in reaching the coequal goals through financing strategies found in the recommendations for financing framework (Section 2.2.6) would be greatly strengthened if considerations were included for financing strategies within the Delta Watershed. Our staff is available to work with the Delta Stewardship Council to assist with the development of appropriate strategies.

As we mentioned in our September 30 comments on the 5th Staff Draft plan, there is a clear link between: a.) water supply and ecosystem management in the legal Delta, and b.) impacts on public trust values in the larger Delta Watershed. Both areas have water quality, supply, ecosystem and community sustainability mandates that need to be addressed – and both count on the same water to meet their respective needs. As a result, we believe the DEIR must look more comprehensively at goals and recommended actions for the Delta to better assess and address their potential impacts to water supply and ecosystem needs in the upper watershed.

If you or your staff has any questions regarding the SNC's comments, please contact me at (530) 823-4667 or Kerri Timmer, Program Manager, at (530) 823-4683.

Sincerely,


JIM BRANHAM
Executive Officer

cc: Kerri Timmer, SNC Program Manager



Response to comment ST48-3

Potential impacts associated with development of regional water storage facilities, such as Sites Reservoir, are described under potential impacts from reliable water supplies in the Draft Program EIR. Also, please refer to Master Response 5.

Response to comment ST48-4

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Response to comment ST48-5

Please refer to Master Response 1.