

Nov. 15, 2011

Washington, D.C. – Today, Rep. Jerry McNerney (CA-11) submitted his own comment regarding the controversial Memorandum of Agreement (MOA) relating to the Bay Delta Conservation Plan (BDCP). This period for public comment followed the ongoing efforts of Rep. McNerney and other Members of Congress from the region as they repeatedly called on the Interior Department to rescind the document, noting that it was developed behind closed doors and that it gives water export agencies south of the Delta and in Southern California unprecedented influence over an important public process concerning California's precious fresh water supplies.

"The Bay Delta Plan has moved forward without the input of the people of the Delta communities. The farmers, families and businesses in the Delta stand to lose their livelihoods and way of life if water is stolen from our backyard," said Rep. McNerney. McNerney has met with key officials who have crafted the BDCP and continued on by pressuring the Department of the Interior to retract its support of the MOA. McNerney and other Members have written to Sec. Ken Salazar to express their objections to the current BDCP.

"We have to have a clean, healthy Delta. Any plan that includes a canal would turn our Delta into a salty marsh, costing the community millions of dollars and countless jobs. I will continue to fight to even the playing field and bring our voice to the table," said Rep. McNerney.

The text of Rep. McNerney's public comment is below.

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To whom it may concern:

The public comment period on the Memorandum of Agreement (MOA) signed between state and federal agencies and south-of-Delta water contractors is a critical time for the Bay Delta Conservation Plan (BDCP). I believe that BDCP officials should extend the comment period and rescind their support for the MOA, and I hope that state and federal policy makers will seize this opportunity to make major changes to the BDCP. As the MOA illustrates, the current BDCP and its focus on constructing a massive peripheral canal or similar system will benefit south-of-Delta water users at the expense of Delta communities.

As the agencies evaluate public comments and weigh the future of the BDCP, I wish to highlight the Economic Sustainability Plan (ESP) for the Sacramento-San Joaquin Delta recently adopted by the Delta Protection Commission. As the ESP makes clear, a canal and related proposals “are clearly incompatible with economic sustainability at their current levels.” The BDCP must meet its obligation to fulfill the state’s co-equal goals while also helping, not harming, the economic development of the Delta region.

The Delta has a long and proud agricultural history, and farming continues to be the cornerstone of the Delta economy. Delta farming generates hundreds of millions of dollars in revenue and supports thousands of jobs. According to the ESP, a 15,000 cfs isolated conveyance facility would diminish water quality and leave a large footprint, causing at least \$30 million in annual agricultural losses and possibly far more. Other proposals associated with the BDCP would cost tens of millions in additional agricultural losses, and the deterioration of Delta water quality threatens the tourism and recreation economies and could dramatically increase the cost of treating water resources. In its current form, the BDCP will deal a devastating blow to the economy and culture of an entire region.

Better alternatives exist to the BDCP’s deeply flawed proposals for a canal or tunnel system, but they will only receive the consideration they deserve if the MOA is rescinded and the BDCP is transformed into a process that is fair, transparent, and places the best needs of the Delta on par with other interests. As I have repeatedly expressed, I believe that the MOA gives south-of-Delta entities special privileges that are wholly inappropriate. Decisions that will forever affect Delta communities should only be made in close consultation with elected officials and key stakeholders from the Delta region.

The Delta Counties Coalition (DCC) recently sent correspondence to senior BDCP officials

highlighting 10 issues that must be addressed if the BDCP is to succeed. I believe it is critically important that state and federal agencies respond to each of these concerns in a detailed, substantive, and timely manner. I also wish to express my strong support for many of the principles outlined by the DCC, including but not limited to:

1. A reevaluation of the timeline for completing the BDCP – The BDCP is one of the most complex environmental restoration initiatives ever undertaken. The current timeline is unrealistic and should be modified so that science – not the whims of water export contractors – guide key BDCP decisions.
2. A withdrawal of the MOA – The MOA gives unprecedented, unfair, and improper influence to south-of-Delta water contractors. The BDCP must be changed so that in-Delta stakeholders can participate on a level playing field.
3. Serious consideration of non-diversion alternatives – A peripheral canal or similar system will devastate the Delta region’s economy. The BDCP must make a good faith effort to consider other options and should support vigorous statewide investments in water conservation, water efficiency, and other innovative projects.
4. Ensure that local officials have a key role in the process – The BDCP does not provide a meaningful role for local officials in the decision making process. This flaw must be addressed if the BDCP is to succeed.
5. Support investments in local levees – As the ESP states, “the levee system is the foundation on which the entire Delta economy is built. Therefore, a sustainable Delta economy requires a sustainable levee system.” State and federal policymakers should support immediate investments in local levees.

Thank you for your attention to my comments. I hope they will receive full consideration as state and federal agencies consider the changes that are so badly needed to the BDCP.

Sincerely,

Jerry McNerney
Member of Congress