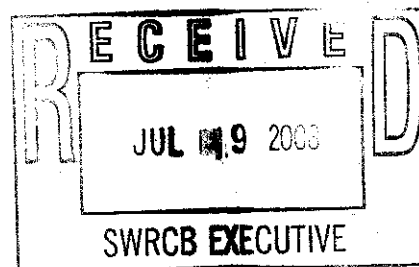


July 8, 2008

Jeanine Townsend, Clerk of the Board
State Water Resources Control Board
PO Box 100
Sacramento, California 95812



Subject: Draft Strategic Work Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary

Dear Ms. Townsend,

The staff of the Delta Protection Commission (Commission) has reviewed the subject document dated June 2008. Therefore, processing of the proposal should take into consideration consistency with the Commission's Land Use and Management Plan for the Primary Zone of the Delta (Management Plan).

The Delta Protection Act (Act) was enacted in 1992 in recognition of the increasing threats to the resources of the Primary Zone of the Delta from urban and suburban encroachment having the potential to impact agriculture, wildlife habitat, and recreation uses. Pursuant to the Act, the Management Plan was completed and adopted by the Commission in 1995. Both documents are available for your reference at the Commission's website, www.delta.ca.gov.

The Management Plan sets out findings, policies, and recommendations resulting from background studies in the areas of environment, utilities, and infrastructure, land use, agriculture, water, recreation, and access, levees, and marine patrol/boater education/safety programs. As mandated by the Act, the policies of the Management Plan are incorporated in the General Plans of local entities having jurisdiction within the Primary Zone, including Sacramento, Solano and San Joaquin Counties.

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Based on the information provided to the Commission, it appears that there is the potential for activities relative to the proposed project to impact the resources of the Primary Zone, particularly with respect to the following sections of the Management Plan:

Environment

- Policy 1: The priority land use of areas of prime soil shall be agriculture. If commercial agriculture is no longer feasible due to subsidence or lack of adequate water supply or water quality, land uses which protect other beneficial uses of Delta resources, and which would not adversely affect agriculture on surrounding lands, or viability or cost of levee maintenance, may be permitted. If temporarily taken out of agriculture production due to lack of adequate water supply or water quality, the land shall remain reinstatable to agricultural production for the future.
- Policy 3: Lands managed primarily for wildlife habitat shall be managed to provide several inter-related habitats. Deltawide habitat needs should be addressed in development of any wildlife habitat plan. Appropriate programs, such as "Coordinated Resource Management and Planning" (Public Resources Code Section 9408(c)) and "Natural Community Conservation Planning" (Fish and Game Code Section 2800 et seq.) should ensure full participation by local government and property owner representatives.
- Recommendation 3: Undeveloped channel islands provide unique opportunities for permanent wildlife habitat in the Primary Zone. A strategy should be developed to encourage permanent protection and management of the channel islands. Protection may include: acquisition, conservation easements, or memoranda of understanding. Management may include: protection from erosion, controlling human access, or habitat management, such as planting native plants and removing exotic plants. Some larger, reclaimed channel islands may be suitable for mixed uses, such as recreation and habitat. Any development on channel islands must ensure long-term protection of the wildlife habitat.
- Recommendation 4: Feasible steps to protect and enhance aquatic habitat should be implemented as may be determined by resource agencies consistent with balancing other beneficial uses of Delta resources.
- Recommendation 5: Publicly-owned land should incorporate, to the maximum extent feasible, suitable and appropriate wildlife protection, restoration and enhancement as part of a Deltawide plan for habitat management.
- Recommendation 7: Lands currently managed for wildlife habitat, such as private duck clubs or publicly-owned wildlife areas, should be preserved and protected, particularly from destruction from inundation.

Agriculture

- Policy 2: Local governments, as defined in Public Resources Code Section 29725, shall identify the unique qualities of the Delta which make it well suited for agriculture. These qualities include: rich soil, ample supplies of water, long growing season, mild climate, and proximity to packaging and shipping infrastructure. The unique physical characteristics of the Delta also require that agricultural landowners maintain extensive levee systems, provide flood control, and have adequate drainage to allow the lands to be farmed.
- Policy 5: Support shall be given to current and alternative programs that help to minimize the need for costly production inputs such as fertilizers, pesticides, and herbicides as long as crop production levels and agricultural income can be maintained. Improving crop production and agricultural income is vital to the success of Delta agriculture.

Water

- Policy 3: Water agencies at local, State, and federal levels shall work together to ensure that adequate Delta water quality standards are set and met and that beneficial uses of State waters are protected consistent with the CALFED (see Water Code Section 12310 (f)) Record of Decision dated August 8, 2000.
- Recommendation 1: The Delta waterways should continue to serve as a primary transportation system moving water to the State's natural and developed water systems.
- Recommendation 2: Delta water rights should be respected and protected.
- Recommendation 3: Programs to enhance the natural values of the State's aquatic habitats and water quality will benefit the Delta and should be supported.
- Recommendation 4: Programs to regulate agricultural drainage in the Delta should be accompanied with education programs, be implemented over time, and should, where needed, provide financial assistance such as grants and interest-free loans to ensure compliance. Any regulation of Delta agricultural discharges must recognize that a) dischargers must be permitted to discharge back to the channels any dissolved solid loads that were derived from the channels in irrigation diversions and seepage inflows, and b) any net addition of dissolved carbon compounds must be compared to the addition of such compounds that would occur with any other land use option that would provide equal protection of the land and channel configuration and would consume no more water.
- Recommendation 6: Water quality monitoring programs should measure Delta waters to ensure they meet water-contact recreation and other water quality standards.
- Recommendation 8: Water quality at Delta drinking water intakes should be maintained or enhanced.

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Thank you for the opportunity to provide input into this process. Please contact me at (916) 776-2292 or lindadpc@citlink.net , if you have any questions about the Commission or the comments provided herein.

Sincerely,

Linda Fiack
Executive Director