

September 2, 2009

Senator Darrell Steinberg  
Senate President pro Tem  
State Capitol, Room 205  
Sacramento, CA 95814

Assemblymember Karen Bass  
Speaker of the Assembly  
1303 10th Street, Room 219  
State Capitol  
Sacramento, CA 95814

Senator Fran Pavley  
Senate Natural Resources Committee Chair  
State Capitol, Room 4035  
Sacramento, CA 95814

Assemblymember Jared Huffman  
Assembly Water, Parks and Wildlife Committee Chair  
State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0006

**Re: Oppose the Delta Bill Package**

The undersigned conservation and fishing organizations are writing to express our strong opposition to the “Delta Bill Package” that is being rushed through the legislature. We urge you to vote no on the Delta Bill Package since it would devastate the Bay-Delta ecosystem and its native fisheries and facilitate the building of an expensive and destructive peripheral canal.

The legislature is currently considering legislation that serves as a road map to constructing the controversial peripheral canal and includes funding for new dams. California already diverts over six million acre-feet of fresh water from the Delta annually and has over 1,400 major dams blocking our rivers. The state has issued water rights permits for more than five times the average annual water flow in all of California’s rivers and streams. And an economic report released to the legislature last week reveals that the proposed canal could cost a staggering \$54 billion.

No aspect of this project makes sense at a time when native fish populations have collapsed due to unsustainable water diversions and state parks are being closed by budget problems. After three decades of failing to solve the fisheries and water quality issues in the Delta, why the sudden rush to approve a patchwork package of misguided bills in the last weeks of this legislative session?

Though the sponsors of the legislation claim they are not authorizing a peripheral canal, the legislation would give the Governor, who has declared his intent to build it, the majority of votes on a council that would have the authority to fund and construct it. Such a canal would facilitate the demise of the Bay-Delta ecosystem and Central Valley salmon.

The peripheral canal was overwhelmingly rejected by California voters in 1982 and is opposed by most Californians today. A recent statewide poll shows that 76% of California voters believe California is on the “wrong track” regarding water issues, are hesitant to support a water bond, and are highly skeptical of the Peripheral Canal Project.

The badly flawed Delta Bill Package would enable construction of the canal and restructure California's water laws and governance. The package of five bills would establish a political committee (four of the seven members would be appointed by the Governor) that could authorize the canal without voter approval. The legislation would weaken existing environmental laws and provides no enforceable standards for fishery restoration. This dangerous legislation would indebt Californians for decades to come and exacerbate the unprecedented collapse of Central Valley salmon and steelhead, delta smelt, longfin smelt, green sturgeon, Sacramento splittail and other Delta fish populations. The impacts could reverberate beyond the Bay-Delta ecosystem and affect other species that depend on these fish, such as southern orcas and seabirds.

The bills will weaken existing environmental laws and guarantee water for west San Joaquin Valley agriculture while ignoring the toxic drainage problems from these lands that degrade Delta fisheries, ecology and water quality. Aside from the fact that there is no “surplus” water to fill a peripheral canal even if it is built, the current legislation fails to solve the key conflict of providing reliable water supply while protecting fish populations.

A peripheral canal would move the diversion point for exported water north of the Delta, shifting impacts to the Sacramento River's vulnerable salmon, steelhead and sturgeon populations. Operation of the canal would make the Delta more saline, eliminating critical habitat for pelagic fish species in Suisun Bay and the Sacramento River, and would increase pollutant concentrations, water temperatures, and dissolved oxygen problems in the Delta.

A new layer of politically motivated governance atop the existing ineffectual and unresponsive state water bureaucracies like the Department of Water Resources and the State Water Resources Control Board will not solve the problems in the Delta. What is needed instead is aggressive enforcement of existing water and species protection laws, biological opinions, and reduction of unsustainable Delta water exports. The solutions to California's water mismanagement include investments in water conservation, recycling and reclamation by agricultural water users, revision of over-allocated water rights, and improved groundwater management, which will provide far more water than building harmful new dams and an expensive and controversial canal.

California simply cannot afford the estimated \$54 billion price tag for this canal. The Bay-Delta ecosystem and California's salmon fishing industry cannot afford the impacts of a new peripheral canal and construction of additional dams. There are better and more cost effective ways to provide for the restoration of the delta and water for Californians.

Please reject the Delta Bill Package and instead initiate a comprehensive approach to address our state's water supply and water quality needs in 2010. Solutions must include fiscally and environmentally sound projects that will capture, recycle, and treat water while safeguarding the Bay-Delta ecosystem and our fisheries. Management of the Delta must be based on providing for the freshwater needs of the Delta ecosystem and enforcing existing environmental laws.

Sincerely,

Center for Biological Diversity  
Peter Galvin, Conservation Director  
351 California Street, Suite 600  
San Francisco, CA 94104

California Sportfishing Protection Alliance  
Bill Jennings, Chairman  
3536 Rainier Avenue  
Stockton, CA 95204

Friends of the River  
Steve Evans, Conservation Director  
1418 20th Street, Suite 100  
Sacramento, CA 95811

Institute for Fisheries Restoration  
Sara Randall, Program Director  
P.O. Box 29196  
San Francisco, CA 94129-0196

Small Boat Commercial Salmon Fishermen's Association  
Mike Hudson, President  
5835 Doyle Street, Suite E  
Emeryville, CA 94608

Crab Boat Owners Association of San Francisco  
Larry Collins, President  
2907 Jones Street  
San Francisco, CA 94133-1115

Water for Fish  
Richard Pool  
P.O. Box 5788  
Concord, CA 94524

Diablo Valley Fly Fishermen  
David Lipscomb, Conservation Chair  
P.O. Box 4988  
Walnut Creek, CA 94596

Granite Bay Flycasters  
Robin Egan, Vice President for Conservation  
4120 Douglas Blvd. #306-356  
Granite Bay, CA 95746-5936

Golden West Women Flyfishers  
Cindy Charles  
790 - 27th Avenue  
San Francisco, CA 94121

Mission Peak Fly Anglers  
Larry Dennis, Conservation Chair  
P.O. Box 7263  
Fremont, CA 94537

Alameda Creek Alliance  
Jeff Miller, Director  
P.O. Box 2626  
Niles, CA 94536

Friends of the Creeks  
Lesley Hunt, President  
236 Warwick Drive  
Walnut Creek, CA 94598

Friends of the Arroyos  
Louann Tung, President  
16 Rockrose Street  
Livermore, CA 94550

Nature in the City  
Peter Brastow, Founding Director  
PO Box 170088  
San Francisco CA 94117

The Lake Merritt Institute  
Dr. Richard Bailey, Director  
568 Bellevue Avenue  
Oakland, CA 94610