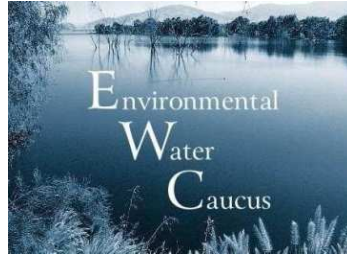


Environmental Protections Letter to
Senators Boxer and Feinstein
May 16, 2014





epic
wildcalifornia.org



SIERRA NEVADA ALLIANCE

CA Save Our Streams Council



Tuolumne River Trust



Santa Clarita Organization
for Planning and the
Environment (SCOPE)



NORTHERN CALIFORNIA COUNCIL



FEDERATION OF FLY FISHERS



food&waterwatch



Environmental Coalition Letter to Senators Feinstein and Boxer on S. 2198.

The Honorable Diane Feinstein
U.S. Senate
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Barbara Boxer
U.S. Senate
112 Hart Senate Office Building
Washington, DC 20510

May 16, 2014

Re: Opposition to S. 2198

On behalf of the Environmental Water Caucus and the environmental justice, recreational and commercial fishing groups and Native American tribes above, we are writing to express our opposition to S. 2198. We share your concern regarding the impacts of the current drought on some agricultural and urban communities, as well as on the environment. However, as currently written, S. 2198 would exacerbate impacts on the environment and the salmon industry without addressing the underlying cause of water shortages.

Simply put, water shortages are caused by extraordinarily dry conditions, not environmental protections. Indeed, environmental protections include lower levels of protection in dry years. Those protections frequently allow for agency discretion to respond to conditions on the ground. S. 2198's provisions regarding the San Joaquin River inflow-export ratio and Old and Middle River flows would prohibit the agencies from using the discretion included in the federal Biological Opinions for the Delta.

These provisions are not needed this year, as the agencies have already made – and exceeded – the operational decisions mandated by these provisions. However, as drafted, these provisions would remain in place until the drought proclamation is lifted. Given that there is no state definition of drought or requirement to lift a drought proclamation promptly, the limitations in this bill could remain in place long after the drought is over – dramatically lowering future environmental protections.

The Bay-Delta environment is already in a precarious condition, with several species at significant risk of extinction. This condition is, in large part, the result of political interference in the previous Biological Opinions. We strongly object to congressional interference in the implementation of federal environmental requirements. Congress should encourage federal agencies to implement environmental protections based on the best-available science, rather than bind their hands.

Finally, we are deeply concerned regarding the potential result if this bill is forwarded to a conference committee with H.R. 3964 (Valadao). Rather than focusing on legislating further limits on environmental protections that are already

too weak, we urge you to take a different path. The State recently passed drought legislation that is funding alternative water supplies and addressing impacts to rural communities. This funding is directly addressing the cause and impacts of the drought. We urge you to pursue a similar package of federal appropriations. We further urge you to ensure that your legislation is designed to reduce, rather than to increase, the impacts of the drought on California's environment and salmon fishery.

Thank you for considering the views of our organizations; we stand ready to assist your efforts in any positive way that we can.

Sincerely,

A handwritten signature in black ink that reads "Nick DiCroce". The signature is written in a cursive style with a long, sweeping underline.

Co-Facilitator
Environmental Water Caucus

The following environmental and fishing organizations support the comments and recommendations shown in the attached letter.

The corresponding logos are shown at the front of this document.

*Sara Aminzadeh
Policy Director
California Coastkeeper*

*Nick Di Croce
Co-Facilitator
Environmental Water Caucus*

*Lowell Ashbaugh
Vice President, Conservation
Northern California Council Federation
of Fly Fishers*

*Robyn DiFalco
Executive Director
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*Dan Bacher
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*Siobahn Dolan
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*Colin Bailey
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Environmental Justice Coalition for
Water*

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*Barbara Barrigan-Parrilla
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Restore the Delta*

*Konrad Fisher
Executive Director
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Delta Fly Fishers*

*Lloyd Carter
President
California Save Our Streams Council*

*Zeke Grader
President
Pacific Coast Federation of Fisherman's
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*Joan Clayburgh
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*Jim Cox
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California Striped Bass Association*

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*Chief Caleen Sisk
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Winnemen Wintu Tribe*

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AquAlliance*

*Eric Wesselman
Executive Director
Friends of the River*