

Congress of the United States
Washington, DC 20515

January 10, 2017

Mr. David Murillo
Regional Director
Mid-Pacific Region
U.S. Bureau of Reclamation
2800 Cottage Way
Sacramento, California 95825

Mr. Barry Thom
Regional Administrator
West Coast Region
National Marine Fisheries Service
1201 Northeast Lloyd Boulevard, Suite 1100
Portland, Oregon 97232

Mr. Paul Souza
Regional Director
Pacific Southwest Region
U.S. Fish and Wildlife Service
2800 Cottage Way
Sacramento, California 95825

Dear Director Murillo, Administrator Thom, and Director Souza:

We are writing to express our support for your recent decision to increase water exports from the Sacramento-San Joaquin River Delta in response to ongoing storm events in California. As these storms pass but runoff continues to flow into the Delta, we strongly and urgently request that you use the authority granted to you under Section 4003 of Public Law 114-322 to increase water exports to California's Central Valley and southern California to maximize the opportunity provided by these storm events in our state.

On January 3, 2017, the National Oceanic and Atmospheric Administration (NOAA) issued a notice that California is "preparing for multiple rounds of heavy rain and snow over the next 5-7 days." The NOAA predicts this could result in between 17 to 25 inches of precipitation in California, not to mention much needed snow in the mountain ranges of California.

We applaud increasing pumping to the maximum capacity of the C.W. Bill Jones Pumping Plant and the Harvey O. Banks Pumping Plant given significant inflows into the Delta from the San Joaquin River resulting from these storms. This action will enable the capture of more water for our parched communities' south-of-the-Delta, for the countless species that depend upon our managed wetlands, and will help stem groundwater overdraft, as mandated by California law.

However, we are concerned that as San Joaquin River flows into the Delta recede, but Delta inflows remain high from other sources, pumping could be reduced because of the 2008 Delta smelt biological opinion or the 2009 salmonid biological opinion, which caps pumping at -5,000 cubic feet per second (cfs) at Old and Middle River (OMR) unless certain criteria are met, as described in Section 4003 of Public Law 114-322.

It is imperative that we avoid the catastrophe of years past when storms brought much needed water to our state, but because of the Delta smelt and salmonid biological opinions' pumping restrictions, most of that water was lost to the Pacific Ocean. This time last year, as Delta outflows reached 50,000 cfs, pumping was actually reduced despite monitoring data demonstrating low entrainment risk of listed species, a fact confirmed by minimal levels of take – levels well below those deemed acceptable by the Delta smelt and salmonid biological opinions.

Therefore, we believe that you must exercise the new authority granted to you in Section 4003 of Public Law 114-322 to evaluate and authorize an increase in Delta water exports to rates more negative than -5,000 OMR in order to ensure the continued capturing of storm water runoff entering the Delta. We further encourage you to work closely with California's public water agencies as they have unique technical and operational expertise that can help maximize the CVP-SWP operational potential. Ultimately, the law and congressional intent is clear – this section of the new law was specifically crafted for situations like this to ensure we can capture storm water when it is entering the Delta in significant quantities.

The law allows increased pumping unless it can be proved that such action would result in "additional adverse effects to listed species beyond the range of effects anticipated to occur to the listed species for the duration of the smelt biological opinion or salmonid biological opinion." Prior to the recent calendar-based imposition of a -5,000 OMR pumping restriction, the Projects were operating at an OMR of approximately -7,000 cfs with minimal salvage and monitoring data consistently demonstrating low risk to listed species. We believe given the magnitude of these storms and associated runoff entering the Delta, as well as current Delta conditions and species distribution, increased pumping beyond the current OMR limits set by the Delta smelt and salmonid biological opinions should be authorized.

Mother Nature is blessing California with desperately needed rainfall. Not all of this precipitation will be captured in our states' reservoirs. A significant amount of runoff will make its way to the Sacramento-San Joaquin River Delta where most will flow out to the Pacific Ocean. Given this fact, we support your recent actions to maximize pumping now and strongly encourage you to increase Delta exports to a rate significantly more negative than -5,000 OMR using your newly granted authority in Public Law 114-322 as the storms pass but Delta inflow remains high.

We appreciate your continued work on these issues and look forward to your response.

Sincerely,



KEVIN McCARTHY
House Majority Leader



DAVID G. VALADAO
Member of Congress



KEN CALVERT
Member of Congress



DEVIN NUNES
Member of Congress



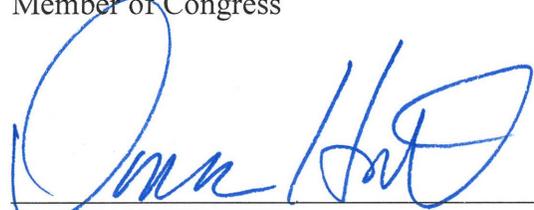
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