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July 29, 2014

SENT VIA EMAIL (BDCP.comments@noaa.gov)

Mr. Ryan Wulff
National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

RE: Comments on Draft Bay Delta Conservation Plan and Associated Draft Environmental Impact Report/Environmental Impact Statement

Dear Mr. Wulff:

This letter is submitted on behalf of Bogle Vineyards (“Bogle”). Bogle, located in Clarksburg, California, is within the area represented by Local Agencies of the North Delta (“LAND”), and accordingly incorporates by reference LANDS’s extensive comments on the BDCP and its EIR/EIS that are separately transmitted. However, the BDCP’s potentially devastating implications for the Delta and its communities, economy and environment have compelled Bogle to also indicate its individual opposition to the BDCP.

Instead of helping to restore the Delta, the BDCP is a massive water removal project with potential to cause more ecological harm to the Delta than anything else that has occurred since the last large infrastructure was built by the state and federal water projects. The BDCP fails to reduce reliance on water from the Delta and will instead create fictional water supplies to justify taking more water than the state and federal water projects have historically exported. As a result, this will devastate the unique cultural, recreational, natural resource, and agricultural values of the Delta.

The fundamental ecological premise of the BDCP is fatally flawed. The BDCP presupposes that removing nearly half of high quality freshwater from the Sacramento River system will be a net benefit for listed aquatic species while losing up to 5 percent of the remaining Sacramento River salmonids as they attempt to run approximately 4,400 feet of almost consecutive intake screens in just three river miles. All the while, BDCP refuses to build effective fish barriers on the South Delta pumps, which will still operate much of the time.

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Improving the Delta's ecology cannot possibly happen by removing even more water from the system. Yet, the BDCP proposes to take as much water as possible and hope that a future "habitat" fix will keep it all working. However, the scientific basis for the habitat is thin at best and is far likelier to improve conditions for the very invasive species that currently harm the Delta. In order to retain their 50-year permit in the face of likely ecological failures, the BDCP simply states that meeting biological goals and objectives is not a requirement of the project. To mitigate for its own, new biological impacts, the BDCP says it will build some habitat, somewhere, to be analyzed at some future point in some future document. That new habitat comes at a cost to the exiting, already imperiled, habitat of the Delta, mainly by trading off one set of listed terrestrial species for aquatic species.

All the while local landowners are forced to sell or have their land condemned. Multi-generational farming families will be challenged to continue farming in what is presently an ideal agricultural region containing 738,000 acres of prime farmland. Even if a few landowners manage to remain in the Delta, they will be adjacent to major land and water use changes that will completely alter existing conditions for the worse. The discussion of the BDCP's impacts on agricultural resources in the EIR/EIS is inadequate. The character and magnitude of the impact of the project on agricultural resources is not disclosed.

Unfortunately, the vast majority of issues significantly affecting in-Delta interests have been ignored or affirmatively swept under the rug. A positive outcome for everyone requires a true collaborative approach and attention to protection of in-Delta values, but has not yet occurred. The BDCP, after years of development, still does not present a project that would be acceptable to Delta communities.

Very truly yours,

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By: 
Patrick M. Soluri

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cc: Warren Bogle (warren@boglewinery.com)