

October 30, 2013

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Dear Administrators Blumenfeld and Stelle, Directors Lohofener, Murillo, Cowin, and Bonham, Secretaries Rodriquez and Laird, and Chair Marcus:

We are writing to bring your attention to a number of concerns regarding the Bay Delta Conservation Plan Administrative Draft and Draft EIR/EIS released to the public this spring. With the understanding that this draft will undergo further revisions prior to the release of the Public Draft later this year, the Friends of the San Francisco Estuary would like to contribute to the refinement of the plan with the following comments.

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We are deeply concerned about the long-term health of the San Francisco Bay-Delta Estuary in light of the serious decline of biological and public trust resources in recent years. The science is clear that current conditions do not meet the state's co-equal goals; therefore, we ask that improved freshwater flows be part of any plan to fix California's water supply.

As represented by the Administrative Draft released recently, the BDCP contains significant flaws. For example:

- All of the operational scenarios evaluated, including the preferred alternative, reduce total Delta outflow compared to current conditions. A broad range of federal and state agencies, including the U.S. Environmental Protection Agency, National Academy of Sciences' Natural Resource Council Committee on Sustainable Water Management in California's Bay-Delta, U.S. Fish and Wildlife Service, National Marine Fisheries Service, State Water Resources

Control Board, and California Department of Fish and Wildlife have stated that current Delta outflows are not adequate to maintain, recover or restore ecosystem processes and declining fish species in the San Francisco Bay-Delta Estuary. As recently stated by the EPA:

“There is broad scientific agreement that existing Delta outflow conditions are insufficient for protecting the aquatic ecosystem and multiple fish species, and that both increased freshwater flows and aquatic habitat restoration are needed to restore ecosystem processes in the Bay Delta and protect threatened & endangered fish populations”
(Federal Agency Comments on BDCP 7/18/13).

This is a fundamental conflict to the stated purpose of the BDCP as a Habitat Conservation Plan. The BDCP must increase total Delta outflows to meet the co-equal goal of protecting and restoring the Bay-Delta Estuary.

- As the National Marine Fisheries Service (NMFS) has noted in comments on the Administrative Draft BDCP, adverse impacts to endangered species are intended to be offset by habitat restoration, with the assumption that all restoration will be successful and work as predicted. There is no evidence offered to support this prediction. NMFS and other wildlife agencies have stated multiple times that endangered species are at risk for further decline under current BDCP scenarios. Again, this is a fundamental conflict to the stated purpose of the BDCP.
- The Administrative Draft BDCP and Draft EIR/EIS omit any analysis of possible effects on San Francisco Bay. The Plan Area terminates at Carquinez Bridge, effectively excluding the entirety of San Francisco Bay. As a result, impacts to water quality, aquatic habitats, fish and wildlife, and estuarine dynamics in the San Francisco and San Pablo Bays have not been considered adequately in the Draft EIR/EIS and Effects Analysis. As noted by the National Research Council review of BDCP in 2011: since BDCP aims to address management and restoration of the San Francisco Bay-Delta, this significant omission must be rectified.

It is clear that significant changes are needed to ensure a viable future for the Delta region and California's water supply; however, the above points demonstrate that the current Administrative Draft BDCP does not fully adhere to the state's co-equal goals, does not adequately represent California stakeholders, and most importantly does not fulfill its goals as a Habitat Conservation Plan.

To quote our legislators in their June 2013 letter to Governor Brown: “For the BDCP to be successful, this Administration must demonstrate that it will represent all California stakeholders and prioritize a balanced approach mandated by federal and state law. This process must yield a plan that can be permitted, that meets legal requirements, that provides a more reliable water supply for California and that protects, restores, and enhances the Delta ecosystem for the region's families, farmers, and small business owners.”

The Friends of the San Francisco Estuary (Friends) is an incorporated 501(c)(3) non-profit organization. The Friends is a partner of the San Francisco Estuary Partnership (SFEP), which is a program of the Association of Bay Area Governments (ABAG) and one of 28 National Estuary Projects. We are dedicated to the restoration and management of a healthy San Francisco Bay-Delta Estuary through the development of public involvement, education, communication, and advocacy programs. The Friends also serve as an advocate for the implementation of the

Comprehensive Conservation Management Plan for the San Francisco Estuary (CCMP), developed and approved in 1993 by the Governor and the U.S. EPA and revised and adopted in 2007.

Please contact Darcie Luce at (510) 282-1254 for any questions regarding this letter. Thank you for your attention to our concerns. We look forward to working with you further on this important effort.

Sincerely,



Barbara Salzman
President
Friends of the San Francisco Estuary

cc (via e-mail):

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