Delta Counties Coalition

Contra Costa County · Sacramento County · San Joaquin County · Solano County · Yolo County

"Working together on water and Delta issues"

October 19, 2011

The Honorable Jared Huffman
Chair, Assembly Water Parks and Wildlife Committee
State Capitol, 3120
Sacramento, CA 95814

The Honorable Richard S. Gordon
Chair, Assembly Budget Subcommittee No. 3 on Resources and Transportation
State Capitol, 5175
Sacramento, CA 95814

RE: Joint Oversight Hearing on the Bay Delta Conservation Plan—DCC Comments

Dear Assembly Member Huffman and Assembly Member Gordon:

The Sacramento-San Joaquin Delta Counties Coalition (DCC) is a consortium of Contra Costa, Sacramento, San Joaquin, Solano and Yolo counties formed to speak with one voice on our collective concerns regarding the protection, restoration and enhancement of the Sacramento-San Joaquin Delta (Delta). We respectfully submit these comments for consideration at the October 19, 2011 Joint Oversight Hearing of your two committees on the Bay Delta Conservation Plan (BDCP).

First and foremost, we would like to emphasize our willingness to have a constructive dialogue with the state regarding the goals of the Bay Delta Conservation Plan. We understand what is at stake for all Californians, not just the residents we represent. Other than significant outreach to Yolo County, however, very little has changed since Delta Supervisors testified on behalf of the DCC before Assembly Member Huffman's Committee in November 2010.

Four out of the five Delta counties remain outside the BDCP decision-making process. In addition, the BDCP has not yet started to evaluate the impact of BDCP proposals on the people who live and work in the Delta and therefore cannot fully assess both the feasibility of implementing these proposals or develop a process for mitigating impacts. Yet, the BDCP has adopted an aggressive timeline that we know cannot realistically allow for sufficient involvement from the Delta counties and other in-Delta interests.

As the Coalition has stated often in the past, the state cannot succeed without us. We therefore urge the Legislature and the Administration to reevaluate the current timeline and approach for completion of the BDCP. We recommend that further work on the BDCP be put on hold for a short period of time that is mutually agreeable and that intensive discussions between the BDCP principals and the Delta Counties begin immediately. The goal would be to determine the most appropriate way for the Delta Counties to participate in the BDCP process and to provide input on

additional alternatives for conveyance and diversion, as well as on levee restoration, protection for agriculture and recreation, and habitat conservation.

Towards this end, we offer the following specific suggestions for moving forward:

- **Evaluate non-diversion alternatives in the proposed EIR/EIS.** Similar to the request of environmental groups to BDCP, the DCC supports the evaluation of non-diversion alternatives as part of the BDCP's EIR/EIS. The nine project alternatives under consideration include eight alternatives that divert water from north of the Delta. To carry out the state's policy to "reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency" (Water Code Section 85021), other non-diversion alternatives should be included. The greater the extent to which the state's water supply issues can be solved through water conservation, desalination, storage, or other means, the less significant the impacts of the BDCP will be on the Delta counties.

- **Undertake a cost-benefit analysis of each diversion and non-diversion alternative.** We understand that the Resources Agency has contracted with UC Berkeley for an extensive economic analysis. If not already specified, this economic analysis should be a rigorous cost-benefit analysis that includes, at a minimum, all reasonable foreseeable direct and indirect economic impacts on the Delta counties of new infrastructure and habitat projects related to the BDCP. A thorough analysis of the costs and benefits of different alternatives could serve as the basis for MOUs between the state and the Delta counties on the BDCP, as well as the basis for justifying BDCP outcomes.

- **Initiate an independent review of the science in coordination with the Delta counties.** The DCC recognizes that the science behind BDCP proposals is evolving, but believes it is essential that the counties be a part of a process through which the science is independently evaluated. Such work is necessary to increase the credibility of BDCP proposals and minimize impacts.

- **Propose a high-level governance role for the Delta counties.** The current BDCP governance proposal provides no high-level involvement of key decision-makers in the Delta counties. It is hard for the DCC to believe that the state is serious about collaborating with local government if we are not a part of the proposed governance structure in a meaningful way.

- **Create technical working groups to address issues in each County.** So far, the BDCP has only created a technical working group in Yolo County. The other counties also need a venue to discuss important issues and suggest alternative or modified approaches to current BDCP proposals.

- **Provide funding to study the impacts of BDCP proposals.** Each Delta county needs funding to evaluate the impacts of BDCP proposals, as well as potential alternatives. Yolo County currently has $415,000 from three different sources to analyze the impacts of a proposal to create fish habitat in the Yolo Bypass and evaluate alternatives. The other counties have no funding. As a result of Yolo County's funding, the County is better able to participate collaboratively in discussions about the design of the proposed

project. No county should have to pay for studies of the impacts of a project that does not directly benefit them.

- **Initiate collaboration with local Habitat Conservation Plans/Natural Community Conservation Plans now.** The BDCP has not adequately worked with local Habitat Conservations Plans and Natural Community Conservation Plans to ensure integration of the state and local efforts. This effort needs to start now.

- **Spend $4.2 billion in existing bond funding for levee improvements now.** While our focus today is on the status of the BDCP, the Coalition urges the state to spend the $4.2 billion in bonds already sold and allocated to levee repair projects, habitat improvements, and other conservation projects under the jurisdiction of the Resources Agency. This is an important early action that can help both the Delta counties and the BDCP.

A month ago, Secretary of the Interior Ken Salazar spoke in San Francisco, calling the BDCP the "most important—and most complex—long-term water and habitat management plan ever undertaken." He also stated that "we have to get this right." We agree. That is why we respectfully suggest that it is better to arrive at a sound solution rather than an expedient one.

The DCC appreciates the opportunity to participate in today's hearing and looks forward to continuing to work with the Legislature and the BDCP. Working together, we believe we can jointly craft a strategy that will allow the Delta counties to participate in an open and collaborative process and to minimize or reduce the impacts of the BDCP on the interests of the people who live and work in the Delta as well as people throughout the state who depend on the Delta for water.

Sincerely,

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