



ORGANIZED 1956

## CALIFORNIA

# MARINE AFFAIRS AND NAVIGATION CONFERENCE

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April 5, 2010

Council on Environmental Quality  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, District of Columbia

Subject: Proposed National Objectives, Principles and  
Standards for Water and Related Resources Implementation  
Studies

Dear Gentlemen:

On behalf of California's ports and harbors, the California Marine Affairs and Navigation Conference (CMANC) offers the following specific comments on the proposed principles for water and related land resources planning.

We are a member of the National Waterways Conference and support the comments that organization made to you last month.

We also wish to refer to you our letter to the Corps of Engineers dated October 22, 2008 on their proposed principles in relation to the direction given in the Water Resources Development Act of 2007.

Since the implementation of cost-sharing there have been tensions between cost-sharing equity local-sponsors and federal agencies over selection of a locally preferred alternative versus meeting the requirements of Principles and Guidelines. Considering this long standing issue, we are surprised that it is not addressed.

The following is a listing of questions and comments that we offer as a means to guide you in your future deliberations and development of either future iterations or to assist in starting the process over.

As the Water Resources Council has statutory authority to develop standards and criteria for economic evaluation of water resource projects what was their involvement in preparing this draft document?

We are confused by the Planning Principles which are then repeated as being Planning Standards with some additional comments. Is there a difference between the Principles and the Standards?

CHRIS BIRKELO  
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JAMES M. HAUSSENER  
*EXECUTIVE DIRECTOR*

How does one define “restore the natural ecosystems and the environment?” Does one restore to a certain outcome or to a certain time frame? As an example should San Francisco Bay and estuaries and the species within be restored to an “x” quantity, quality, or a year such as 1840 prior to the “gold rush?”

Is sustainable economic development to be third to protect and restore in all instances? This appears to move in a direction no previous administration has articulated. It also appears to be inconsistent with the preamble of the National Objective that water resources planning and development should both improve the economic well-being of the Nation for present and future generations and protect and restore the environment.

Is the concept of “intrinsic natural value” in ecosystem services a part of what was defined as “cultural services” under the Millennium Ecosystem Assessment?

Would the hydrologic cataloging units in the watershed perspective be identified using the USGS hydrologic unit maps?

Specifically what are the “related resources” when integrating water and related resources management?

What specific principles are being referred to in “applying principles of adaptive management?”

What are the “necessary” ecosystem services that ecosystem-based management is supposed to sustain?

What specifically is “integrated water resources management?”

Are unavoidable impacts to be fully mitigated or is compensatory mitigation required to the extent possible?

What is the community of practice from which peer review standards come from?

The proposed planning process which requires prior steps to be reconsidered and revised at any point in the process based on new information from any source to be overly broad and require a constant do-loop in which no decisions are made.

As transparency is a requirement of this program, how will the public be aware of Executive Branch priorities and be able to comment on them in a manner to influence the decision making process? Further, what is the role of the cost-sharing equity local-sponsor in this process?

Earlier in the document hydrologic cataloging units are to be used, however, in defining the study area we are told the watershed and its surrounding and connected ecosystems as being the most appropriate study area. Considering the size of some watersheds, such as Northern California, is this truly a wise definition?

In determining the study objectives what is the role of the cost-sharing equity local-sponsor?

Is it reasonable to mandate at least one alternative with nonstructural measures to be developed and listed as the *primary non structural alternative* when one is deepening a port to accommodate the increased cargo movement possibly as a direct response to the President's directive on doubling of exports?

The requirement that any reasonable and viable alternative is labeled as "environmentally preferable" would prevent well qualified projects that might provide significantly greater economic benefits without any environmental degradation from moving forward. Is this your intent?

It appears that you are mandating the alternatives formulation to be fully integrated into a NEPA process before all of the alternatives are determined or reviewed. Will this increase costs and extend timelines for potentially life saving systems at an early stage of the process?

In determining "willingness to pay" how will a representative group be formed and what are the boundaries of the group?

What is the role of the cost-sharing equity local-sponsor in comparing and screening alternatives? Should political boundaries be considered in this process?

We are appreciative of the diligence of the Council and its staff in moving forward with this complicated task. We encourage the Council to review the directions given to the Corps of Engineers in the Water Resources Development Act of 2007 for future iterations. We look forward to reviewing further iterations as ambiguities are removed or being active in the complete restart of the process.

Sincerely,

*James M. Haussener*

James M. Haussener  
Executive Director