

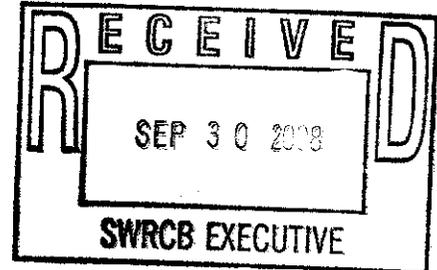
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# LATE COMMENT

September 29, 2008



Jeanine Townsend, Clerk of the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

**Re: CITY OF ANTIOCH: Written Input on Factual Issues Regarding the Bay-Delta/Bay-Delta Strategic Plan/Water Quality Control Plan Update**

Dear Ms. Townsend:

Thank you for allowing the City of Antioch the opportunity to comment on the upcoming evidentiary hearings regarding the Bay-Delta. In its August 29, 2008 Notice, the State Water Resources Control Board (SWRCB) states that it is seeking existing information related to certain critical factual issues in the Bay-Delta, including but not limited to salinity in the Bay-Delta Estuary, impacts of variable salinity, and impacts on outflow objectives. The SWRCB is also seeking input on suggestions for additional issues to be considered at the upcoming evidentiary hearing.

With respect to existing information relating to salt water intrusion into the Bay-Delta Estuary, Antioch is conducting an analysis of historic salt water intrusion and its impacts to the Bay-Delta. This work will be completed by the time of the evidentiary hearing and will be submitted to the SWRCB. The outcome of this work will also relate to net outflow objectives not only on the San Joaquin, but on the Sacramento River.

With respect to suggestions for additional issues to be discussed, Antioch believes it is critical to consider the source of water in the central and western Delta, including the inflow of tributaries to the San Joaquin River downstream of Vernalis. For example, the Mokelumne and Sacramento Rivers currently provide inflow into the western San Joaquin River and are a significant fraction of the water present in the western and south Delta, which in turn control salinity and water quality in these areas. The western Delta, and its environment, depends upon this connection with the Sacramento River. It is critical that this connection between the two rivers not be ignored and that any analysis of future water

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quality and impacts consider the change in the point of origin of water within the Delta. The SWRCB needs to consider the significant adverse impacts on fish and the environment in general if Sacramento River flows into the San Joaquin River are reduced (i.e., if the presence of Sacramento River water in the western Delta is greatly reduced) by anticipated upstream projects, including but not limited to the proposed out-of-delta conveyance facilities.

Thank you for allowing Antioch this opportunity to provide these comments.

Very Truly Yours,

**SOLURI EMRICK & MESERVE,  
A Law Corporation**

By:

  
Matthew L. Emrick