



November 15, 2018

Randy Fiorini, Chair
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Transmitted via email to
waterfixcert@deltacouncil.ca.gov

RE: California WaterFix Certification of Consistency

Dear Chair Fiorini,

The 2009 legislative package that included the Delta Reform Act was the most comprehensive effort by state leaders in a half-century to protect the Delta and reform overall California water policy. The Act enshrined in state law the "coequal" goals of "providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem."

Legislators who worked on the bill and supported its passage understood the need for long-term conveyance improvements in the Delta. The legislation established the Delta Stewardship Council as a governance structure to act as a check to ensure conveyance improvements would be implemented in a way that furthers the coequal goals and respects the Delta's unique cultural, recreational, natural resource and agricultural values.

It's disappointing that the November 8 draft determinations prepared by Council staff fail to acknowledge the Legislature's intended vision for addressing long-term conveyance improvements under the Delta Reform Act.

In fact, the draft determinations appear to demand a standard for substantial evidence that no conveyance project could ever meet – even one that has been subject to 12 years of analysis, study, negotiation, public engagement and collaboration.

The Legislature made it clear that improving the state's water supply reliability is equally as important as protecting and restoring the Delta ecosystem. The WaterFix project is designed to do both. Draft determinations that dismiss water supply reliability undermine the Legislature's intent and abrogate the Act's coequal goals. I respectfully urge the Council to preserve the spirit of the Delta Reform Act and base its decision on the project's consistency with that intent.

Sincerely,

A handwritten signature in blue ink that reads 'John Laird'.

John Laird
Secretary for Natural Resources

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