

ENVIRONMENTAL WATER CAUCUS
PREFACE TO DROUGHT LEGISLATION LETTER
February 9, 2014





CA Save Our Streams Council



Santa Clarita Organization of Planning and the Environment (SCOPE)



Protecting Butte County's Land, Air & Water Since 1975

Tuolumne River Trust



Unite. Protect. Restore.



SIERRA NEVADA ALLIANCE

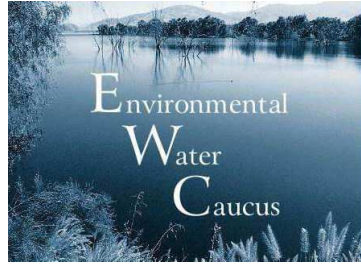
NORTHERN CALIFORNIA COUNCIL



FEDERATION OF FLY FISHERS



STEWARDS OF THE FISHERIES



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

February 9, 2014 (Via Email)

Subject: California Drought Legislation

Dear Senators Feinstein and Boxer:

The California Environmental Water Caucus and the numerous environmental, environmental justice, recreational and commercial fishing groups, legal and advocacy groups, and Indian tribes whose logos and names are attached to this letter would collectively like to express our thanks to you for opposing H.R. 3964 (Valadao). We agree that this legislation, as passed by the House of Representatives, is dangerous for California. H.R. 3964 is an extraordinary assault on California's environment and fisheries, and on the state's ability to enact and implement its own water laws. The bill fails to address the ongoing drought. It is an undisguised water grab to favor a few water districts to the detriment of other parts of the state.

We also look forward to assistance from federal agencies through actions that would mitigate the effects of recurring California droughts. Our own inclination is to support water efficiency and recycling actions that lower pressure on the Delta and on other stressed surface and groundwater sources. These investments could help water users, while avoiding further impacts on fish and wildlife that are already suffering from the drought. We would also request that any legislation you develop for drought relief avoid modifying or mandating changes in the implementation of the Federal Endangered Species Act, the San Joaquin River Settlement, or the Central Valley Project Improvement Act, all of which have proved beneficial to California wildlife and habitats. We also urge you to avoid provisions that would have an impact on state laws or water rights. State and federal environmental protections already incorporate flexibility, including lower levels of protection in dry years. To modify that flexibility and to further weaken dry year protections due to the current drought conditions could create a dangerous, endless cycle.

In addition, we are concerned that drought legislation considered in the Senate may include provisions to fast-track the approval of new surface storage projects or relieve new projects from public environmental review. Initial environmental studies have not been released for the Sites and Temperance Flat projects. As for the proposed raise of Shasta Dam, a careful review of its draft environmental impact revealed the fact that the U.S. Fish and Wildlife Service believes that the primary public benefit of the project – providing cold water for salmon – is “negligible.” We suspect similar problems will be revealed in the initial environmental studies for Sites and Temperance Flat.

Also, we respectfully request that drought relief legislation considered in the Senate not remove federal protection from a segment of the Merced Wild & Scenic River to allow for a hypothetical expansion of McClure Reservoir. Nothing in the current law prevents downstream water districts from studying this speculative project. If feasibility and environmental studies show that there is a public benefit to expanding the reservoir, then Congress may have reasoned and deliberative debate over whether it is worth sacrificing a section of federally protected river to accommodate it.

We look forward to working with you to support progressive legislation that would help water users survive the current drought without sacrificing bedrock legal protections and environmental health.



Co-Facilitator



Co-Facilitator

The following Environmental Water Caucus affiliated organizations support the comments shown in the attached letter.

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

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