



Secretary John Laird
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

December 5, 2018

Dear Secretary Laird,

Restore the Delta advocates for local Delta stakeholders to ensure that they have a direct impact on water management decisions affecting the water quality and well-being of their communities, and water sustainability policies for all Californians. We work through public education and outreach so that all Californians recognize the Sacramento-San Joaquin Delta as part of California's natural heritage, deserving of protection and restoration. We fight for a Delta whose waters are fishable, swimmable, drinkable, and farmable, supporting the health of the San Francisco Bay-Delta Estuary, and the ocean beyond. Our coalition envisions the Sacramento-San Joaquin Delta as a place where a vibrant local economy, tourism, recreation, farming, wildlife, and fisheries thrive as a result of resident efforts to protect our waterway commons.

Save California Salmon (SCS) is dedicated to policy change and community advocacy for Northern California's salmon and fish dependent people. The goal of the organization is to support the fisheries and water protection work of the local communities, and to advocate to effective policy change for clean water, fisheries and communities. SCS also supports youth and cultural action that overlaps with watershed action.

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We are writing to express our dismay and alarm that public processes regarding the fate of the Delta and California water management are being deliberately scheduled on top of each other to prevent grassroots organizations, California Indian Tribes, impacted community members, environmental groups, Delta government agencies and the public at large from participating in public hearings in a full, meaningful, and thoughtful manner. We are also deeply troubled that the Design Construction Finance Authority for California WaterFix has now taken to conducting most of its business in closed sessions without transparent public disclosures so that Californians can track, understand, and comment on the financial planning for the \$19.8 billion Delta tunnels.

Therefore, we are respectfully requesting that you use the power of your office to urge public water districts to reschedule three particular meetings and to ensure that Joint Powers Authority meetings for California WaterFix are transparent, publicly broadcasted, and utilizing proper audio/video equipment and transmission. As Metropolitan Water District refuses to answer our Public Records Act requests regarding financing and permitting of the Delta tunnels in relations to the WaterFix JPAs, the public can only observe and understand what these JPAs are doing through transparent public meetings.

First, the Westlands Water District is holding its Shasta Dam Raise Public Hearing on December 12, 2018, noticed only recently to the public. A little over a week is not an acceptable notification period for a CEQA hearing for one of California's most important water and land related processes. We are asking your office to urge Westlands Water District to reschedule this hearing immediately. As the public has been waiting decades for a ruling from the State Water Resources Control Board, and because this ruling was delayed for one month in November to honor Governor Brown's request for additional time for private settlements, the public deserves the right to be fully engaged on December 12, 2018 in the SWRCB processes and not split between these two important water management events.

To do anything less than rescheduling the Shasta Dam Raise Public Hearing is to show a lack of respect for Northern California Indian Tribes, one of the most impacted parties by Brown Administration water management decisions. Any attempt to reschedule the December 12, 2018 SWRCB Hearing a second time to accommodate Westlands Water District's late noticed public hearing would be completely unacceptable to the thousands of Californians working on and engaged with the Bay-Delta Plan process. It is only fair and just that the Westlands event should be rescheduled.

Restore the Delta's recent report, *The Fate of the Delta*, carefully documents how Delta environmental justice communities, including Northern California Indian Tribes, have been all but ignored in the state's deliberations on Delta management. Expecting Northern California Tribal leaders to rush back and forth on this date from hearing to hearing is a continuation of the state's policy to ignore and to fail to consult with the tribes.

Likewise, on Thursday, December 20, 2018, the Delta Stewardship Council will be holding a public hearing and vote on the Consistency Determination for WaterFix. As in November, on December 20th, the California WaterFix's Design Construction Finance Authority and the Delta Conveyance Design and Construction Authority will be holding their public hearings

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simultaneously with the DSC's public hearing. We believe the WaterFix joint powers authorities need to permanently move their meetings to a date and time that does not conflict with DSC activities so as to ensure that Delta residents can observe and participate in all public processes unencumbered. Moreover, the DCFA should be required to broadcast its meetings, to ensure that proper, working audio equipment is used at public meetings, and to provide the public with all documents in advance according to Brown Act requirements. While we understand that public agencies have the right to hold portions of meetings in closed session, there also needs to be improvements made to the public report after the end of each closed session, and the closed session should not be used as a way to skirt around disclosing to the public what is happening with the development of a financial plan for California WaterFix.

Furthermore, the State Water Contractors were advised by Restore the Delta that several parties in the Paradise, California area needed additional time to prepare comments for the State Water Contract Extension EIR. Due to the fire, the December 10, 2018 comment deadline was impossible to meet. The State Water Contractors refused to extend the comment period. Is this how we pull together as Californians in times of crisis? Is the State simply going to allow processes that keep Northern California Indian Tribes, climate change fire victims, and Delta environmental justice communities from the water decision making table? It's really not a good look for state government.

We thank you considering our request. We are available to answer any questions that you may have regarding our letter.

Yours in service,

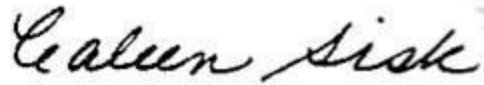


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Cc: Tom Birmingham, Westlands Water District
DCFA/DCDCA Board