



May 6, 2013

The Honorable Jerry Brown
Governor
State Capitol Building
Sacramento, CA 95814

Transmitted via Fax and Hand Delivery

Re: Sacramento-San Joaquin River Delta and Water Policy

Dear Governor Brown:

Sierra Club California has for more than 26 years led legislative and regulatory advocacy in California for the Sierra Club, one of the largest and oldest volunteer-driven environmental organizations in the country. The Sierra Club itself, founded in 1892 by a group that included naturalist John Muir, was launched and is headquartered in our state.

We open with this background—of which, as a student of California history, you are surely familiar—to underscore that we are not newcomers to California’s environmental issues. In particular, we are not newcomers to the long struggles in California to develop water polices that support our communities and economy while also protecting the State’s precious natural environment. The Club has been an active voice for the environmental values that make California unique, but which are too often ignored or dismissed by policymakers, even today.

In the past California has relied on supply-based engineering solutions that too often paid little regard to environmental degradation and losses. These solutions included the damming of the Tuolumne River at Hetch-Hetchy Valley in the 1920’s; the diversion of the San Joaquin River at Friant Dam shortly after World War II; and construction of the New Melones Dam in the 1970’s, among other water projects. These engineering projects from another era have helped delay development of a sustainable water policy in our current era. It is critical that the current debate about the Sacramento-San Joaquin River Delta system not lead us to repeat history’s mistakes.

More than seven years ago, when the Bay Delta Conservation Plan (BDCP) process began, Sierra Club was concerned that the endangered-species-directed approach would not adequately take into account the total Delta environment. We worried that the planning process was directed towards the interests of the largest project water users, rather than Delta residents or Californians as a whole.

The recent administrative draft BDCP documents, and your public statements, reinforce the appearance that the BDCP process is wedded to a new, large and complex water conveyance system in the Delta. Whereas the Delta Reform Act speaks to dual goals of ecosystem restoration and reliability of Delta supplies, in the context of programs for long-term reliability statewide, the documentation released for the BDCP seems intent on maintaining or increasing high exports out of the Delta to benefit the State Water Project and Central Valley Project contractors at the expense of the environment.

The BDCP—funded by the Southern California water agencies and the western San Joaquin Valley farming corporations who draw on so much Delta water—proposes a water supply solution that improves contract deliveries despite substantial evidence that the Delta ecosystem would benefit from higher outflows. Moreover, analyses show that climate change is likely to reduce the project’s ability to reliably provide higher amounts of water. This is not the path to reliable water supplies. It is the State’s responsibility to address water supply reliability in a manner that meets the needs of all Californians in ways that are consistent with environmental protection, resource conservation, and long-term sustainability. The BDCP draft fails to accomplish this balancing.

We are sorry to see that our early skepticism and worries appear well founded. We believe the proposed 9,000 cfs twin tunnel conveyance project, requiring a series of gigantic intake structures along the Sacramento River near Hood, combined with the apparent continued use of pumping stations in the southern Delta at Tracy, will be disastrous for the environment, the cultural resources and the economy in the Delta. The twin tunnels scenario also has the added risk of seriously degrading migrating fish, such as salmon, in the Sacramento River.

You were not the governor when the BDCP process began. However, you do bear considerable responsibility for the course of the debate about the Delta's future since you took office in 2010. The Sierra Club is disappointed with some of your recent public statements and your administration's stance regarding the State's water supply issues and Delta policy.

Specifically, your administration seems to be focused on, if not obsessed with, building a large water conveyance project no matter what its impacts on the ecosystem and economy in Northern California. Your seeming disregard for the proposed conveyance system's short-term construction and long-term operational, environmental and economic impacts was most recently demonstrated in your April 22 letter urging the U.S. Department of Interior to accelerate its review of the BDCP document even *before* the full document has been publicly released.

We are especially concerned about your rush to judgment that a large conveyance will be beneficial even though any detailed information about how that conveyance will be operated—how much water will be taken from the Delta system and when—has not even been released or determined. Even if construction of a conveyance is the right thing to do—and we believe the current proposal isn't, given the evidence of its impacts—how that conveyance is operated has an enormous influence on its environmental and economic impact. How can the public be asked to even consider such a proposal without solid commitments that its use would be governed by environmentally protective requirements, and without analysis showing its feasibility under such conditions?

You and your administration are relying too heavily on an old-fashioned approach to resolving California's water demand challenges at a time when more updated ideas and alternatives are needed. Your solution is to build something big before you leave office. Yet, building something big and old-fashioned isn't going to ensure—especially during a time of climate disruption—that the people of California and the environment will be guaranteed the reliable and essential water supply needed at the time it is most critical.

California needs 21st-century leadership on water policy that fully considers a wide range of alternatives that address how we can reduce water loss from existing infrastructure, preserve water quality, improve conservation across the state and across sectors of the economy, and restore watersheds to help California meet its essential public health, economic, and environmental goals. We are asking you for a commitment to fiercely protect and fight for the public trust of surface and groundwater resources, which belong to all Californians.

Rather than rushing to a tunnel solution, we urge you to reconsider your position on the Delta and explore alternative plans to lead California in a bolder, more enlightened and comprehensive direction on water supply policy. Our organization stands ready to assist in developing a better path. We want a healthy, lasting environment in California for all Californians. We hope that you do, too.

Sincerely,



Kathryn Phillips
Director

Cc: Secretary John Laird
Deputy Secretary Gerald Meral
Reps. Doris Matsui, John Garamendi, Jerry McNerney, Ami Bera, George Miller
California Senate Natural Resources and Water Committee
California Assembly Water, Parks and Wildlife Committee