

CSPA Comments: BDCP Press Conference & Rally; Stockton  
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22 September 2009

Good Afternoon:

The Delta estuary is hemorrhaging – as reflected in the population collapses of Delta smelt, longfin smelt, American shad, splittail, threadfin shad, striped bass, herring, sturgeon, steelhead and all four runs of salmon (winter, fall, late fall, spring), as well as the native zooplankton and phytoplankton that comprise their food supply.

1. All of the commercial fisheries in San Francisco Bay are closed.
2. The coastal commercial salmon fishery has been closed for two years and the fleet is either dry-docked or in foreclosure.
3. Recreational salmon fishing is shut down and fishing license sales have dropped by half.
4. One of the great estuaries of the world is imploding.
5. Fisheries that God nurtured over hundreds-of-thousands-of-years are being destroyed by water speculators in mere decades.

And those responsible for the collapse and who seek to institutionalize the estuary's degradation are staging a dog and pony show across the street.

After more than a decade, billions of dollars squandered and an estuary on life support; CalFed was declared to be a dysfunctional failure.

And out of its ashes rose Delta Vision and BDCP. Welcome to CalFed II.

BDCP is like one of those old TV game shows that were rigged – where the winner was picked at the beginning.

The BDCP steering committee has already agreed on the ending – a peripheral canal. They had to agree that a canal was the best option in order to get on the committee.

These staged, meaningless workshops are like the hangman allowing the condemned to help write their own obituary.

BDCP offers a solution that will devastate the Delta economy, send its fisheries into oblivion and turn one of the great estuaries in the world into a backwater cesspool.

It is a water conveyance scheme masquerading as a Habitat Conservation Plan in order to get around endangered species laws.

It is the most massive HCP ever envisioned – married to a massive hydraulic modification of the estuary – divorced from upstream tributaries – and scheduled

for completion within another year. Nothing of this magnitude has ever before been attempted in this timeframe.

BDCP promises 50-year guarantees and no surprises. If it fails, exporters are off the hook for the next 50 years.

BDCP is a backroom process peddled by water speculators attempting to persuade you to pay for their stealing your water.

Let's discuss a few of the many things BDCP doesn't want you to understand.

1. No estuary in the world has been restored by diverting massive quantities of water around it.
2. Water quality in an estuary cannot be protected and restored by diverting good quality dilution water.
3. The Delta cannot be restored by treating its farmers, fishermen, businessmen and legislators as window dressing and excluding them from the decision making process.
4. Placing the solution in the hands of those who chaperoned the estuary's collapse will not solve the problem.
5. Turning farms into habitat will not restore fisheries when the collapse of fisheries and water quality had nothing to do with habitat loss. Habitat has increased over the last 50 years: fisheries collapsed in the last 20.
6. BDCP is refusing to fully analyze viable alternatives, including **no export** and **reduced export** scenarios. It refuses to compare the cost of constructing seismic no-fail levees that will withstand rising sea levels to the cost of a peripheral canal.
7. BDCP is a backdoor attack on 130 years of California water rights and legal precedent. It equates junior water rights with senior rights.
8. You cannot have "coequal goals" when the state has granted 245 MAF of water rights for an estuary that only receives 29 MAF of average inflow.

Coequal goals means that Delta farmers, who irrigate some of the finest soils in the world with senior water rights will be sacrificed in order to supply junior water rights holders with subsidized water to irrigated subsidized crops on impaired lands in the desert that belch toxic wastes back to our rivers.

9. The State Water Contractors have refused to mitigate for the impacts of previous water projects. In BDCP, they seek to shift mitigation and restoration costs to the general public.

We have state constitution, a water code, state and federal endangered species acts, water quality acts, environmental review acts and a Fish and Game Code that - while imperfect - would have prevented the estuary's collapse. If enforced, they are sufficient to restore it.

This year, virtually every standard established to protect the Delta has been violated, including:

1. Delta outflow and San Joaquin River flow requirements,
2. The import/export ratio,
3. Water quality standards,
4. The prohibition from using the joint point of diversion while salinity criteria are violated.

Additionally, our governor has waived compliance with CEQA and water quality control plans for water transfers.

And, the State Board, the defender of the public trust, has before it:

1. Delta Wetlands' petition for an additional 417,000 acre-feet of water rights - which will further reduce outflow and increase salinity, and
2. Reclamation's petition for a time extension to put to beneficial use some 31 million acre-feet of previously granted water rights it has never used - paper water that doesn't exist.

It is in the midst of this surreal Fellini fantasy that BDCP brings its Kabuki dance to Stockton. BDCP is a strategy to enable those who have ignored the law to continue to evade the law.

To the BDCP crowd, the Delta is merely an obstacle in the way of shipping more water south.

To us, the Delta is our home.

And we will never surrender our home - and its waterways, fisheries, farms and communities - to the shortsighted greed of water merchants.