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Delta Stewardship Council
650 Capitol Mall, Fifth Floor
Sacramento, CA 95814

RE: Second Draft Interim Delta Plan

Dear Council Members:

Thank you for this additional opportunity to provide preliminary comments on the Interim Delta Plan (IDP). This draft will focus on levees, flood protection issues and the impacts of proposed habitat restoration activities. Although Solano County has submitted broad-based comments, the following specific concerns remain.

Levees

Levees provide critical protection to the lives, property and communities of those in the path of floodwaters. Levees are important to public health and safety and assure the reliability of the region for transportation, agriculture, business and water conveyance.

There is an urgent need for ongoing Delta levee maintenance, rehabilitation, and improvement to ensure eligibility for federal disaster relief. The Interim Plan should identify opportunities and methods for increasing levels of funding for maintenance and improvements, particularly by improving reliability and timeliness of bond payments and reducing regulatory roadblocks that currently exist.

Flood Protection

The final Interim Plan and the Delta Plan will govern the process for recommending a suite of actions, projects, and programs, some of which have a high potential to interfere with the flood protection and control system. The Plan should include a strong commitment to mitigate any such impacts.

The funding to implement mitigation should not come from adjacent communities, but should be part of the habitat restoration project cost. A permanent fund should be established as part of the project cost, to maintain the levee improvements necessary for mitigation.

All projects that are approved, including habitat restoration projects, should incorporate some incremental improvement to the flood protection and control system. This follows the model of levee projects that are required to incorporate improvements to the environment in order to be considered for approval.

Impacts of Habitat Restoration

Impacts to Agriculture: Direct loss and indirect loss of agriculture should be mitigated by permanent protection/preservation of like or better quality of agricultural lands (1 to 1.5 ratio is identified in the 2008

Solano County General Plan). Mitigation ratios should be higher for the loss of Williamson Act contracted land. Land acquisition should be from willing sellers only.

Buffer areas should be established between surrounding adjoining agricultural properties as part of projects that are sufficient to avoid the need for additional restrictions on farm practices and that provide full protection to surrounding properties under the Endangered Species Act and California Endangered Species Act.

Payment for the lost agricultural business opportunity and income based on Solano Water Agency report "The Economic Impact to Solano County from Converting Agricultural Land to Wetlands Habitat" should be payable to the County to administer programs to help mitigate third party impacts of agricultural land conversion to wetlands.

County and Special District Services and Public Improvements: A mechanism to ensure funding for the increased costs of County and Special District public services, including but not limited to law enforcement, fire rescue, mosquito control, road maintenance, and drainage should be established. Ongoing funding should also be available for flood protection and increased infrastructure improvement costs, including, but not limited to, road drainage, levee and flood control improvements. For all activities that require funding, such funding must be guaranteed to Solano County in perpetuity and allocated outside the State's budget process.

County and District Revenues: Payment in-lieu of property tax for lands changing from private to public ownership and continued payment of special district assessments and fees guaranteed to Solano County and applicable special districts in should be established in perpetuity and allocated outside the State's budget process.

Levees and Flood Control: Habitat restoration activities should fully mitigate impacts to existing levee and flood protection systems, including any increase in cost to local communities and Reclamation Districts to maintain and operate existing or new levee and flood protection systems as a result of the projects. It will be critical for project mitigation to include long term funding for maintenance and improvements to both the levee system and emergency response efforts that address flood threats and potential levee failures.

Recreation Uses: Payment for the lost recreational opportunities and income based on the Solano Water Agency Economic Impact report should be payable to the County to administer programs to help mitigate third party impacts of conversion.

Impacts to county services such as law enforcement, emergency services and roads from new or expanded recreation opportunities within the project area should be fully mitigated.

Transportation and Utility Corridors: Roads, highways (i.e., Highways 12, 80 and 113), railroad lines, and shipping channels are vital to inter-County mobility, public safety, a healthy business climate, recreation, and agricultural vitality throughout the County. There are numerous gas and other utility lines that exist within Solano County. Negative impacts to transportation and utility corridors must be fully mitigated.

Water Delivery Systems: Changes in Delta operations will require the County receive a reliable water supply, both in terms of quantity and quality. Two major cities in the county (and Napa County) receive water from the State Water Project through the North Bay Aqueduct (NBA). Additionally tens of thousands of acres in eastern Solano County are wholly dependent on Delta water supplies for agricultural uses.

Impacts to the NBA, Reclamation District 2068, private water intakes and agricultural irrigation and drainage systems should be fully mitigated from restoration projects, including provisions for alternative intake for the NBA and full Federal and State Endangered Specific Act protection for affected water diversions.

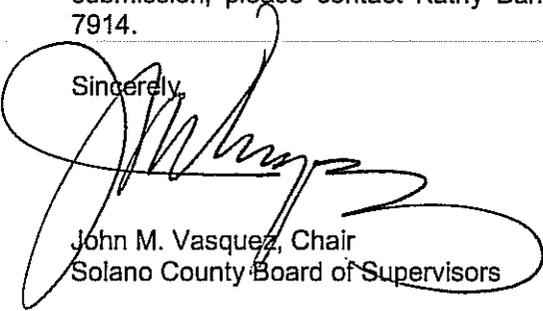
Water Rights: There should be no out of county water transfers from converted lands for habitat restoration activities.

Suisun Marsh: Restoration activities in the Suisun Marsh must include consideration of local activities and projects under the Suisun Marsh Habitat Restoration Management Plan and incorporate measures to protect ongoing public agency and private activities and restoration projects on surrounding lands.

This is a snapshot of some of the important issues related to levees, flood protection and the impacts of proposed habitat restoration activities that concern Solano County. One of the roles of local government is to identify threats and provide information and protection against potential problems. The County seeks your assistance in working through these issues constructively, particularly since the IDP can lay the groundwork to address these issues and ensure the inclusion of remedies in the Delta Plan.

Again, thank you for this opportunity to provide comments. If you have questions regarding this submission, please contact Kathy Barnes-Jones at kbarnes-jones@solanocounty.com or at 707-784-7914.

Sincerely,



John M. Vasquez, Chair
Solano County Board of Supervisors

cc: Solano County Board of Supervisors
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