

Congress of the United States
Washington, DC 20515

August 2, 2013

The Honorable Jerry Brown
Governor
State Capitol
Sacramento, CA

Dear Governor Brown:

We have previously expressed our concerns regarding the expeditious process that has developed the draft Bay Delta Conservation Plan (BDCP). On July 18th, 2013, each of the federal agencies with oversight authority of BDCP submitted comments on the Administrative Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) that restated what we have repeatedly vocalized: the current BDCP proposal is flawed. California state agencies have also echoed many of these exact same concerns in earlier comments and as such we urge you to stop rushing this BDCP process and instead work with us to develop a plan that is transparent, based on sound science, fair to all water users and developed with all stake-holders at the table. It is more important for the problems raised by these federal and state agencies and the concerns of water users and taxpayers to be fully resolved than for BDCP to be rushed to meet an artificial deadline in October due to political pressure. Until this is done, any BDCP will risk billions of California tax dollars and thousands of jobs.

A subset of particularly concerning findings by federal experts includes:

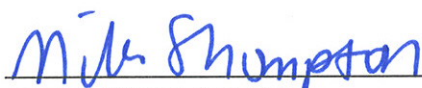
- The Bureau of Reclamation (BOR) found that the identification of adverse and beneficial impacts of the proposed BDCP is very subjective and appears to be based on a misreading of the National Environmental Policy Act (NEPA);
- The Environmental Protection Agency (EPA) found that the BDCP Preferred Alternative would have significant unmitigated adverse impacts on water quality in the Delta;
- The National Marine Fisheries Service (NMFS) concluded that the draft EIR/EIS is currently insufficient because it was not based on the best available science; and
- The U.S. Fish and Wildlife Service (USFWS) did not find sufficient and equal level of information and analysis of the Preferred Alternative and other alternatives, which resulted in unequal treatment in alternative analysis and comparison.
- The U.S. Army Corps of Engineers (USACE) strongly questions the validity of providing up to existing contracted amounts of water when the NEPA/California Environmental Quality Act (CEQA) analysis needs to first show how much water is necessary to protect fish.

These objections, raised by dis-interested federal agencies echo the very concerns we have repeatedly expressed to you and your administration in writing and in meetings over the past several years: the current BDCP proposal that is preferred by your administration is not based on the best available science, has not been developed in a comprehensive manner with input from all stakeholders, and would cause more harm to the already degraded Bay-Delta region.

In light of these recent comments, we urge you to fully revise the current BDCP through a transparent process that uses the best available science to develop new alternatives that are fair to all Californians as the outcome of these deliberations greatly affect the Delta communities, fishermen, agricultural interests, small businesses, and municipalities.

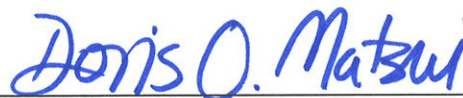
Thank you for your consideration of our request.

Sincerely,



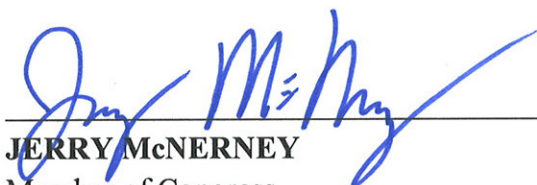
MIKE THOMPSON

Member of Congress



DORIS MATSUI

Member of Congress



JERRY McNERNEY

Member of Congress



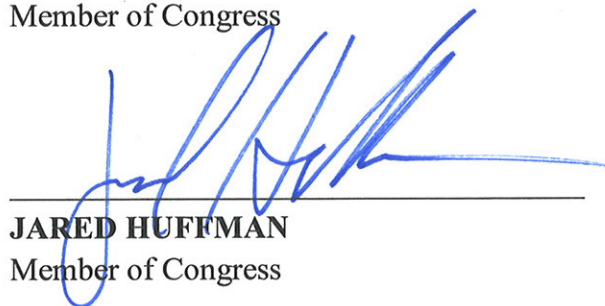
GEORGE MILLER

Member of Congress



JOHN GARAMENDI

Member of Congress



JARED HUFFMAN

Member of Congress

cc: The Honorable Sally Jewell, Secretary of the Interior
The Honorable Michael Connor, Deputy Secretary of the Interior
The Honorable Penny Pritzker, Secretary of Commerce
Administrator Will Stelle, Northwest Region National Marine Fisheries Service
Director Daniel Ashe, U.S. Fish and Wildlife Service
The Honorable Gina McCarthy, Administrator, U.S. Environmental Protection Agency
The Honorable Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works, U.S. Army
Corps of Engineers