

**ENVIRONMENTAL DEFENSE FUND
BAY INSTITUTE
SAVE SAN FRANCISCO BAY ASSOCIATION**

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September 17, 1998

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Assistant Administrator
U.S. Environmental Protection Agency
401 "M" Street, SW
Washington, DC 20460

Mr. Douglas Wheeler
Secretary
Resources Agency
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Sacramento, CA 95814

Dear Gentlemen:

At Monday's CALFED Policy Group meeting, Tom Clark, General Manager of the Kern County Water Agency, provided estimates of the "costs", in terms of reduced Delta exports, of recently implemented environmentally protective operating criteria. Mr. Clark has recited these numbers in public several times without clear reference or context. These estimates far exceed projections produced by either the United States' or the State of California's operations studies, especially when compared to actual recent historical operation of the State Water Project and the Central Valley Project. We are extremely concerned that this unsupported exaggeration might unduly influence CALFED policy choices.

Mr. Clark suggested that recent water supply impacts due to environmental regulation included 200 thousand acre-feet (TAF) to protect the endangered winter run salmon, 900 TAF for the Bay-Delta Accord, and 200 TAF for other ESA-related measures. In addition, he has indicated that, since 1994, only 3.7 million acre-feet (MAF) of water from the Delta has been available to meet the current "demand" level of 6.0 MAF (it was not made clear how the 3.7 MAF total is related to the incremental numbers above).

Actual Delta exports averaged 4.793 MAF during the most recent 8 year pre-Accord period (1987-1994). A recent study by the Department of Water Resources' projects total Delta exports during a repeat of the hydrologic conditions of these years to be 4.664 TAF, or only 129 TAF less than what was actually experienced during the last drought.¹ This study includes not only the protective criteria authorized by the 1995 WQCP(Accord), but, unlike Mr. Clark's estimates, also those authorized by the Department of the Interior's 1997 CVPIA (b)(2) decision. Another DWR study, without the (b)(2) criteria, projects exports *higher* than what was actually experienced over this recent period.²

Interior's operations studies, conducted as part of the effort leading to its 1997 (b)(2) decision, estimate the water supply impacts to both CVP and SWP south-of-Delta contractors as a result of

¹ Study 549new, which was recently completed as part of CALFED's "No Name Group" effort.

² Study 560B projects an annual average of 4.834 MAF from 1987-1994.

Mr. Douglas Wheeler and Mr. Robert Perciasepe

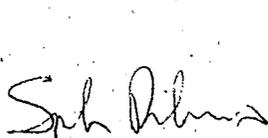
September 18, 1998

Page 2

the 1995 WQCP and its (b)(2) criteria over a repeat of the standard 1922-1991 hydrology. These water supply impacts are summarized on the attached sheet.³ The average water supply impact to both projects of implementing both the Accord and (b)(2) measures is shown to be 486 TAF, less than half of the 1.3 MAF suggested by Mr. Clark. The annual average of south-of-Delta deliveries in Interior's (b)(2) study is 5.4 MAF, far exceeding Mr. Clark's 3.7 MAF.

The dramatic "hits" due to the ESA and the WQCP, which Mr. Clark has sought to persuade you and others has actually occurred, are in fact figments of his fertile imagination. While Delta exports are certain to be less if environmentally protective criteria are in place than they otherwise would be, the differences are only a fraction of those asserted by Mr. Clark.

We, and others in the environmental community, support objective and credible efforts to provide estimates of water supplies under a variety of potential protective operating criteria. We do not support unfounded assertions made in public fora.



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Cc: CALFED Policy Team
Lester Snow

³ The impacts, by project and by year type, are identical to those in Interior's November 20, 1997, announcement. Projections for the average impacts across all years were post-processed from Interior's numbers. The modeling studies do not reflect Interior's last-minute relaxation of the proposed X2 requirement in dry years and thus overstate the water supply impact in those years.