

Correcting Stubborn Myths

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Short Responses by Robert Pyke Ph.D., G.E

(It would take too long to fully address all the false and misleading statements in this piece which is blatant propaganda that is unbecoming to an official of the State of California.)

In light of the importance of the Bay Delta Conservation Plan (BDCP) to most Californians, we thought it time to address some of the stubborn "urban myths" that are being perpetuated about the BDCP. We encourage Californians to get involved with understanding the proposed plan and investigate the details for themselves.

Good water policy in California requires an open discussion of facts. **It also requires a good faith acknowledgment that "final" answers aren't, by definition, to be found in "draft" documents.** Public draft documents open up the process for review and constructive comments. Hopefully by correcting some more persistent myths, we will clear the way for a meaningful exchange of ideas during the public review process, set to begin on December 13, 2013.

Boldface added by the commenter, whose response is "what!" After seven years of effort and \$200 million, there still aren't any final answers?

Myth 1: *No one knows how much water will be exported under the Bay Delta Conservation Plan. The BDCP would provide approximately 10% more or 10% less than the average annual amount diverted by the federal and state water projects over the last 20 years* (see related video clip "How Much Water" [here](#)). For even more detailed analysis, please see [Chapter 9](#). The main goal is to modernize a 50-year-old water system that leaves Californians vulnerable to water shortages from court-mandated decisions, earthquakes and other natural disasters.

There is no more stubborn myth than the unsupported allegation that the Delta levee system and thus Californians are vulnerable to water shortages of any significance from earthquakes and other natural disasters. The truth about the Delta levee system is that it has been much improved over the last 30 years and is now relatively robust for flood and earthquake loadings. See the Economic Sustainability Plan of the Delta Protection Commission for details. In spite of this people like Jerry Meral, Karla's boss, make ludicrous statements like this (to the Redding City Council):

If there is an earthquake and we have multiple island failures, then the sea water will come in and eventually the Delta becomes salty and you can't export water, he said. *"This is a serious consequence for the entire state of California. It would take a long time to repair the islands, pump them out and get fresh water going again. How long we don't really know, we've never had a multi-island failure of this type. But certainly it would be more than 6 months and it could be up to three years. If enough failures occurred, it could be 10 years."*

No, it would most likely not be more than 6 months. The latest studies for the DWR conducted by RMA and Jack R. Benjamin & Associates indicate that even in a worse than worst case event, an undefined earthquake causing 50 levees breaches and 20 flooded islands, a scenario that has an annual probability of occurrence somewhere between 0.1 and 0.01 percent, the Delta would likely flush out within several months or six months at the most. In the case of levee failures in a major flood, the Delta will already be awash with fresh water and the demand for exports would in any case be low. And, see the next myth below for how many people might actually be affected by a temporary interruption in exports from the Delta.

Myth 2: *This is a water grab for Southern California and San Joaquin Valley farmers. The BDCP is designed to secure existing supplies of clean, affordable, and reliable water to 25 million people* from the Silicon Valley to San Diego, the farmers who grow crops on 3 million acres of farmland, and the whole of the California economy.

There are not 25 million people who rely on water exported from the South Delta. There 25 million people who obtain some portion of their water from Delta exports but, with the exception of Zone 7 of Alameda County, essentially all of the urban water districts that take some water from the Delta also have alternate sources of supply.

Myth 3: *The BDCP will destroy the Delta's environment.* The current system is not working for the environment or for California's water users. The pumps in the south Delta tend to pull channel flows backwards, killing two out of three fish in the area. **The**

new system would divert water from the north Delta when fish are migrating near the south Delta pumps and would use state-of-the art fish screens. Additionally, over 100,000 acres of wetlands and tidal marsh would be protected or restored to improve conditions for wildlife and the natural environment.

Karla should have attended the symposium held at UC Davis earlier this year at which multiple speakers pointed out that creation or restoration of wetlands and tidal marsh in the wrong location does no good. It is likely that if water exports are limited by the bypass flow requirements that the Federal fish agencies want to impose, the BDCP may not significantly worsen the ecological system in the Delta, but it sure won't improve it. If it would, the BDCP would be able to produce a legitimate effects analysis to indicate that, but they can't. What the BDCP can be guaranteed to do, however, is to destroy the character of the North Delta. And for what benefit? The people who should be most concerned by all this misdirection on the part of an official BDCP spokesperson, are the water agencies who will get no more water but will pay higher rates.

Myth 4: *No one knows how much it will cost or who will pay for the BDCP. The state and federal water contractors who receive water from the Central Valley Project and the State Water Project would pay for infrastructure construction and mitigation.* The Metropolitan Water District of Southern California has estimated that this will result in an additional cost to its ratepayers of [approximately \\$5-6 per household per month](#) over a 10-year time frame. Most of the habitat restoration and ecosystem improvements that provide a tangible benefit to the entire state would be borne by state and federal taxpayers.

This is the point at which any reasonable person has to say "are you kidding?" Even the construction cost is not known at the point. How can it be when the plan is only in draft form, and not final? I believe that engineering is said to be only at the 10 percent level. And, at least some of the CVP and SWP Contractors who will have to pay the tab, are openly expressing doubts about whether they can pay for even the current estimate. I guess Karla is saying don't worry, but as an engineer with 40 years experience on large civil engineering projects, including the New East Bay Bridge, I say "be afraid!" And as for state and federal taxpayers being willing to pay for restoration of an ecosystem that has degraded for multiple reasons, but with excessive exports in dry years without doubt being a major contributor, "hell, no!"

Myth 5: *There is no cost-benefit analysis and no evaluation of alternative options.* **There is a cost-benefit analysis and an evaluation of alternative options.** The [BDCP Chapter 9: Alternatives to Take](#) tests different alternatives, in part to determine if alternatives would be economically feasible. [Appendix 9A](#) provides a detailed evaluation of the benefits of the proposed project to participating water agencies. A [Statewide Economic Impact Study](#) looks at the economic impacts of the BDCP on various interest groups, including Delta farmers, commercial fishing interests, recreational Delta interests, and others.

This is total misdirection. No serious alternatives study, including alternate points of diversion, has ever been conducted. The Statewide Economic Impact Study is not a cost-benefit analysis that comes close to complying with the DWR's own guidelines for cost-benefit analyses and some of its assumptions have been seriously challenged by reputable economists such as Jeff Michael and Rod Smith. See their blogs for further details.

Myth 6: *No one knows how the BDCP operations will be governed.* **[Section 3.4.1.4 of the Draft Plan states that operation of the new and existing water conveyance facilities would be managed to specific criteria](#)**, and that flow criteria would be applied month by month based on water year type, and would always include a required amount of Sacramento River flow before water could be diverted.

This is just ludicrous! There is an on-going fight over the BDCP operations would be governed in the now unlikely event that it ever goes forward, and the State Water Board is still years away from making critical rulings that will impact the operation of the BDCP.

Myth 7: *There is no clear science being used for the Bay Delta Conservation Plan.* Fishery scientists acknowledge areas of debate and uncertainty regarding the best ways to sustain Delta fish. **The BDCP deals with this scientific uncertainty by creating a rigorous Decision Tree (See [Chapter 3, Section 3.4.1.4.4](#)) process for scientists to evaluate and refine operational criteria in a structured, transparent, and collaborative way.**

This is even more ludicrous! The uncertainty cannot be eliminated by some administrative process. It can only be narrowed by meaningful long-term observations and refined modelling. This is where the CVP and the SWP Contractors should be very afraid, unless they are sure that they can short-circuit the transparent and collaborative process. I can

guarantee that a structured, transparent and collaborative process that attempts to be more refined in its prognostication of the life expectancies of listed species will veer off in the conservative direction, like the infamous DRMS study for instance, and given that the proposal to operate with dual points of extraction in the South and North Delta appears to be at best a push in terms of its benefits to listed species, more conservative analyses will inevitably lead to more restrictions being placed on exports. San Joaquin Valley farmers cannot be expected to understand this and it is appalling that both their leaders and State officials continue to give them false hope that the BDCP will somehow improve their lot, when it won't. The Decision Tree is simply a part of Jerry Meral's deal-making style. As long as Jerry is looking for a deal, not a solution, there will be no solution.

Myth 8: *The BDCP process has not been transparent or open to the public.* The BDCP was developed with input from state and federal agencies and independent scientists after more than 600 public meetings and stakeholder briefings. **All of the more than 3,000 documents are posted online in an unprecedented commitment to public access and government transparency.** In 2011, a working draft BDCP was released. In 2012, administrative drafts of the BDCP and Environmental Impact Report/Environmental Impact Statement were released. Since then, the proposed project was significantly revised in response to stakeholder involvement.

This is just laughable! Posting voluminous documents online when they are deliberately constructed to be impenetrable, is not being transparent or open. Holding public meetings at which Jerry Meral is unfailingly courteous, but evades answering questions and makes false promises, is not being open and transparent. I have followed the BDCP process closely since 2008 and the words that I would use to describe it are secretive and inept. The earlier working drafts of the BDCP were not so much revised in response to stakeholder involvement as they were revised in an attempt to make an unworkable scheme work. I was present at a meeting of the old BDCP "steering committee" on July 28, 2010, when it became evident that the then proposed scheme would not work because the applicants could not guarantee that listed species would not face jeopardy, and I believe that it still true today. So, no incidental take permits and \$200 million down the drain. The CVP and SWP Contractors should be very, very afraid, and should not take any comfort from this further attempt at obfuscation.

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