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Gentlemen:

We are writing to express our concerns about the two main California planning efforts currently being conducted related to the Bay Delta: the Bay Delta Conservation Plan and the Delta Stewardship Council's Delta Plan. While we have not been directly involved in BDCP, a number of our member organizations have tracked the process through periodic attendance at BDCP meetings. On the other hand, we have been closely involved with the DSC's Delta Plan and have submitted five formal comments letters during 2011, as the Delta Plan has evolved.

Our concerns about both projects, along with more than 200 supporting organizations, are contained in our Comments on the Fifth Staff Draft of the Delta Plan. Those comments are posted on the [EWC web site](#) as well as the [DSC's web site](#). In summary, our concerns are:

1. Both projects are unwilling to recognize the limitations on water supplies for Delta exporters and are in denial about the need to find ways to reduce exports; instead, the projects continue to plan for increased exports. The unwillingness to define a quantifiable level for "water supply reliability" is a clear indicator of this underlying problem and the avoidance of tough decisions. These kinds of difficult political and economic decisions are being purposely avoided.
2. There is a complete lack of consideration for balancing Public Trust values with the need for exports. We see no economic analysis on the horizon that would place values on public trust resources in comparison with increasing exports.
3. There is an overriding reliance on justifying costly conveyance solutions for earthquake risks and sea level rise when more economical Delta levee solutions are available to minimize these risks.

4. In these and many other ways we see a continuation of the status quo and the harmful aspects of excessive Delta exports; the projects both seem doomed to the same kinds of failures that overtook CALFED.

The solutions to these problems that we have presented to the Delta Stewardship Council can be summarized as follows:

1. In order to recover the health of the Bay-Delta ecosystems and its fisheries, scientifically developed criteria that would allow increased flows through the Delta must be established. Water exports from the Delta must be decreased and current federal and state water contract levels must be reduced in keeping with a safe, healthy, and reliable supply.
2. In order to compensate for reduced exports from the Delta, the state must sponsor a long-term, aggressive water efficiency program state wide that would apply to both urban and agricultural users. The favorable economics of water efficiencies and water recycling have been proven and would be billions of dollars less expensive for the state than constructing major new conveyance facilities through the Delta or major new surface storage dams.
 - We have requested that the DSC require BDCP to analyze, at an equal level of detail, conveyance facility capacities from 3,000 cfs to 15,000 cfs as well as alternatives that would utilize existing conveyance without major new conveyance facilities, except for improved fish screens.
3. The privatization of the former publicly owned Kern Water Bank, the elimination of the urban preference for water and the harmful effects of Article 21 “surplus water,” all of which were put in place by the secretly-negotiated Monterey Amendments, must be overturned in order to reduce pressure on the Delta and to provide a more reliable water supply for southern California.
4. In order to further reduce the export pressures on the Delta, thousands of acres of impaired and pollution-generating farmlands south of the Delta must be retired from irrigation and turned into more sustainable and profitable uses, such as solar energy generation.
5. Delta levees must be improved beyond the current US Army Corps of Engineer standards in order to address potential earthquake and future sea level rise concerns. The reinforcement of core levees beyond current standards is estimated to cost \$1 to \$2 billion, and is orders-of-magnitude less expensive than the \$15 to \$16 billion than major conveyance projects which are currently being contemplated by state and federal planners.
6. The Delta ecosystems and wildlife cannot be restored without major reductions of pollutants that are currently being poured into the Delta or without a significant program of habitat improvements for the Delta.

7. Public Trust balancing – one of the foundations of California water management policy – must be incorporated into every economic decision every step of the way. The Mono Lake case has clearly shown how alleged, grave economic consequences can be overcome when all external conditions and public trust resource values are fairly considered.
 - We have requested that the DSC direct the BDCP to perform a full economic analysis with Public Trust values considered in each of the alternatives they examine. If this is not accomplished by BDCP, the Delta Stewardship Council should have the analyses performed in order to produce a legally compliant EIR.
8. The improvement of water quality and water supply conditions for poor, underserved communities in the Central Valley must be a high priority for state and federal water projects.

We feel that the cumulative total of our recommendations would allow both the BDCP and the DSC to comply with the state requirement for “co-equal goals,” would reduce reliance on the Delta, and would provide more socio-economical solutions than those involved with building a Peripheral Canal or tunnel under the Delta.

We are also supportive of the concerns about BDCP as expressed in the September 30 letter sent to you by American Rivers, The Bay Institute, Defenders of Wildlife, Environmental Defense Fund, and the Natural Resources Defense Council.

Our caucus representatives would be happy to meet and discuss our unique combination of solutions with you at your convenience.

For the Environmental Water Caucus,



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