

From: Judy Marks <JMarks@colfaxrancheria.com>
Sent: Wednesday, December 18, 2013 11:47 AM
To: BDCP.comments@noaa.gov
Subject: Comment on Bay Delta Conservation Plan
Attachments: comments on Bay Delta Conservation Plan.pdf

Sincerely,

Judy Marks

Secretary
Colfax Todds Valley Consolidated Tribe
P.O. Box 4884
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COLFAX TODDS VALLEY CONSOLIDATED TRIBE

P. O. BOX 4884 AUBURN, CA 95604



BDCP Comments, Ryan Wulff, National Marine Fisheries Services

650 Capitol Mall Suite 5-100

Sacramento, CA 95814

COLFAX-TODDS VALLEY CONSOLIDATED TRIBE



Post Office Box 4884 Auburn, CA 95604

**PAMELA
CUBBLER**
CHAIRWOMAN

**STEVEN
PROUT**
VICE CHAIR

**JUDITH
MARKS**
SECRETARY

**WILLIAM
MARKS**
TREASURER

**CLYDE
PROUT III**
MEMBER

December 19, 2013

BDCP Comments, Ryan Wulff, National Marine Fisheries Services
650 Capitol Mall Suite 5-100
Sacramento, CA 95814

Dear BDCP Comments, Ryan Wulff, National Marine Fisheries Services:

The Colfax Todds Valley Consolidated Tribe is a tribe of federally unrestored Miwok and Maidu peoples whose ancestry derives from aboriginal roots specifically from portions of Sacramento, Placer, Nevada, Sutter and Yuba Counties. As you may be well aware, these counties are dotted well with springs, streams, creeks, lakes and rivers which have historically brought our people many things; the most important being that of plain pure and simple existence.

It is our wish to inform you on behalf of ALL of our people that our water is held in a most sacred manner. That what you are proposing in light of needs of many of those who feel entitled to use this sacred water for the sake of their own prosperity is outrageous and unacceptable to us. Not only does it disturb the waterways but the life that exists within it (fish habitat, native plants and all water thriving entities) all of which are alive in some form to us and will be devastating and will certainly have an adverse effect on our generations to come and have negative effects our culture. Traditional ceremonies, food and medicine to name a few will be forever changed.

Basis of facts are simply this:

1. <http://baydeltaconservationplan.com/AboutBDCP/YourQuestionsAnswered.aspx> states that :
"The existing operation of the SWP/CVP pumps in the southern Delta can cause or increase a reversal in river flows, potentially altering salmon migratory patterns and contributing to the decline of sensitive fish species such as the delta smelt".

To our people, this is not an acceptable manner at which to "BALANCE" water usage and habitat. Man cannot "BALANCE" whatever he wishes and ignore impacts!

2. <http://baydeltaconservationplan.com/AboutBDCP/YourQuestionsAnswered.aspx> states that:
"Operation of the BDCP water delivery system could not drain the Delta Rivers and channels dry. The BDCP only would be permitted to operate with regulatory protections, including river water levels and flow, which would be determined based upon how much water is actually available in the system, the presence of threatened fish species, and water quality standards".

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Water Delivery Systems regulated by and for the specific use of water needs has historically never met the needs of ALL affected. Dams created for hydro power have all but limited and extinguished salmon migratory routes for decades now. By “regulating water flow” you are disturbing and destroying the natural living plant life in and around the water way and taking nature’s own abilities out of the equation. Secondly, Fish regardless of its endangered or threatened status are of **equal** importance to us! There will be fish species treated as such according to your statement.

3. <http://baydeltaconservationplan.com/AboutBDCP/YourQuestionsAnswered.aspx> states that: “Mitigation required to offset the direct and indirect effects of construction activities and operation of the water facility will be funded by state and federal water contractors”.

The “Mitigation” as it is referred to is a project alone that seeks to “restore” what has been tampered with by the project at hand. All affects would be direct effects and in most cases not ones that are reversible. Construction activities of any kind we view as dangerous to ALL natural habitats.

4. <http://baydeltaconservationplan.com/AboutBDCP/YourQuestionsAnswered.aspx> states that: “The BDCP conservation measures include actions to improve flow conditions, increase aquatic food production, restore habitat for covered species, and reduce the adverse effects of many biological and physical stressors on those species. The BDCP also recognizes the considerable uncertainty that exists regarding the understanding of the Delta ecosystem and the likely outcomes of implementing the conservation measures”.

If the BDCP recognized that considerable uncertainty exists regarding understanding the Delta ecosystem and the likely outcomes of the conservation measures, we simply have to again wonder why and strongly disagree with this concept that it is an acceptable way of changing a living flourishing environment to provide water supply to whom? And for what reason? In our eyes, for the purpose of again causing irreparable damage to the water and all that lives within it.

The commentary here for the tribe could go on and on, but in case you’re wondering what our opinion is on this project, we have no qualms about telling you that we are definitely AGAINST it. Please DO NOT allow this project to continue. It will be with GREAT impacts to all for many generations to come should this occur.

Sincerely,

Pamela Cubbler
Chairwoman of the Colfax-Todds Valley Consolidated Tribe