

# Jerry Brown's revised water tunnels plan adds political problems

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For years, Gov. Jerry Brown used the promise of habitat restoration to broaden the appeal of his plan to build two tunnels to divert water around the Sacramento-San Joaquin Delta to the south.

Designating the project as a habitat conservation plan – and securing a 50-year permit for the effort – not only gave water users paying for the project an assurance water deliveries could not easily be changed, but also cast the project as more than a standalone conveyance.

The \$25 billion project, Brown said in his State of the State address in 2013, was “designed to improve the ecology of the Delta, with almost 100 square miles of habitat restoration.”

Brown's announcement Thursday that he was dramatically reducing the habitat portion of the plan is expected to make permitting the project easier. But it also burdens the project with new political difficulties. Ecosystem restoration has long been part of efforts to bridge the fractured interests of farmers, environmentalists, Delta landowners and Southern California's population centers, and reducing its emphasis has invigorated opponents of the effort.

Barbara Barrigan-Parrilla, executive director of Restore the Delta, a group opposed to the project, said in a prepared statement that the project “has now shifted from a proposal to protect 56 species, and over 100,000 acres of habitat, to a straight water grab” from the Delta.

Sen. Lois Wolk, D-Davis, said Brown needs to forget the tunnels and move on. “Today's announcement confirms what I feared in 2009,” she said in a prepared statement. “The commitment to co-equal goals in the Delta has been broken. The tunnels will move forward, and the commitment to the health of the Delta has been reduced in large part, and relegated to a separate track.”

The new plan reduces to about 30,000 acres of restoration an initial effort to restore 100,000 acres of wetland and wildlife habitat. The projected cost is about \$300 million, a tiny fraction of the \$8 billion originally planned.

The change comes after federal agencies balked at a 50-year permit, with the U.S. Environmental Protection Agency saying last year that the project could violate the federal Clean Water Act and harm endangered fish.

Brown said Thursday that the original restoration plan was only an “idea.” He said the state did not have the money to restore 100,000 acres, but that with money from a voter-approved water bond and other sources, restoring 30,000 acres can be done.

“This is a step forward because it's a concrete action,” he told reporters in Oakland. “It's real. It's happening in the real world. The other was more, it was a desire.”

The project calls for the construction of two tunnels, 40 feet in diameter and 30 miles long, to draw water from the Sacramento River to state and federal diversion canals near Tracy. It would dramatically re-engineer water deliveries from the Delta, a source of fresh water for 25 million Californians and 3 million acres of farmland.

State and federal officials say the project is necessary to stabilize water deliveries throughout the state and to help restore the Delta ecosystem.

“The very fabric of a modern California is at stake,” Brown told reporters in Oakland, “and I'm doing what I believe is absolutely necessary to proceed forward.”

U.S. Deputy Secretary of the Interior Michael Connor, who joined Brown for the announcement, said existing water and ecosystem management in the Delta is unsustainable, and that the tunnel plan is “grounded in a strong commitment to science and public input.”

Leaders of the California Chamber of Commerce and State Building & Construction Trades Council of California praised the revised plan.

Jay Lund, a professor of civil and environmental engineering at UC Davis and chair-elect of an independent science board appointed by the Delta Stewardship Council, said Brown’s announcement is good news for those tired of waiting for habitat restoration to begin.

“The environmental proposal is nicely sort of fast-tracked and organized ... It is focused on a more achievable habitat – 30,000 acres vs. 100,000 acres. It’s in the right places. It is fairly achievable within a five-year period.

“It is downsized but it is more sober,” he said.

After eliminating pumping plants from the design of the project last year, the Brown administration said it has made further changes to convert planned concrete basins into earthen bays, reducing the number of concrete pillars at three intake sites by about 75 percent.

Jay Ziegler, director of policy and external affairs at The Nature Conservancy, said the governor’s plan should be seen as a “starting point” that should be followed up with continued restoration efforts.

“We appreciate the governor’s sense of urgency – we are way behind in meeting habitat restoration targets in the Delta,” he said. “It is really essential that science drives a much larger scale restoration over the next 10 or 20 years.”

The revised project includes about 2,100 acres of ecosystem restoration and protection to compensate for construction and operation of the tunnels project. The state said costs for that portion of the restoration work would be paid for by water agencies benefiting from the project.

In addition, officials said California will pursue more than 30,000 acres of Delta restoration over the next five years. California Department of Fish and Wildlife Director Chuck Bonham said money from Proposition 1, the water bond voters passed last year, and other public money will pay for that work.

Funding for the Delta was a source of controversy among lawmakers when they crafted the water bond last year. Democratic leaders and environmentalists demanded that the bond be “tunnel neutral,” and it included only \$137.5 million for environmental work in the Delta.

The project, which would be permitted administratively by state and federal authorities, does not require legislative or voter approval. But opposition from lawmakers – or the public – could undermine the effort.

A referendum defeated an earlier Sacramento River diversion plan, the peripheral canal, when Brown was governor before in 1982.

Osha Meserve, an attorney who represents several reclamation districts and other agencies in the north Delta, said Brown’s announcement is an acknowledgment that the old plan to fully mitigate harm from the tunnels was an illusion.

“We just don’t think the tunnels are an answer,” she said. “There’s not even the hope of some kind of benefit now.

“This year we are having terrible issue with salinity and low water levels. It’s a drought year. With the tunnels in operation, it will be permanent drought conditions in the Delta.”

Jeffrey Kightlinger, general manager of the powerful Metropolitan Water District of Southern California, said in a prepared statement that his agency was reviewing the proposal.

“Metropolitan has long stood ready to invest in a Delta solution that works for both the environment and California economy,” he said. “Any successful final plan must do both.”

In divorcing restoration efforts from tunnel construction, the administration abandoned the project’s now-familiar name, the Bay Delta Conservation Plan. Instead, it called the tunnels project “California Water Fix,” and it dubbed the restoration project “California Eco Restore.”

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