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# California State Senate

SENATOR  
LOIS WOLK  
MAJORITY WHIP  
THIRD SENATE DISTRICT



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October 30, 2015

Mark Cowin, Director  
Department of Water Resources  
BDCP/WaterFix Comments  
P.O. Box 1919,  
Sacramento, CA 95812

RE: Concerns and comments on the Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS) for the Bay Delta Conservation Plan/California Water Fix

Dear Mr. Cowin-

I write to express concern and formally submit comments on the Bay Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement for the Bay Delta Conservation Plan/California Water Fix (RDEIR/SDEIS).

On its face, the singular focus on water supply infrastructure within in the WaterFix, raises significant concern as to whether the project itself is consistent with the Delta Reform Act and specifically, the co-equal goals for the Delta. The proposed project offers only simple mitigation that will maintain or increase the current magnitude of impacts on the Delta. When the Legislature passed the Delta Reform Act in 2009, members were assured that new conveyance would only be advanced alongside tangible and measurable improvements in ecosystem conditions in the Delta. With the move from the BDCP to the WaterFix, this commitment has been broken.

The proposed project is one of the most controversial, expensive, and enormous projects ever proposed in California. Prior to moving forward with such a consequential project, all benefits, risks, impacts and costs should be clearly disclosed.

However, the RDEIS/SDEIS and the process to develop the document, have failed to provide clear answers to basic questions necessary to determine whether this project will benefit California, comply with current laws, or, importantly, contribute to the continued decline of the Sacramento-San Joaquin Delta and the connected San Francisco Bay Estuary.



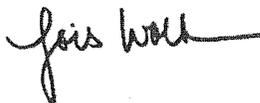
Prior to moving forward with approval of the Water Fix environmental documents, please provide clear answers to the following questions:

1. Will the Water Fix provide additional inflow and outflow to the Delta? Will flows under the Water Fix prevent further degradation of public trust values in the Delta? How will flows compare to the flow levels identified by the State Water Resources Control Board as necessary to maintain public trust resources in the Delta?
2. How, specifically, does the Water Fix comply with the requirements of the Delta Reform Act, including:
  - a. the requirements listed in Water Code section 85320 pertaining to the BDCP;
  - b. comply with the co-equal goals, including the goal of achieving activities in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place;
  - c. comply with Water Code Section 85021, establishing the policy of the State of California to reduce reliance on the Delta?
3. Will the proposed project result in loss of prime agricultural lands in the Delta?
4. Will water quality conditions in the Delta decline under the proposed project? Will reduced freshwater flow under the proposed project contribute to increased blooms of blue-green algae, and confound other such water quality problems in the Delta?
5. How will reduced freshwater flow impact the San Francisco Bay?
6. Will the proposed project intensify the anticipated impacts of climate change in the Delta and the San Francisco Bay ecosystems?

Recently, the Delta Independent Science Board reviewed the RDEIS/SDEIS and concluded, "The Current Draft lacks key information, analyses, summaries, and comparisons. The missing content is needed for evaluation of the science that underpins the proposed project. Accordingly, the Current Draft fails to adequately inform weighty decisions about public policy."

As noted in the Independent Science Board review, the WaterFix RDEIR/SDEIS does not provide the public with the information needed to meaningfully comment on the project. Furthermore, the document does not provide the basic information that California needs in order to decide on a project this magnitude. The RDEIR/SDEIS should be retracted and the WaterFix should not move forward until these basic questions are answered.

Sincerely,



LOIS WOLK  
Senator, 3<sup>rd</sup> District

RECIRC274

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**From:** Bertagnini, Benny <Benny.Bertagnini@sen.ca.gov>  
**Sent:** Friday, October 30, 2015 1:47 PM  
**To:** BDCPcomments  
**Subject:** Senator Wolk - BDCP/CA Water Fix Project Comments  
**Attachments:** Sen Wolk Comments Letter 10.30.15.PDF

Good afternoon,

Attached is a letter from State Senator Lois Wolk on the BDCP/California Water Fix Project.

Thank you,

***Benny Bertagnini***  
Senator Lois Wolk  
California State Senate – 3rd District  
(916)651-4003  
(916)323-2304 (Fax)