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Clerk of the Board

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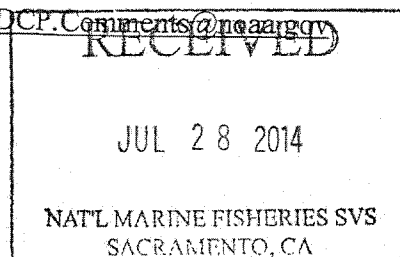
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July 25, 2014

E-mail to: BDCP.Comments@ncaargov

BDCP Comments
Ryan Wulff, National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814



**San Joaquin County's Comments on
the Draft Bay Delta Conservation Plan and
Associated Draft Environmental Impact Report and Draft Environmental Impact
Statement and Draft Implementing Agreement**

Dear Mr. Wulff:

The San Joaquin County Board of Supervisors hereby submits the County's comments on the Draft Bay Delta Conservation Plan (BDCP), the associated draft Environmental Impact Report, Environmental Impact Statement, and Implementing Agreement. These comments are also submitted as joint comments with the Central Delta Water Agency and the South Delta Water Agency. Additionally, San Joaquin County joins in any comments which may be submitted independently by the Central Delta Water Agency and the South Delta Water Agency.

With nearly two-thirds of the Delta located within San Joaquin County, we are very concerned about the protection of water quantity and quality available within the Delta. We are equally concerned about the negative effects the BDCP will have on the County's communities, land use, flood protection, infrastructure, agriculture, economy, recreation, wildlife, and our way of life. We assert that the draft BDCP documents inadequately analyze these negative effects, fail to provide real and adequate mitigation for those effects, and fail to consider reasonable and effective alternatives to this massive State water delivery project which is thinly disguised as a conservation project.

San Joaquin County strongly urges that the State take our comments to heart and fully address the outlined concerns and issues.

Sincerely,

Robert V. Elliott, Chairman
San Joaquin County Board of Supervisors

Attachment

cc: San Joaquin County's State and Federal Delegation

San Joaquin County Board of Supervisors
Monica Nino, County Administrator, San Joaquin County
David Wooten, County Counsel, San Joaquin County
Thomas Gau, Director, Public Works, San Joaquin County
Kerry Sullivan, Director, Community Development, San Joaquin County
Gary Caseri, Interim Agricultural Commissioner, San Joaquin County

BOS07-05

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN JOAQUIN
STATE OF CALIFORNIA

RESOLUTION

R-14- 111

RESOLUTION ADOPTING AND REAFFIRMING SAN JOAQUIN
COUNTY'S OPPOSITION TO THE BDCP, APPROVING THE COUNTY'S
COMMENTS TO THE BDCP AND THE RELATED EIR/EIS AND
IMPLEMENTING AGREEMENT FOR BDCP, AND AUTHORIZING
THE SUBMISSION OF THOSE COMMENTS TO THE APPROPRIATE
STATE AND FEDERAL AGENCIES

WHEREAS, the Sacramento - San Joaquin Delta (hereinafter Delta) is a unique natural and geographic feature of the State of California, and is the largest estuary on the Pacific Coast of the United States encompassing an area of over 730,000 acres with islands and tracts of rich fertile soil surrounded by miles of sloughs and winding channels protected by levees; and

WHEREAS, the Delta is one of the most productive agricultural regions in the United States, with approximately 80% of the Delta classified as Prime Farmland, as contrasted with 20% for all of California, and Delta agriculture has an economic impact of roughly 9,700 jobs and \$1.4 billion in economic output in the five Delta counties, but when value-added manufacturing such as wineries, canneries and dairies are included, has a total Statewide economic impact of approximately 25,000 jobs and \$5.372 billion in economic output; and

WHEREAS, the islands and waterways of the Delta provide habitat for many species of plants and animals, including several listed as either threatened or endangered under State and Federal endangered species laws; and

WHEREAS, recreation in the Delta generates roughly 12 million visitor days of use and approximately \$250 million in visitor spending each year, with Delta recreation and tourism supporting over 3,000 jobs in the five Delta counties; and

WHEREAS, the Delta is a critical infrastructure and transportation hub for the regional and State economy, with important east-west highway and rail facilities, major electrical transmission lines connecting California to the Pacific Northwest, and gasoline and aviation fuel pipelines crossing the Delta supplying large portions of Northern California and Nevada; and

WHEREAS, two-thirds of the legal Delta is located within San Joaquin County and the Delta comprises one-third of this County's total area, meaning that the health and

vitality of the Delta is critically important to the economic health, culture and social fabric of San Joaquin County and its citizens; and

WHEREAS, the Delta is also the key conveyance point for California's two largest water projects, the Central Valley Project (CVP) and the State Water Project (SWP) with massive pumps in the Southern Delta near Tracy, California which transport water from the Delta primarily to farms in Central California and municipalities in Southern California; and

WHEREAS, because of the failure to complete the ultimate build-out of water supplies for the CVP and SWP, leaving the system approximately 5 million acre-feet short of water per year, coupled with oversubscription by the water contractors and the water system's State and Federal operators of the water that is available, this has resulted in degradation of both the quality and quantity of water in the Delta and harm to the ecology and economy of the Delta, and

WHEREAS, the water contractors and the State and Federal operators of the CVP and SWP have over the years sought to find ways to transport water directly from the Sacramento River to the pumps near Tracy in order to obtain a greater quantity and quality of water than they could pump out of the South Delta, which efforts would result in further degradation and destruction of the Delta and economic and social harm to the citizens of San Joaquin County, and

WHEREAS, those water interests proposed a Peripheral Canal which the voters voted down in 1982, but are now promoting a new twin-tunnels project which is capable of diverting huge quantities of fresh water directly from the Sacramento River to the Tracy pumps, but this time the proponents of the twin-tunnels project have attempted to hide their massive and incredibly expensive water project inside a so-called conservation plan known as the Bay Delta Conservation Plan (BDCP); and

WHEREAS, for the reasons set forth in the documents attached hereto and adopted herein as the County's comments to the draft BDCP and its related EIR/EIS, and to the draft Implementing Agreement (IA), the BDCP fails, among its other legal deficiencies, to meet the legal requirements for a valid Habitat Conservation Plan (HCP) under the Federal Endangered Species Act (ESA) or a Natural Community Conservation Plan (NCCP) under the California Natural Community Conservation Planning Act, and also fails to meet the co-equal goals of water supply reliability for the State and restoration of the health of the Bay-Delta ecosystem as required by the Delta Reform Act of 2009; and

WHEREAS, there are less expensive and more effective ways than the twin tunnels and the BDCP to address the legitimate water needs of the various water interests in the State of California without needlessly sacrificing the Delta and San Joaquin County, or pitting Northern California against Southern California and farmer against farmer;

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors:

Does hereby reaffirm its opposition to any isolated water conveyance system in the Delta such as the twin-tunnels project, and further specifically opposes the Bay Delta Conservation Plan; and

Does hereby approve and adopt the documents attached hereto as San Joaquin County's official comments to the draft BDCP and its related Environmental Impact Report (EIR) and Environmental Impact Statement (EIS), and to the Implementing Agreement (IA); and

Does hereby authorize submission of these adopted comments to the appropriate State and Federal agencies, both as comments from San Joaquin County and as joint comments with the Central Delta Water Agency and the South Delta Water Agency; and

Does hereby join in any comments which will be filed by the Central Delta Water Agency and South Delta Water Agency, and further that County staff is authorized to supplement the County's comments between today and July 29, 2014, to the extent that the comments submitted by others or other information comes to light which in staff's discretion should be included in the County's comments; and

Does hereby direct staff to take all necessary and appropriate actions to carry out the direction and intent of this Resolution.

PASSED AND ADOPTED this 8th day of July, 2014, by the following vote of the Board of Supervisors, to wit:

AYES: Villapudua, Ruhstaller, Vogel, Elliott

NOES: None

ABSENT: Bestolarides

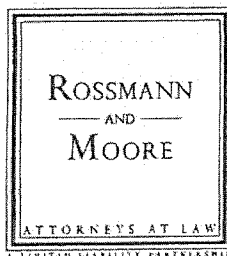
ABSTAIN: None

ATTEST: MIMI DUZENSKI
Clerk of the Board of Supervisors
Of the County of San Joaquin,
State of California

Robert V. Elliott 7/9/2014
ROBERT V. ELLIOTT
Chairman of the Board
of Supervisors
State of California



By *Mimi Duzenski*
Deputy Clerk



THE BAY-DELTA CONSERVATION PLAN AND EIR-EIS:

SUMMARY OF FOUNDATIONAL ISSUES

REPORT ON DECEMBER 2013 PUBLIC REVIEW DRAFTS

Roger B. Moore
Antonio Rossmann
Rossmann and Moore, LLP
2014 Shattuck Ave.
Berkeley, CA 94704

June 23, 2014

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