

July 29, 2010

Via Electronic and Hand Delivered

Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, California 95812-0100

Re: Comment Letter -- Draft Delta Flow Criteria Report

Dear Ms. Townsend:

The Glenn-Colusa Irrigation District ("GCID") reviewed the State Water Resource Control Board's ("SWRCB") draft report entitled "Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem" ("Draft Report"), dated July 20, 2010, and provides the following comments:

- The Draft Report inappropriately looks to flows to solve the Delta's problems. While the Draft Report suggests that the flow criteria are supported by the "best available scientific information submitted into the record," it is abundantly clear that the "best scientific evidence" demonstrates that flows alone cannot solve the complex problems of the Delta. Indeed, the scientific consensus is that flows alone are not the answer. The flow criteria proposed are therefore, at best, an attempt to solve, with water, environmental degradation resulting from other activities.
- Because of the many causes of the Delta's current problems, and the apparent attempt of the Draft Report to remedy of these problems through flows, the flow targets proposed in the Draft Report cannot be said to be "necessary" to protect public trust resources in the Delta.
- The Draft Report fails to provide a "volume" of water necessary to protect public trust resources. (See Wat. Code, § 85085(c)(1) [requiring the volume, quality, and timing of water necessary].) The only way the public will fully understand the import of the Draft Report, and its impact on statewide water

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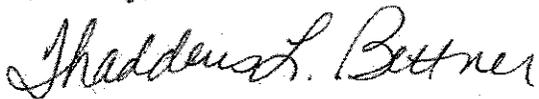
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supplies and all of the other public trust resources, is to provide the volume of water that would be required to implement the proposed flow criteria.

- The Draft Report fails to move California towards the coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. While the Draft Report is appropriately conditional, any attempt to implement the flow criteria contained in the report would have devastating impacts on the State's economy, the health and safety of the people of the State of California, and on environments upstream of the Delta.

Because the SWRCB's final Report will be used to inform the Delta Stewardship Council and the BDCP processes, it is critical that the Report not only comport with the legislative directive, but also appropriately address and clarify what is "necessary" versus what may be convenient to ameliorate for the Delta's "other" ills, like habitat degradation and invasive species. By using increased flows as the only means of fixing the Delta's numerous and complex problems, the Draft Report does nothing to advance the discussion on fixing the Delta.

Sincerely,



Thaddeus L. Bettner  
General Manager