



CENTER FOR HUMAN RIGHTS AND CONSTITUTIONAL LAW

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June 4, 2014

Councilmember Felipe Fuentes, Chair
Energy and Environment Committee
200 N. Spring Street, Room 410
Los Angeles, CA 90012

ccs: Mayor Eric Garcetti
Los Angeles City Council

RE: Bay Delta Conservation Plan

Dear Felipe:

The following letter is submitted on behalf of the Center for Human Rights and Constitutional Law, an organization dedicated to protecting and promoting respect for and compliance with human rights norms and constitutional provisions intended to safeguard the rights of vulnerable groups and insular minorities. We oppose the Bay-Delta Conservation Plan to build twin tunnels or any such conveyance facility to divert the Sacramento River. After careful review of available data, we have concluded that the proposed project, estimated to cost between \$30 and \$67 billion, is unnecessary and would divert money from needed local water supply infrastructure and local jobs. Technology and commonsense can create water savings that will help meet California's water demand without building giant tunnels to divert water away from the San Francisco Bay Delta. We urge the Committee to support Councilmember Koretz's motion to undertake a comprehensive cost and policy analysis on the BDCP prior to submitting comments.

The BDCP is a bad investment for Los Angeles ratepayers, particularly at a time when major investments are needed towards improving DWP's aging infrastructure and diversifying its water supply. In fact, LADWP's 2010 Urban Water Management Water Plan calls for purchasing *less* imported water as it is becoming more expensive, and prioritizes increasing local water sources such as storm water and cleaning and replenishing groundwater aquifers. Moreover, LADWP estimates that each year there are over 1,400 water main breaks in its 7,200-mile network that need to be repaired and/or replaced. Increasing our local supply and fixing local infrastructure are cost-effective measures that create local jobs. As these necessary investments will cost billions of dollars, ratepayer money should not be wasted on an unnecessary and harmful tunnel, especially in a bad economy.

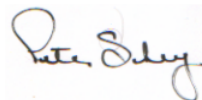
The tunnels would be a major gift from ratepayers to a few corporate agriculture interests in the Central Valley. The chief beneficiaries, the Kern County Water Agency and the Westlands Water District, already receive massive amounts of water subsidized by ratepayers and taxpayers. Some of these agribusinesses, in addition to exporting lucrative crops overseas, sell taxpayer-subsidized water for private profit. Los Angeles ratepayers should not be forced to pay ever-increasing water bills to subsidize the profits of a few powerful corporate interests.

Contrary to proponents' claims, new tunnels located 350 miles north of Los Angeles would not safeguard our water supply from a major earthquake. As the United States Geological Survey estimates that a major earthquake is more likely to occur in southern California than in northern California, LADWP must prioritize and accelerate the repairing of its aging and breaking local water delivery system. Given that an earthquake could also compromise pipelines that deliver imported water, diversifying our water sources by increasing our groundwater supply and capturing rainwater will protect the public's access to water in an earthquake.

Legislative action by the City Council is needed to ensure ratepayers are not harmed. Because the Metropolitan Water District, a partial source of LADWP's water supply, would be a financial sponsor of the tunnel in its effort to control more water, ratepayers in Los Angeles could be made to pay over billions over the next thirty years.

We urge the Council to ensure LADWP uses ratepayer dollars wisely and invests in projects that create real economic and environmental benefits to Los Angeles' water supply. As LADWP's water plan already states, Los Angeles needs to repair and augment its local water supply. Such allocation of ratepayer funds would improve water reliability, reduce our need for imported water and improve our local economy. With Los Angeles ratepayers on the hook for potentially billions, it's only common sense that the City should first undertake a true cost and policy analysis - including alternatives such as investment in local water programs, the likelihood of significant cost increases, and the effect on thousands of local jobs - before commenting on the project formally. We thank you for your attention and future action towards protecting ratepayers and our water supply.

Sincerely,



Peter Schey
President and Executive Director

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