

Congress of the United States
House of Representatives
Washington, DC 20515

February 2, 2009

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Dear Secretary Salazar:

As you are probably aware, California is experiencing its third consecutive year of extremely dry conditions, setting the stage for what experts believe may be among the worst droughts in California's history. We are writing to request your immediate attention to California's water supply crisis.

California reservoirs are dangerously low. Unless the months of February and March bring above average rain and snowfall, the U.S. Bureau of Reclamation is expected to provide no Central Valley Project water to South-of-Delta agricultural service contractors. A zero allocation is unprecedented in the history of the CVP. Last year, over 200,000 acres of some of the world's most productive farmland were fallowed, and this number is expected to increase substantially this year. A zero water supply will cripple communities that rely upon federal and state project water deliveries, and West-side agriculture in the San Joaquin Valley will be especially hard hit.

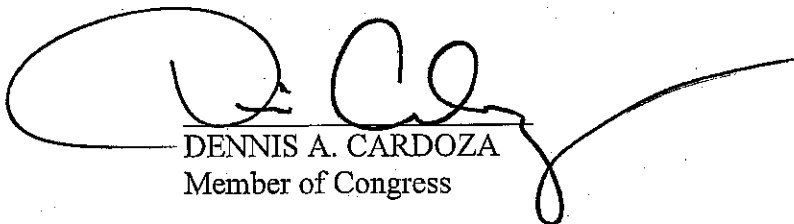
On top of the driest conditions on record, the water supply outlook is further exacerbated by the "regulatory drought" that has resulted from agency regulatory actions. The Endangered Species Act in particular has proven to be a regulatory hammer, preventing water conveyance, transfers and storage, even when water supplies have been plentiful. In 2007 and 2008, U.S. District Court Judge Oliver Wanger issued separate rulings pertaining to biological opinions to protect Delta smelt and salmonid species. In connection with the decision related to the Delta smelt, Judge Wanger ordered significant pumping curtailments, which reduced water deliveries. These cuts were in addition to the many previous cuts that had already been imposed, including the Bay Delta Accord, the Central Valley Project Improvement Act and other actions. Judge Wanger's order related to the Delta smelt expired upon issuance of a new biological opinion for Delta smelt, but that new opinion included alternatives that are more draconian than the measures ordered by the District Court. Moreover, as a result of Judge Wanger's opinion related to salmonid species, NOAA Fisheries will release a new biological opinion, and it is anticipated that this new opinion will further restrict operations of the Central Valley Project and the State Water Project.

It is crucial that the Department of the Interior and its agencies--- the Fish and Wildlife Service, the Bureau of Reclamation--- and the NOAA Fisheries exercise the maximum flexibility in the operations of the Central Valley Project and the State Water Project in such a way as to maximize water allocations, obtain supplemental water supplies, and expedite water transfers. The development and implementation of the biological opinions required under the Wanger decisions will be the Administration's first test of flexible implementation. Furthermore, it is crucial that the Administration be fully engaged in the Bay Delta Conservation Plan process initiated by the State of California, with the goal toward developing a plan for the state of California that increases water supply reliability, environmental enhancement, water quality and flood protection.

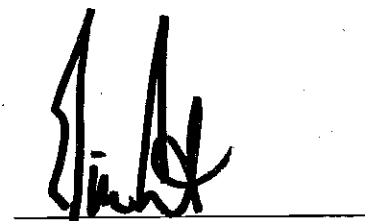
We would like to meet with you as soon as possible regarding California's water supply crisis. We also request that you visit areas of California affected by the drought in order to see firsthand the impacts of this crisis and to meet with farmers, farm workers, and members of communities devastated by the water supply shortages. The end desire is to discuss ways in which the Department can provide flexibility in the operations of the projects as well as ways in which the Administration can provide leadership in the development of a comprehensive water plan for the entire state.

The coming days and months will be challenging at best, and we are committed to working with the federal and state administrations on both immediate and long-term solutions. Your timely attention to these matters is greatly appreciated.

Sincerely,



DENNIS A. CARDOZA
Member of Congress



JIM COSTA
Member of Congress