



NORTH
COAST
RIVERS
ALLIANCE



August 2, 2012

Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Senator Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

RE: Assistance Obtaining Answers to Seven Fundamental Questions Regarding the Decision to Proceed with the Twin Tunnels Peripheral Canal Project under the Bay Delta Conservation Plan.

Dear Senator Feinstein and Boxer:

We request your assistance. On June 27, 2012, community, conservation and fishing groups¹ wrote to the departments of Interior and Commerce requesting answers to seven fundamental questions (attached for your reference) regarding the Bay Delta Conservation Plan's (BDCP) twin tunnel peripheral canal project. We have not received a response. We would appreciate your help in obtaining answers to these questions and two new questions.

The Secretary of Interior, on July 25, 2012, "announcing the 9,000 cubic feet per second three-intake structure", speaking on behalf of the Departments of Interior and Commerce announced, "*This is the United States of America speaking to all of you...we are here united with the State of California to move this project forward and get it done.*"² The public was barred from attending the press conference and no materials were provided that answer our seven fundamental questions regarding the project. The announcement, however, did bring up additional questions.

The Secretary declared the San Francisco Bay/Sacramento-San Joaquin Delta Estuary to be a landscape of national significance, and yet, his decision appears to already be made to proceed with this project to divert more water and isolate the estuary from this critical fresh water flow essential to habitat and species recovery. The Secretary's announcement to proceed with the project raises two additional questions for which we seek your aid in obtaining answers:

1. *What documents did the Secretary rely upon to remove the red flag issues elevated by the federal scientific community with regard to the project's failure to ensure recovery of the more than 12 endangered or threatened species in the estuary? –and,*
2. *Did the science that the Secretary relied on adhere to the February 2011 DOI Scientific Integrity Policy³ and include peer review? Your assistance in obtaining copies of these peer review comments and the documents prepared by the scientists that assisted the Secretary in reaching his announcement to proceed with this project, would be greatly appreciated.*

We are concerned the decision to proceed with such a massive twin tunnel project—that will divert much of the remaining fresh water flows critical to the health of the San Francisco Bay/Sacramento San Joaquin Delta Estuary, is arbitrary. Answers to these questions will assist our thousands of members arrive at an informed decision.

Regards,



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¹ <http://blogs.alternet.org/danbacher/tag/bay-delta-conservation-plan/>
http://sierraclubcalifornia.org/2012/06/27/policy_before_plumbing/

² http://www.water.ca.gov/news/newsreleases/2012/072612bdcp_190mb_long.wmv Governor Brown News Conference on Tunnels <http://vimeo.com/46505877>

³ <http://www.fws.gov/science/pdf/DOIScientificIntegrityPolicyManual.pdf>



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Attachments: Seven Questions

Cc: Representatives George Miller, Jerry McNerney, Anna Eshoo, Mike Thompson, Doris Matsui, John Garamendi, Mike Honda, Lynn Woolsey, Jackie Speier, Barbara Lee, Zoe Lofgren and Pete Stark
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**Seven Questions Re the 9,000 cfs Twin Tunnel [3] Intake Delta Water Export
Asked June 27, 2012:**

1. How much will it really cost? We're being told that just the record size tunnels project costs are estimated at least \$12.691 billion, but this does not include operation and maintenance which ups the cost to \$17 billion, add in financing and the costs reach \$51 billion according to BDCP documents. [See Chapter 8 BDCP documents (p. 8-86 & p. 8-88)]. Governor Brown estimates the costs at \$14 billion.
2. Who pays for it? Who REALLY pays for it? And the impacts? The State of California last week released a "Benefit Analysis of the BDCP" that suggests the project makes economic sense for the south of the Delta water contractors, but only if huge costs are shifted to others and benefits not part of the project are counted. The sponsors concede that no true statewide or other cost benefit analysis has been prepared or is planned for this massive public works project. How does this failure to conduct a benefit cost analysis comply with federal law?
<http://baydeltaconservationplan.com/Files/June%202012%20Public%20Meeting%20Presentation%206-20-12.pdf> The "others" in this case are statewide, but focused most intensively in Northern California where entire communities and their jobs and resources would suffer with the inevitable decline of the San Francisco Bay Delta Estuary. [see Dr. Michaels analysis, Director of the Business Forecasting Center, Eberhardt School of Business at
<http://valleyecon.blogspot.com/2012/06/is-bdcp-good-deal-for-water-agencies.html> & <http://blogs.esanjaquin.com/san-joaquin-river-delta/files/2012/08/JeffMichaeltoJohnLaird0712.pdf>
3. How much "new" water will be produced annually? 250,000 AF? 500,000 AF? 1 MAF? 1.5 MAF? What is the source? What are the real export levels and how were they determined?
4. When will this "NEW" found water be available – 2018? 2020? 2023? 2026? 2030? 2050? What is the date of the first drop of water from completed construction?
5. How will this "new" water pie be divided? Who gets what? How and when will that be determined?
6. What are the upstream impacts of this project on flows, temperatures, fisheries protection and reservoir operations?
7. Scientists report that climate disruption will impact California – its coastline, sea level, weather patterns, precipitation rates and a growing list of other conditions. The current proposed plan indicates climate assumptions will be "forthcoming". Can you guarantee that multi-billion dollar expenditures for plumbing being recommended will have meaningful utility in 2020, 2030, 2050, and beyond?