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DeltaKeeper Comments
CalFed Public Hearing, EIR/S
Stockton, 18 August 1999

SEP 18 1999

Good Evening:

Bill Jennings, representing DeltaKeeper, San Francisco BayKeeper, the California Sportfishing Protection Alliance and the Committee to Save the Mokelumne.

Every previous effort to replumb the Delta has made conditions worse. CalFed promises to be no exception. The EIR's water quality component is an under-funded step-child. Its deficiencies are astonishing given that improved water quality is crucial to all program components.

The rush to "build" projects before we have adequate understanding of the biological complexity of this estuary or the fate, transport and effects of contaminates is a recipe for failure. Many millions have already been ill-spent for habitat in areas with the highest concentrations of methyl mercury.

The Delta smelt model has serious problems. There's major dispute over the fish X-2 model. The implications of sending increased selenium loads into the eutrophic areas of the central Delta and the consequences of remobilizing channel sediment mercury have not been analyzed. Despite endemic toxicity, comprehensive efforts to assess population level effects are lacking. There's no baseline inventory of lower trophic populations, especially in the small tributaries that are engines of system productivity.

The EIR proposes poorly conceived projects that will likely fail and subsequently be used to justify a peripheral canal. In anticipation, construction of the first leg is already recommended.

The EIR relies upon water-demand data that even DWR has disavowed. It discounts meaningful water conservation that could translate into export reductions. It fails to quantify the amount of water needed for restoration. It rejects meaningful land retirement. And it flees from any notion that water should be fair-market priced.

After three decades of Porter-Cologne and the Clean Water Act, every significant waterbody in the state is listed as contaminated and incapable of supporting beneficial uses. The entire Bay and Delta are identified as toxic hot spots. Yet, the EIR shies away from the single most effective measure to improve water quality, aggressive enforcement of existing law.

Reliance on voluntary measures to reduce pollutant loading is puzzling given the historical failures of voluntary programs unless driven by regulatory certainty.

In closing:
CalFed's success depends upon independent, well-funded science, meaningful water conservation, reduced exports, enforcement of water quality statutes and sufficient, clean resource water. These conspicuous, missing elements have transformed the EIR from a blueprint for restoration into a roadmap to failure.

Thank you.