

Alpine Amador Butte Calaveras Colusa
Del Norte El Dorado Glenn Imperial Inyo
Lake Lassen Madera Mariposa Merced



Modoc Mono Napa Nevada Placer Plumas
San Benito San Luis Obispo Shasta Sierra
Siskiyou Sutter Tehama Trinity Tuolumne Yuba

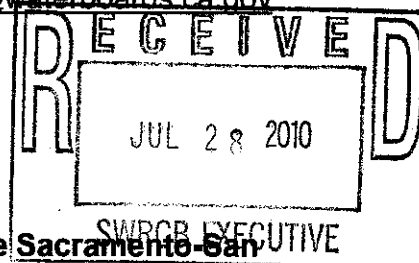
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July 26, 2010

Mr. Charles Hoppin, Chair
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814-2828

Submitted via:
commentletters@waterboards.ca.gov



Attn: Jeanine Townsend, Clerk to the Board

Re: Draft Report on the Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem

Dear Chair Hoppin:

On behalf of the thirty-one member counties of the Regional Council of Rural Counties (RCRC), I welcome the opportunity to submit comments to the State Water Resources Control Board (State Water Board) on the Draft Report on the Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem (Draft Report).

RCRC is on record as stating, in connection with SB 1 (2009 Seventh Extraordinary Session), that requiring the State Water Board to develop flow criteria for the Delta ecosystem to protect public trust resources within the nine month timeframe contained in the legislation was "unrealistic". RCRC fully appreciates the fact that the State Water Board was forced as a result of this unrealistic legislative deadline to limit the review to instream needs in the Delta ecosystem, specifically fish species and Delta outflows.

RCRC further appreciates that the State Water Board has in the Draft Report made an effort to spell out the limitations of the Draft Report i.e. the flow criteria does not consider other public trust resources or a broad range of public interest considerations. As noted on page 3 of the July 20, 2010 Draft Delta Flow Criteria Report "...the State Water Board has not considered the allocation of water resources, the application of the public trust to a particular water diversion or use, water supply impacts, or any balancing between potentially competing public trust resources (such as potential adverse effects of increased Delta outflow on the maintenance of coldwater resources for salmonids in upstream areas)".

RCRC is concerned that, despite the qualifiers, the determinations contained in the Draft Report (75% of unimpaired Delta outflow from January through June; 75% of

unimpaired Sacramento River inflow from November through June; and, 60% of unimpaired San Joaquin River inflow from February through June) will be taken out of context and used to make fatally flawed public policy decisions. RCRC has already expressed our concerns to the Delta Stewardship Council regarding utilization of these Delta flow criteria determinations to "inform" the development of either the Interim Delta Plan or Delta Plan given the limited circumstances analyzed in the Delta Flow Criteria Report. RCRC urges the State Water Board to be diligent in countering any misrepresentations made relating to the Delta Flow Criteria Report.

In conclusion, RCRC appreciates the opportunity to submit comments to the State Water Board. Please feel free to contact me at (916) 447-4806 or kmannion@rcrcnet.org if you have any questions.

Sincerely,



Kathy Mannion
Legislative Advocate

cc: Members, State Water Resources Control Board
Frances Spivy-Weber, Vice Chair
Tam Doduc, Board Member
Arthur Baggett, Board Member
Walter Pettit, Board Member