

# CALIFORNIA LEGISLATURE

OFFICE OF THE CLERK  
CALIFORNIA LEGISLATURE  
1997

August 11, 1997

The Honorable William Jefferson Clinton  
President of the United States  
The White House  
Washington, D.C. 20500

Dear Mr. President:

The CALFED Bay-Delta Program is California's opportunity for reaching a solution to the Bay-Delta's environmental and the state's water supply problems. The CALFED Program is at a critical point, with draft environmental documents to be released soon. Phase II of the Program is scheduled to be completed by August of 1998, and it is essential that that deadline be met.

We wish to inform you of inconsistent approaches being taken by the federal government in two very important Bay-Delta efforts ongoing here in California. Those two efforts are 1) the Department of Interior's proposed method for implementing the fishery flow provisions of the Central Valley Project Improvement Act of 1992 (CVPIA), and 2) compliance with the December 1994 Bay-Delta Accord. If left uncorrected, these inconsistent approaches will jeopardize the future success of the CALFED Program.

You will recall that the major turning point in state/federal relations with regard to solving water problems came with the signing of the Bay-Delta Accord in December 1994. In addition to creating a constructive forum for collaborative problem solving, the Accord gave, for the period of three years, an important assurance to water users in providing for "no net loss" in water supplies beyond a specific amount to protect Delta fisheries. Water users agreed, for the period of the Accord, to provide 1.1 million acre feet for Delta fish and wildlife purposes in exchange for certainty in their remaining supplies. Interior Secretary Babbitt, when he signed the Accord, assured water users that

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during the period of the Accord, no additional water would be required, and if, for some reason, more water was required, it would be purchased by the federal government from willing sellers.

At the same time, the Department of the Interior (DOI) has been engaged in a lengthy process to implement the requirements set forth in the CVPIA. In June, DOI and U.S. Fish & Wildlife Service (USFWS) issued two draft issue papers proposing (1) management of the "dedicated yield" of 800,000 acre feet of water provided in the CVPIA ["(b)(2)" water], and (2) new actions for achieving the fish flow obligations of the CVPIA. These actions could result in more than one-half million acre feet of water being taken away from CVP customers before completion of the CALFED process. DOI proposes to finalize these proposals in September.

This CVPIA process has fomented serious disagreements among various interests as to the relationship between the Accord flows and the "(b)(2)" water. In this proposal, the USFWS argues that the use of "(b)(2)" water for additional Delta fishery benefits above the standards in the Accord is appropriate. In our view, the proposed federal action must be reconciled with the principles of the Accord and the Accord extended for at least a period of one year so that it does not destabilize the environment in which CALFED must work.

Because the resultant dispute among interest groups creates a serious threat to federal-state relations in the Delta, we urge you to reaffirm the commitment of the federal government to the CALFED process. We ask that you implement the CVPIA within the context of the Accord and the CALFED process and that you direct the Secretary of the Interior to work with California's Secretary of Resources to implement these actions under the CALFED framework agreement, including full participation by the USFWS and other DOI agencies to fully and constructively participate in the CALFED process.

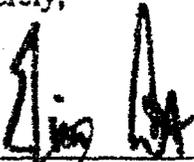
We took our mutual commitments made in the Bay-Delta Accord very seriously and ask that you confirm the federal government's pledge before California takes any additional steps in what we believed was a partnership with the United States. The Accord now needs to be reaffirmed and extended for at least one year in order for CALFED to complete Phase II of its work.

If these actions are taken, they will go a long way toward assuring Californians that the federal government is serious about honoring the explicit commitments it made in signing the Accord.

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Mr. President, your attention to these matters of great importance to California's future is greatly appreciated. Water is the lifeblood of California. If we do not work together, the state will suffer significantly in the 21st century.

Sincerely,



Gene Kelly

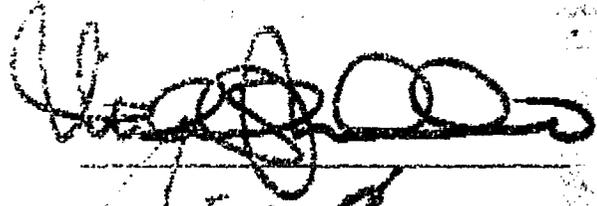
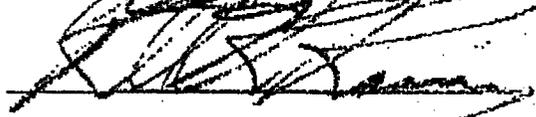
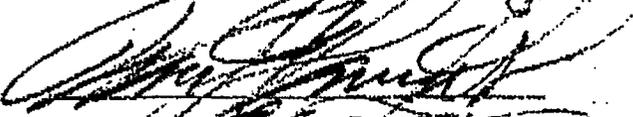
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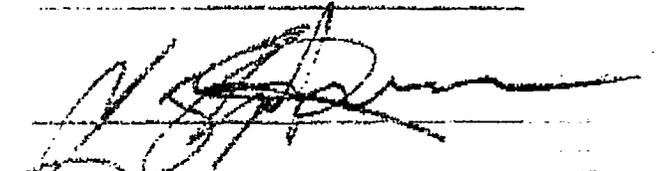
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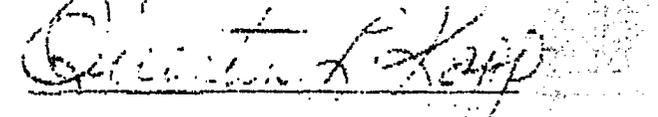
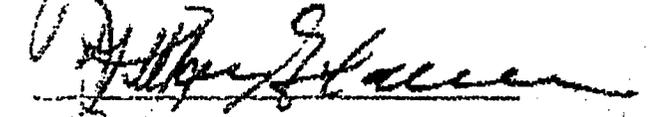
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Rob Brennan

Bruce Thompson

Alex Ackerman

Red [unclear]

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Scott Baugh

Butt, the Great Gull

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Charles Stroup

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Robert [unclear]

Bill [unclear]

Paul [unclear]

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Darryl [unclear]

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Beck [unclear]

Peter [unclear]

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