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Contra Costa County Board of Supervisors

Sacramento County Board of Supervisors

San Joaquin County Board of Supervisors

Solano County Board of Supervisors

Yolo County Board of Supervisors

Association of Bay Area Governments

Sacramento Area Council of Governments

San Joaquin Council of Governments

Central Delta Reclamation Districts

North Delta Reclamation Districts

South Delta Reclamation Districts

West Delta Reclamation Districts

Bay Delta Authority

Department of Boating and Waterways

Department of Fish and Game

Department of Food and Agriculture

Department of Water Resources

State Lands Commission

State Parks

Delta Landowner – Outdoor Recreation

Delta Landowner – Production Agriculture

Delta Landowner – Wildlife Conservation

September 29, 2008

The Honorable Phil Isenberg, Chair
and Members of the Delta Vision Blue Ribbon Task Force
c/o John Kirlin, Executive Director
1416 Ninth Street, Suite 1311
Sacramento California 95814

Dear Chair Isenberg and Task Force Members:

Subject: Delta Protection Commission Response to Delta Vision Strategic Plan No. 4

Members of the Delta Protection Commission (Commission) have reviewed the subject draft document and, pursuant to discussion at the September 25, 2008 Commission meeting, the following comments are provided for your consideration in developing Strategic Plan Draft No. 5.

With the letter submitted to the Task Force by the Commission on August 14, 2008 as reference (attached), it appears that several of the comments provided were taken into consideration in Draft No. 4, however, there remains to be several areas cited that have not been addressed. Therefore, the comments provided herein focus primarily on those areas that remain of concern to the Commission if they continue to be unaddressed in subsequent drafts.

Delta as a Place

Plan Goal: *The designation of the Delta as a unique and valued place, an action critical to achieving our co-equal goal.*

As cited in the Draft Plan, Delta as a Place remains to be unclear as to definition. The Commission, therefore, continues to recommend that Delta as a Place (using the definition below) be recognized as a "co-equal value" rather than merely an action needed to achieve the two co-equal values of Restore a Healthy Ecosystem and Create a Reliable and Predictable Water Supply (as cited by the Task Force).

Preserve and Protect the Delta as a Place and
Maintain a Healthy Delta Economy

Agriculture is a prominent component of the Delta and a valuable resource of statewide, national and worldwide significance. However, the current version of the Plan continues to lack an emphasis on the importance of maintaining a diverse and highly productive agricultural economy that would be given "balanced" consideration with the importance given to habitat components. Thus, as previously noted, the Commission continues to recommend that any environmental documentation for the Strategic Plan include an analysis of the cumulative economic loss of agricultural lands of regional and statewide value and significance.

It is also recommended, once again, that programs implemented under the Strategic Plan requiring the conversion of lands to habitat take into consideration characteristics of highly productive agriculture lands, and compatible uses, such as: nationally recognized wine growing regions; islands mapped out of the 100-year flood zone; lands with well/deep well drained soils; areas where permanent trees and vines are planted; levees maintained with state-of-the art systems; areas of highly maintained water quality; outstanding crop yields regionally recognized; and lands supporting existing homes, shops and value added ag components.

The Commission acknowledges the attention the current Draft Plan gives to the importance of encouraging value added agricultural programs in the Delta that include ag-tourism and programs to assure effectively administered agricultural easements. Of relevance is the coordination between the Commission and a newly established Delta Conservancy for implementing such easements. The Plan recognizes the importance of a link for formal coordination between the two and the Commission recommends such coordination continue to be recognized in subsequent versions of the Plan.

Governance and Funding

Plan Goal: *Create a new governance structure with the authority, responsibility and secure funding to achieve these goals.*

While the Draft Plan recommends "enhancements" to the Commission and recognizes the role of the Commission under the Delta Protection Act (Act), the acknowledgement of existing local authority (cities, counties and reclamation districts) appears to be absent. Therefore, as is valued and recognized in the composition of the Commission under the Act, it is imperative that local authority be recognized and its relevance and relationship to other governance components, particularly the proposed Council and Conservancy, be clarified.

The Commission appreciates the Task Force's recognition of the effectiveness of the Commission's appeal authority under the Act as acknowledged in Draft 4 in contrast to previous drafts of the Plan that recommended transferring the appeal authority to the proposed Council. However, it remains to be unclear what objectives of the Task Force would be fulfilled by expanding the appeal authority of the Commission to a permitting level in the Primary Zone. Thus this recommended expansion of authority is questionable until it can be expanded on as to value relative to the Commission's role under the Act.

Recognition of the need for funding sources to support the Commission's role and responsibilities, either as currently exists or as proposed (if justified), is an integral component that must be acknowledged in the Plan. The current draft cites potential funding sources for other entities providing support for the development of a Management Plan for the Delta to carry out the Vision, however, such sources for Commission budget support appear to be absent.

Thus, it is worth bringing to your attention that while the Commission has managed to effectively carry out its role under the Act as an appeal authority responsible for implementing the policies of its Land Use and Resource Management Plan for the Primary Zone of the Delta in the areas of Environment, Utilities and Infrastructure, Land Use, Agriculture, Water, Recreation and Access, Levees and Boating Programs, it has only been able to do so through creative funding mechanisms.

With the adoption of funding strategies under the Commission's 2006-2011 Strategic Plan, Commission member entities (reclamation districts, counties and state departments) have committed to annual contributions to supplement the existing base budget of $408,000 funded from the Environmental License Plate Fund and the Harbors and Watercraft Fund (special Funds independent of the State General Fund). It is only through this supplementary budget commitment by Commissioners on behalf of the entities they represent, together with seeking grant funds and identifying streamlined administrative practices, the Commission is able to assure protection, enhancement and sustainability of the agricultural, environmental and recreational resources of the Delta.

This volunteer commitment by local districts, counties and state departments as members of the Commission should serve as a model and not be taken for granted in the funding scheme developed for the Delta Vision Strategic Plan for successful implementation.

Levees
Plan Goal: *Reduce risks to people, property and state interests in the Delta.*

The Commission's previous comments relative to this goal primarily emphasized the need to address funding for levee maintenance and related dredging, and for streamlined permitting for levee maintenance activities.

It is the Commission's perspective that funding for levee maintenance, and dredging to provide material for levee maintenance, must be prominently recognized throughout the Plan where levee sustainability is referenced. Without addressing the integral component of funding for such activities it is doubtful that recommendations in the Plan relevant to this topic would be realistic or could be feasibly implemented.

As a model for effectively developing, but more importantly actually accomplishing, this important goal as a priority of interest to stakeholders in the Delta, the Commission again recommends that the Delta Dredging Long Term Management Strategy process currently being developed by the Corps of Engineers in partnership with local and state interests be utilized. A similar program that has been implemented in San Francisco Bay (SFLTMS) has successfully demonstrated the benefits and effectiveness of a collaborative and coordinated mechanism for streamlined administration of dredging and reuse of dredged material.

In conclusion, the Commission appreciates the Task Force's consideration of several of the points presented in previous correspondence and is confident that the input provided herein will be additionally taken into consideration for analysis, evaluation and inclusion in subsequent drafts of the Strategic Plan. The continued efforts of you and your staff to strive to assure a transparent and open process for input is recognized and continues to be applauded by the Commission.

Respectfully submitted,

Topper van Loben Sels
Vice Chairman

Attachment

cc: Mike Chrisman, Secretary, Resources Agency
Members, Delta Protection Commission
John Kirlin, Executive Director, Delta Vision
Leo Winternitz, Delta Vision
Linda Fiack, Executive Director, Delta Protection Commission