



County of Yolo

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March 11, 2011

VIA E-MAIL ONLY

Ms. Terry Macaulay
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Re: Comments of Yolo County—First Draft of the Delta Plan

Dear Ms. Macaulay:

The County of Yolo (“County”) submits the following comments on the “First Staff Draft Delta Plan,” released on February 14, 2011.

Overall, the First Draft is clearly preliminary in nature and the findings and policies of most interest to the County will develop considerably in future iterations. The following comments are therefore intended to guide the preparation of later drafts. Also, while these comments focus selectively on Chapters 6 and 9, the County intends to comment on additional chapters upon reviewing later drafts of the Delta Plan.

Chapter 6—Ecosystem Restoration.

The first draft Chapter 6 of the Delta Plan presents a straightforward view of Delta ecosystem restoration—the Delta ecosystem has been ruined, we need to “fix it” by restoring large areas of interconnected habitat, and ecosystem restoration will bring a host of related benefits to improve water quality, recreation, flood protection, and agriculture. This is an oversimplification and ecosystem restoration involves some very real tradeoffs that need to be recognized and considered.

For example, ecosystem restoration can:

- Potentially interfere with the maintenance and rehabilitation of flood protection facilities, as well as the improvement of such facilities to meet higher (e.g., 200-year for urban areas) standards of flood protection.
- Cause local economic impacts by, among other things, converting farmland to habitat and reducing the property tax base as lands are converted from private to public ownership.
- Result in the diminution or elimination of existing recreational resources and species habitat—including habitat for migratory waterfowl and endangered species such as the giant garter snake—on affected lands.

- Create conflicts with local HCP/NCCPs, particularly if restoration if not properly coordinated with those programs (which currently exist in Yolo and other Delta counties).

The County encourages the Delta Stewardship Council to recognize and consider these tradeoffs in future drafts of the Delta Plan. Recognizing these tradeoffs can facilitate solutions. For example, many of the tradeoffs involved in habitat restoration projects can be addressed by changes in project design or other means of mitigation. Careful study of potential impacts is necessary, as is a balanced approach to addressing such impacts. Finally, counties and local stakeholders can and should have a meaningful role in these matters.

In addition to this general comment, the County also has concerns with a few specific aspects of the first draft of Chapter 6. For example, the discussion following the heading “Promote Viable Populations of Native Resident and Migratory Species” on page 6-5 is very weak and almost entirely irrelevant to the goal expressed in the heading. The discussion following other headings on pages 6-5 and 6-6, “Establish Migratory Corridors” and “Reduce Threats and Stressors,” is similarly deficient.

In future drafts, the County encourages the Council to recognize that the goals expressed in these headings can be furthered by maintaining and enhancing lands that *currently* have significant habitat value. Many such lands—for example, the Yolo Bypass Wildlife Area—also have important agricultural and recreational resources that should be considered and protected as habitat restoration projects proceed. The Delta Plan should also accord a significant role to local HCP and NCCPs for their contribution to the protection of native resident and migratory species, migratory corridors, and the reduction of threats and stressors. And finally, the Delta Plan should recognize that many native resident and migratory species depend to varying degrees on the “working landscape” of the Delta and will benefit from protection of its agricultural industry.

All of these matters should also be reflected in the “Working Categories of Potential Policies and Recommendations” for Chapter 6 in future drafts. It is troubling that this section of the First Draft (p. 6-7) largely omits any reference to existing terrestrial species habitat, local HCP/NCCPs, and the habitat value of farmland and other open space in the Delta. Instead, this section focuses almost exclusively on the BDCP and other issues that relate primarily to aquatic species and their habitats. Future drafts should include a much more comprehensive array of policies and recommendations that address terrestrial species and the Delta ecosystem in its entirety.

Chapter 9—Protect and Enhance the Unique Cultural, Recreational, Natural Resources, and Agricultural Values of the California Delta as an Evolving Place.

While the County agrees with some of the discussion in the introductory text of Chapter 9 (p. 9-1)—for example, the statement that “the Delta has evolved as a unique region with its own cultural, recreational, natural, and agricultural character”—other aspects of the discussion are deficient. The most striking omission is the lack of any reference to the Land Use and Resource Management Plan (“Resource Management Plan”) of the Delta Protection Commission (“DPC”). The introductory text even states that “[t]here is no clear, consistent regional or statewide plan to address” concerns relating to Delta urbanization, aging levees, inappropriate recreational use, and other matters that are, in fact, directly addressed in the Resource Management Plan.

This oversight should be addressed promptly. The Resource Management Plan and local general plans (which the First Draft references only to illustrate various perceived policy shortcomings) should become a

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meaningful resource for the Council in future drafts of the Delta Plan. In this regard, some of the County's comments in its May 12, 2010 comment letter on the Interim Plan are also relevant to the Delta Plan. Those comments read in pertinent part as follows:

The County agrees that the Interim Plan should include a substantial component that "recognizes and enhances the unique cultural, recreation, and agricultural values of the Delta" (Section II). Consistent with Water Code § 85020(b), the Interim Plan should also "protect" those values. These are issues of critical importance to the County. The County proposes that the Council consider several specific matters in this regard.

First, the County encourages the Council to do more than merely "consider" the Land Use and Resource Management Plan ("LURMP") of the Delta Protection Commission ("DPC"), as suggested in the outline (Section II.a). The Council should integrate the LURMP into the Interim Plan given its present status as the only comprehensive land use document covering the entire Primary Zone of the Delta. The DPC recently updated the LURMP in a process that included significant local agency and stakeholder input. Its findings, policies, and recommendations are a valuable foundation for the Interim Plan.

Second, the County asks the Council to recognize that "support for agriculture" entails understanding current and future needs for additional agricultural support infrastructure and similar facilities in the Delta. It also includes ensuring that Delta towns, such as Clarksburg, can thrive as support centers for the regional agricultural industry while remaining vibrant but relatively compact communities. The County encourages the Council to identify ways in which both the interim and final Plans can support these efforts. Importantly, to the extent the Interim Plan does not identify a full range of specific projects that support these objectives, it should include a process for later identifying and including projects that benefit agriculture and Delta towns.

The County repeats these comments herein to call attention to their continued relevance even though they were ignored in the First Draft. Not only does the First Draft devote scant attention to the Resource Management Plan, it also neglects the County's comments in its May 12, 2010 letter on supporting agriculture with additional infrastructure. These are important issues to the County and require considerable attention in future drafts of the Delta Plan.

The County appreciates the opportunity to submit these comments on the First Draft of the Delta Plan. We look forward to participating actively with the Council in the development of a final Delta Plan.

Very truly yours,

Robyn Truitt Drivon
County Counsel



Philip J. Pogledich
Senior Deputy County Counsel

cc: Yolo County Board of Supervisors