



SANTA CLARA VALLEY WATER DISTRICT

# NON-AGENDA

June 12, 2020

Board Policy EL-7 Communication and Support to the Board  
*The BAOs shall inform and support the Board in its work.*

<b>Page</b>	<b><u>CEO BULLETIN &amp; NEWSLETTERS</u></b>
<b>4</b>	June 2020 Water Tracker
	<b><u>BOARD MEMBER REQUESTS &amp; INFORMATIONAL ITEMS</u></b>
<b>7</b>	<b>BMR/IBMR Weekly Reports: 06/11/20</b>
<b>8</b>	Memo from Rachael Gibson, DAO, Government Relations to Rick Callender, CEA, dated 6/2/20, regarding Correspondence on Biological Opinions and Operations of the Central Valley Water and State Water Projects.
	<b><u>INCOMING BOARD CORRESPONDENCE</u></b>
<b>42</b>	<b>Board Correspondence Weekly Report: 06/11/20</b>
<b>43</b>	Email from Alan & Meg Giberson, to the Board of Directors, dated 6/4/20, regarding Public Speaking to the Board (C-20-0073)
<b>46</b>	Email from Jesse Jimenez, to the Board of Directors, dated 6/5/20, regarding Advisory Letter on Monterey Peninsula Engineering (C-20-0072).
<b>152</b>	Email from Mohammad Karim, CC to the Board of Directors, dated 6/8/20, regarding Microbiologist II/III Position (C-20-0071).
<b>153</b>	Email from Bruno Sarda, to Director LeZotte, dated 6/8/20, regarding Environmental Action and Racial Justice (C-20-0074).
<b>154</b>	Email from Dhruv Khanna, to the Board of Directors, dated 6/8/20, regarding Santa Clara County and the Virus (C-20-0075).
<b>158</b>	Email from Nebi Alemu, to the Board of Directors, dated 6/8/20, regarding the CEO Selection (C-20-0076).
<b>159</b>	Letter from Mary Cassel, to the Board of Directors, dated 5/28/20, regarding Percolation Ponds (C-20-0077).
<b>161</b>	Email from Steve Holmes, to the Board of Directors, dated 6/9/20, regarding Creekside Bridge (C-20-0078).
<b>163</b>	Email from Racy Ming, to the Board of Directors, dated 6/9/20, regarding CEO Selection (C-20-0079).
<b>164</b>	Email from Nicole Goehring, to the Board of Directors, dated 6/9/20, regarding Valley Water's PLA Term Sheet (C-20-0080).

<b>166</b>		Email from Ashok Aggarwal, CC to the Board of Directors, dated 6/9/20, regarding Fire Along Cape Horn Drive (C-20-0081).
<b>172</b>		Letter from Rick Lanman, to the Board of Directors, dated 6/9/20, regarding Notice of Withdrawal from the Fish and Aquatic Habitat Collaborative Effort (C-20-0082).
<b>175</b>		Email from Ashok Aggarwal, CC to the Board of Directors, dated 6/10/20, regarding Fire Along Cape Horn Drive (C-20-0083).
<b>180</b>		Email from Don Newton, CC to the Board of Directors, dated 6/10/20, regarding Fire Along Cape Horn Drive (C-20-0084).
<b>186</b>		Email from Junping Zeng, to Director Kremen, dated 6/10/20, regarding Water Rates (C-20-0085).
		<b><u><a href="#">OUTGOING BOARD CORRESPONDENCE</a></u></b>
		None.

Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/attachments are available by submitting a public records request to [publicrecords@valleywater.org](mailto:publicrecords@valleywater.org).

# **CEO BULLETIN**

## Outlook as of June 1, 2020

We began calendar year 2020 with groundwater storage well within Stage 1 (Normal) of the Water Shortage Contingency Plan of Valley Water. Despite well below-normal local rainfall and statewide snow pack, end of year groundwater storage for 2020 is projected to be well within Stage 1.

### Weather

Rainfall in San Jose:

- Month of May, City of San Jose = 0.12 inch
- Rainfall year total = 8.82 inches or 62% of average to date (rainfall year is July 1 to June 30)
- June 1 Northern Sierra snowpack was 9% of normal for this date

### Local Reservoirs

- Total June 1 storage = 64,227 acre-feet
  - » 63% of 20-year average for that date
  - » 39% of total unrestricted capacity
  - » 58% of restricted capacity (166,266 acre-feet total storage capacity limited by seismic restrictions to 111,421 acre-feet)
- Approximately 698.1 acre-feet of imported water delivered into local reservoirs during May 2020
- Total estimated releases to streams (local and imported water) during May was 7,320 acre-feet (based on preliminary hydrologic data)

### Treated Water

- Average demands of 9,600 acre-feet delivered in May
- This total is 100% of the five-year average for the month of May
- Year-to-date deliveries = 32,040 acre-feet or 100% of the five-year average

### Groundwater

- Groundwater conditions are good. Total storage at the end of 2020 is projected to be in Stage 1 (Normal) of Valley Water's Water Shortage Contingency Plan.

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
May managed recharge estimate (AF)	3,900	1,100	1,700
January to May managed recharge estimate (AF)	18,200	4,700	6,400
January to May managed recharge, % of 5-year average	93%	76%	98%
April pumping estimate (AF)	6,000	800	2,700
January to April pumping estimate (AF)	22,200	2,800	10,300
January to April pumping, % of 5-year average	128%	94%	127%
Current index groundwater levels compared to last May	Lower	Lower	Lower

AF = acre-feet

## Imported Water

- As of June 1, 2020, the Statewide Average snowpack water equivalent is 5% of the historic average for this date
- Current 2020 State Water Project (SWP) and Central Valley Project (CVP) allocations:
  - » 2020 SWP allocation of 20%, which provides 20,000 acre-feet to Valley Water
  - » 2020 South-of-Delta CVP allocations are 70% for M&I and 20% for Agriculture, which provide 97,620 acre-feet to Valley Water
- Statewide reservoir storage information, as of June 1, 2020:
  - » Shasta Reservoir at 77% of capacity (90% of average for this date)
  - » Oroville Reservoir at 68% of capacity (81% of average for this date)
  - » San Luis Reservoir at 63% of capacity (80% of average for this date)
- Valley Water's Semitropic groundwater bank reserves are at 100% of capacity, or 349,970 acre-feet, as of April 30, 2020
- Estimated SFPUC deliveries to Santa Clara County:
  - » Month of April = 3,453 acre-feet
  - » 2020 total to date = 12,820 acre-feet
  - » Five-year annual average = 48,700 acre-feet
- Board Governance Policy No. EL-5.3.3 includes keeping the Board informed of imported water management activities on an ongoing basis. No imported water agreements were executed under EL-5.3.3 since the last Water Tracker update

## Conserved Water

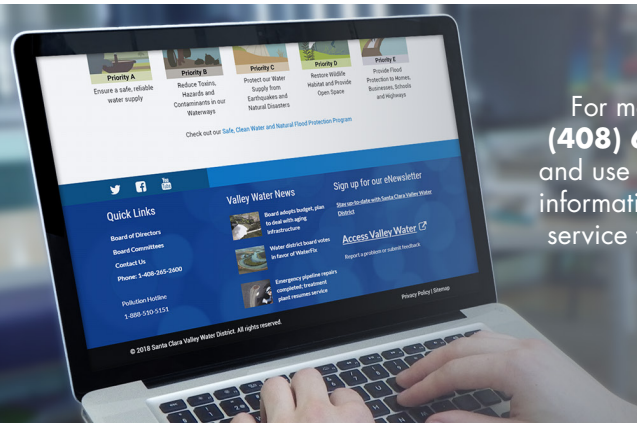
- Saved 73,531 acre-feet in FY19 from long-term program (baseline year is 1992). This will be updated in July for FY20
- Long-term program goal is to save nearly 100,000 acre-feet by 2030 and 110,000 acre-feet by 2040
- The Board continues its call for a 20% reduction and a limit of three days per week for irrigation of ornamental landscape with potable water
- Through April, achieved a 14% reduction in water use in calendar year 2020, compared to 2013

## Recycled Water

- Estimated May 2020 production = 900 acre-feet
- Estimated year-to-date through May = 3,800 acre-feet or 75% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.5 billion gallons (4,570 acre-feet) of purified water in 2019. Since the beginning of 2020, about 1,290 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

## Alternative Sources

- As of December 10, 2019, Valley Water's wastewater contract right from Palo Alto/Mountain View remains at 10,000 acre-feet/year



### CONTACT US


For more information, contact **Customer Relations** at **(408) 630-2880**, or visit our website at [valleywater.org](http://valleywater.org) and use our **Access Valley Water** customer request and information system. With three easy steps, you can use this service to find out the latest information on district projects or to submit questions, complaints or compliments directly to a district staff person.





To get eNews, drop an email to: [info@valleywater.org](mailto:info@valleywater.org)

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# **BOARD MEMBER REQUESTS and Informational Items**

**Report Name: Board Member Requests**

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-20-0011	05/21/20	Kremen	Richardson	Collins	Provide breakdown of expenditures for the Safe Clean Water Program for Priority A by individual Districts	06/10/20		

**TO:** Rick L. Callender  
Chief of External Affairs

**FROM:** Rachael Gibson  
Director of Government  
Relations

**SUBJECT:** Correspondence on Biological Opinions  
and Operations of the Central Valley  
Water and State Water Projects

**DATE:** June 4, 2020

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Please see the attached letters between federal and state officials regarding litigation that has ensued regarding the 2019 federal Biological Opinions and operations of the Central Valley Project and the State Water Project.

1. April 28 Letter: Secretary of the Interior David Bernhardt sent a letter to Senator Feinstein and Representatives Jim Costa, TJ Cox, Josh Harder, and John Garamendi in response to their April 15 letter regarding the coordinated operations of the Central Valley Project and the State Water Project. The previous letter from Senator Feinstein called for a coordinated operation of the Central Valley Project and the State Water Project.
2. May 6 Letter: Wade Crowfoot, Secretary for Natural Resources, and Jared Blumenfeld, Secretary for Environmental Protection, responded to the Congressional representatives.
3. May 6 Letter: Secretary of the Interior David Bernhardt responds to Senator Dianne Feinstein. The Secretary assured Senator Feinstein that the Department of the Interior is committed to implementing the biological opinions.
4. May 6 Letter: California Republican delegation sent letter to Minority Leader, Senators, and Assembly Members asking the Administration to withdraw its lawsuit against the Federal biological opinions.

The above letter exchange is a continuation of correspondence previously sent to the Board in a non-agenda item in early April, in which State and Congressional legislators urge Governor Newsom to drop his litigation against the 2019 federal Biological Opinions and reconsider the Incidental Take Permit recently issued by the California Department of Fish and Wildlife.

Please let me know if you have any questions.



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Rachael Gibson  
Director of Government Relations



Attachments:

1. 4/28/2020 Letter from the Secretary of U.S. Department of the Interior to Senator Feinstein
2. 5/6/2020 Joint letter from California Natural Resources Agency and CalEPA in response to Congressional Representatives
3. 5/6/2020 Letter from the Secretary of U.S. Department of the Interior in response to Senator Feinstein
4. 5/6/2020 Letter from California Republican delegation to Minority Leader, Senators, and Assembly Members



# United States Department of the Interior

BUREAU OF RECLAMATION  
Washington, DC 20240



**MAY 06 2020**

IN REPLY REFER TO:

91-00000  
1.2.11

The Honorable Dianne Feinstein  
United States Senate  
Washington, DC 20510

Dear Senator Feinstein:

I am writing to provide a further response to Secretary of the Interior David Bernhardt's April 28, 2020 letter to you and Representatives Costa, Garamendi, Harder, and Cox. In his letter, Secretary Bernhardt wrote about his commitment to delivering reliable water supplies to California's hard-working families and farming communities.

The Department of the Interior (Department) is working hard to support more water development and delivery in the State of California through infrastructure investment, better operations planning, and implementation of science-based actions. With the State and the public water agencies, together we have invested billions of dollars in the last ten years on habitat and science-based actions to better understand the needs of listed species in California and how changes in Central Valley Project (CVP) and State Water Project (SWP) operations interact with land use policies, degraded habitats, invasive species, and fishing policies to create the environment experienced by listed species. We have learned a lot.

To put this new knowledge to use, both the Federal and State teams decided in 2016 to reinitiate consultation on the long-term operations of the CVP and SWP under the Endangered Species Act. Throughout this consultation, CVP and SWP staff worked side-by-side, often on a daily basis, with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to craft new, more efficient operations and actions for both projects that allow more flexible water operations while at the same time providing substantive protections for listed species.

This consultation resulted in new biological opinions in October of 2019. After a comprehensive analysis under the National Environmental Policy Act (NEPA), including participation by the Department of Water Resources as a cooperating agency<sup>1</sup>, the Bureau of Reclamation signed a

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<sup>1</sup> Both the California Department of Fish and Wildlife and the State Water Resources Control Board declined to participate as cooperating agencies.

Record of Decision on February 18, 2020, and immediately began implementing the new biological opinions.

A review of the State's recent actions offers a significant contrast. After participating as partners throughout the consultation and NEPA processes, the State changed course in late 2019, repudiating the very science they invested in and the very analyses they helped develop. Instead, the State charted a course that calls coordinated operations into doubt and filed a lawsuit that challenges their own federal ESA compliance for the SWP. On March 30, it released, for the first time, a new State Incidental Take Permit (ITP) for SWP operations, developed unilaterally with no coordination with the federal water project, no independent peer review, no consultation with the Federal regulatory agencies, and no opportunity for public participation. The new ITP recklessly ignored new scientific understanding and reduced the water supplies available to hundreds of farms and rural communities and over 27 million people that receive water from the SWP. It also specifically included provisions to limit the sharing of facilities and to reduce the coordinated operation with the CVP.

Despite these facts, Secretary Bernhardt has made clear that the Department is continuing coordinated operations between the CVP and the SWP – and with the State of California – on a minute, hourly, daily, and weekly basis, in order to ensure a safe and reliable water supply for all. Just since February 18, 2020, CVP and SWP staff and federal and State fish agencies have held over 100 meetings (Enclosure). The CVP and SWP staff continue to participate in the ongoing process of implementing actions associated with the 2019 biological opinions related to CVP and SWP operations.

These efforts are all the more important given the hurdles and likely delays that the recent actions Governor Newsom and the State have taken.

The President has charged us with the monumental task of making water in the west more reliable. For the first time in recent memory, we are on the brink of a significant and positive change in the way California water is managed. Until very recently, Governor Newsom and the State agencies have said they want to be willing partners in a new and meaningful approach, described by the Governor himself as “putting the old binaries aside; getting off our high horse; recognizing that we need each other.” (January 29, 2020 Governor Newsom at the Public Policy Institute of California.)

Instead, however, the State has now chosen to embrace the tactics of litigious interest groups at the expense of families, farms, communities, and wildlife that the vast water system supports. It is unclear whether the State fully comprehends the consequences of severing the CVP and SWP. Ultimately, this will only harm the future reliability of California's water supply, and it will do nothing to modernize a system that is badly in need of real change.

But there is another choice. Secretary Bernhardt and the Department have chosen to move forward with concrete actions that will yield positive results.

At the Department, we are continuing to work with our active partners in the State – farmers, water contractors at both the federal and State projects, and others – to work toward implementing new biological opinions based on the best science available to modernize CVP operations. Our partners have made it clear that they support this positive, sustainable way forward. They have not given up on doing better for both the environment and for water supply.

You have the Department's full commitment that we will continue these coordinated efforts to implement the 2019 biological opinions and to ensure a safe and reliable water supply in the State. We will continue working to make sure families, farms, communities, and wildlife have the water they need to thrive.

We hope you will join us in our efforts.

Sincerely,

A handwritten signature in blue ink, appearing to be 'P. Bernhardt', written in a cursive style.

Commissioner  
Bureau of Reclamation

Enclosure

cc: The Honorable Kamala Harris  
United State Senate

## Enclosure

1. 2/20/2020 Long Term Operations (LTO) Implementation

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)

2. 2/20/2020 American River Group (ARG) Monthly Meeting

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)
- US Army Corps of Engineers
- Water Users
- Nongovernmental Organizations (NGO)
- Public Water Agencies (PWA)

3. 2/20/2020 Stanislaus Watershed Team (SWT) Monthly Meeting

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)

4. 2/21/2020 Biological Opinions (BiOp) Implementation Coordination

Invitees:

- California Department of Water Resources (DWR)
- US Bureau of Reclamation

5. 2/21/2020 Collaborative Science and Adaptive Management Program (CSAMP) Structured Decision Making (SDM) Steering Committee Call

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)
- Water Users
- Non-Governmental Organizations (NGO)

- Public Water Agencies (PWA)
  - California Delta Stewardship Council
6. 2/24/2020 Culture and Supplementation of Smelt (CASS) Meeting  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
7. 2/25/2020 Biological Opinions (BiOp)/ITP Transition  
 Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
8. 2/25/2020 Water Operations Management Team (WOMT)  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
9. 2/26/2020 Long Term Operations (LTO) Implementation Agency Coordination  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
10. 2/27/2020 Sacramento River Temperature Task Group  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - California State Water Board
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Western Area Power Administration (WAPA)
  - Hoopa and Yurok Tribes
11. 2/27/2020 Collaborative Science and Adaptive Management Program (CSAMP) Monthly Policy Group Call  
 Invitees:
- California Department of Water Resources (DWR)

- California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - US Army Corps of Engineers
  - Water Users
  - Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
12. 2/27/2020 Sacramento River Science Partnership (SRSP) Science Subcommittee  
Invitees:
- California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - Nongovernmental Organizations (NGO)
13. 2/28/2020 Biological Opinions (BiOp) Implementation Coordination  
Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
14. 3/3/2020 Salmon Monitoring Team  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
15. 3/3/2020 Smelt Monitoring Team  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
16. 3/3/2020 American River Group (ARG) Flow Discussion Call  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - US Army Corps of Engineers
  - Water Users

- Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
17. 3/3/2020 Collaborative Science and Adaptive Management Team (CAMT) facilitation funding discussion
- Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
  - Nongovernmental Organizations (NGO)
  - State Water Contractors (SWC)
18. 3/4/2020 Long Term Operations (LTO) Implementation Agency Coordination
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
19. 3/4/2020 Yolo Bypass Biological Opinions (BiOp) Planning Team
- Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
  - US Army Corps of Engineers
20. 3/4/2020 Water Operations Management Team (WOMT)
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
21. 3/5/2020 Collaborative Science and Adaptive Management Team (CAMT) 5 Agency Call
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Nongovernmental Organizations (NGO)
22. 3/6/2020 Biological Opinions (BiOp) Implementation Coordination
- Invitees:
- California Department of Water Resources (DWR)



- US Bureau of Reclamation
23. 3/6/2020 Biological Opinions (BiOp) Numbers Meeting  
Invitees:
- California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
24. 3/9/2020 American River Group (ARG) Flow Discussion Call  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - US Army Corps of Engineers
  - Water Users
  - Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
25. 3/10/2020 Salmon Monitoring Team  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
26. 3/10/2020 Smelt Monitoring Team  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
27. 3/11/2020 Long Term Operations (LTO) Implementation Agency Coordination  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
28. 3/11/2020 Fish and Water Operations Stakeholder Coordination Call  
Invitees:

- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Public Water Agencies
29. 3/11/2020 Water Operations Management Team (WOMT)  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
30. 3/12/2020 Flow Guidance Weekly Meeting  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
31. 3/12/2020 Collaborative Science and Adaptive Management Team (CAMT) Salmon Subcommittee Meeting  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
  - California Delta Stewardship Council
32. 3/13/2020 Biological Opinions (BiOp) Implementation Coordination  
 Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
33. 3/17/2020 Collaborative Science and Adaptive Management Team (CAMT) Meeting  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife

- US National Marine Fisheries Service (NMFS)
  - California State Water Resources Control Board
  - Nongovernmental Organizations (NGO)
  - California Delta Stewardship Council
34. 3/17/2020 Salmon Monitoring Team  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
35. 3/17/2020 Smelt Monitoring Team  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
36. 3/17/2020 Collaborative Science and Adaptive Management Program (CSAMP)  
 Facilitation Funding Follow up  
 Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
  - Public Water Agencies (PWA)
37. 3/18/2020 Long Term Operations (LTO) Implementation Agency Coordination  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
38. 3/18/2020 Stanislaus Watershed Team (SWT) Monthly Meeting  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
39. 3/18/2020 Fish and Water Operations Stakeholder Coordination Call  
 Invitees:

- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Public Water Agencies
40. 3/18/2020 Yolo Bypass Salmonid Habitat Restoration and Fish Passage (YBSHRFP)  
Modeling Update  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
41. 3/18/2020 Water Operations Management Team (WOMT)  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
42. 3/19/2020 Flow Guidance Weekly Meeting  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
43. 3/19/2020 American River Group (ARG) Monthly Meeting  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - US Army Corps of Engineers
  - Water Users
  - Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
44. 3/19/2020 Collaborative Science and Adaptive Management Team (CAMT) 5 Agency  
Call

- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Nongovernmental Organizations (NGO)
45. 3/19/2020 D-1641, Bay-Delta Plan and  
Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
  - California State Water Resources Control Board
46. 3/20/2020 Biological Opinions (BiOp) Implementation Coordination  
Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
47. 3/20/2020 Collaborative Science and Adaptive Management Program (CSAMP) and  
Sacramento River Science Partnership (SRSP) Science Solicitation 2020  
Invitees:
- US Bureau of Reclamation
  - California Delta Stewardship Council
48. 3/20/2020 Meet and Confer  
Invitees:
- US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Sacramento River Settlement Contractors
49. 3/23/2020 Culture and Supplementation of Smelt (CASS) Meeting  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - Delta Stewardship Council
  - US Bureau of Reclamation
  - US Fish and Wildlife
50. 3/24/2020 Salmon Monitoring Team  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife

- US National Marine Fisheries Service (NMFS)
51. 3/24/2020 Yolo Bypass PM Meeting  
 Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
52. 3/24/2020 Smelt Monitoring Team  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
53. 3/24/2020 Summer Fall Habitat Coordination  
 Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
54. 3/25/2020 Long Term Operations (LTO) Implementation Agency Coordination  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
55. 3/25/2020 Fish and Water Operations Stakeholder Coordination Call  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Public Water Agencies
56. 3/25/2020 Sacramento River Science Partnership (SRSP) Meeting  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Public Water Agencies (PWA)

57. 3/25/2020 Collaborative Science and Adaptive Management Program (CSAMP) Facilitation  
 Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
  - Public Water Agencies (PWA)
58. 3/25/2020 Water Operations Management Team (WOMT)  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
59. 3/26/2020 Flow Guidance Weekly Meeting  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
60. 3/26/2020 Collaborative Science and Adaptive Management Program (CSAMP) Monthly Policy Group Call  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - State Water Board
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - US Army Corps of Engineers
  - Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
61. 3/26/2020 Sacramento River Temperature Task Group  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - California State Water Board
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Western Area Power Administration (WAPA)
  - Hoopa and Yurok Tribes

62. 3/26/2020 Central Valley Project Improvement Act (CVPIA) 2020 Workplan  
 Invitees:
- US Bureau of Reclamation
  - US Fish and Wildlife
  - Western Area Power Administration (WAPA)
  - Nongovernmental Organizations (NGO)
63. 3/27/2020 Biological Opinions (BiOp) Implementation Coordination  
 Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
64. 4/1/2020 Long Term Operations (LTO) Implementation Agency Coordination  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
65. 4/1/2020 Fish and Water Operations Stakeholder Coordination Call  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Public Water Agencies
66. 4/1/2020 Salmon Monitoring Team  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
67. 4/1/2020 Smelt Monitoring Team  
 Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)



68. 4/1/2020 Water Operations Management Team (WOMT)  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
69. 4/2/2020 Flow Guidance Weekly Meeting  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
70. 4/2/2020 Collaborative Science and Adaptive Management Team (CAMT) 5 Agency Call  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Nongovernmental Organizations (NGO)
71. 4/2/2020 Long Term Operations (LTO) Implementation Agency Coordination  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
72. 4/3/2020 Biological Opinions (BiOp) Implementation Coordination  
Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
73. 4/6/2020 Lower American River Spring Pulse Flow Meeting  
Invitees:
- US Bureau of Reclamation
  - California Department of Fish and Wildlife (CDFW)
  - US National Marine Fisheries Service (NMFS)
74. 4/7/2020 Salmon Monitoring Team

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)

75. 4/7/2020 Smelt Monitoring Team

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)

76. 4/8/2020 Long Term Operations (LTO) Implementation Agency Coordination

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)

77. 4/8/2020 Fish and Water Operations Stakeholder Coordination Call

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)
- Public Water Agencies

78. 4/8/2020 Water Operations Management Team (WOMT)

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife
- US National Marine Fisheries Service (NMFS)

79. 4/9/2020 Flow Guidance Weekly Meeting

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife

- US National Marine Fisheries Service (NMFS)
80. 4/9/2020 Collaborative Science and Adaptive Management Team (CAMT) Salmon Subcommittee Meeting
- Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
  - Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
  - California Delta Stewardship Council
81. 4/9/2020 Livingston Stone National Fish Hatchery (LSNFH) Meeting
- Invitees:
- US Bureau of Reclamation
  - US Fish and Wildlife
  - California Department of Fish and Wildlife (CDFW)
  - US National Marine Fisheries Service (NMFS)
82. 4/10/2020 Biological Opinions (BiOp) Implementation Coordination
- Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
83. 4/14/2020 Lower American River Spring Pulse Flow Meeting
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
84. 4/14/2020 Smelt Monitoring Team
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
85. 4/14/2020 Salmon Monitoring Team
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)

86. 4/15/2020 Long Term Operations (LTO) Implementation Agency Coordination  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
87. 4/15/2020 Stanislaus Watershed Team (SWT) Monthly Meeting  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
88. 4/15/2020 Fish and Water Operations Stakeholder Coordination Call  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Public Water Agencies
89. 4/15/2020 Water Operations Management Team (WOMT)  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
90. 4/16/2020 Flow Guidance Weekly Meeting  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
91. 4/16/2020 American River Group (ARG) Monthly Meeting  
Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)

- US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - US Army Corps of Engineers
  - Water Users
  - Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
92. 4/16/2020 Collaborative Science and Adaptive Management Team (CAMT) 5 Agency Call
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Nongovernmental Organizations (NGO)
93. 4/16/2020 Directors Call
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
94. 4/17/2020 Biological Opinions (BiOp) Implementation Coordination
- Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
95. 4/21/2020 Summer-Fall US Bureau of Reclamation (USBR)/ California Department of Water Resources (DWR) Coordination Call
- Invitees:
- California Department of Water Resources (DWR)
  - US Bureau of Reclamation
96. 4/21/2020 Smelt Monitoring Team
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
97. 4/21/2020 Salmon Monitoring Team

- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
98. 4/21/2020 Collaborative Science and Adaptive Management Team (CAMT) Meeting
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - California State Water Resources Control Board
  - Nongovernmental Organizations (NGO)
  - State Water Contractors (SWC)
  - California Delta Stewardship Council
99. 4/22/2020 Long Term Operations (LTO) Implementation Agency Coordination
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
100. 4/22/2020 Fish and Water Operations Stakeholder Coordination Call
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Public Water Agencies
101. 4/22/2020 Delta Monitoring Quarterly Update
- Invitees:
- California Department of Water Resources (DWR)
  - US Geological Survey
  - US Bureau of Reclamation
102. 4/22/2020 Water Operations Management Team (WOMT)
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)

- US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
103. 4/23/2020 Flow Guidance Weekly Meeting
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
104. 4/23/2020 Sacramento River Temperature Task Group
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - California State Water Board
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - Western Area Power Administration (WAPA)
  - Hoopa and Yurok Tribes
105. 4/23/2020 Collaborative Science and Adaptive Management Program (CSAMP) Monthly Policy Group Call
- Invitees:
- California Department of Water Resources (DWR)
  - California Department of Fish and Wildlife (CDFW)
  - State Water Board
  - US Bureau of Reclamation
  - US Fish and Wildlife
  - US National Marine Fisheries Service (NMFS)
  - US Army Corps of Engineers
  - Water Users
  - Nongovernmental Organizations (NGO)
  - Public Water Agencies (PWA)
106. 4/23/2020 Livingston Stone National Fish Hatchery (LSNFH) Meeting
- Invitees:
- US Bureau of Reclamation
  - US Fish and Wildlife
  - California Department of Fish and Wildlife (CDFW)
  - US National Marine Fisheries Service (NMFS)
107. 4/24/2020 Biological Opinions (BiOp) Implementation Coordination
- Invitees:

- California Department of Water Resources (DWR)
- US Bureau of Reclamation

108. 4/27/2020 Culture and Supplementation of Smelt (CASS) Meeting

Invitees:

- California Department of Water Resources (DWR)
- California Department of Fish and Wildlife (CDFW)
- US Bureau of Reclamation
- US Fish and Wildlife



**Congress of the United States**  
**Washington, DC 20515**

May 6, 2020

The Honorable Gavin Newsom  
Governor  
State of California  
1303 10<sup>th</sup> Street, Suite 1173  
Sacramento, California 95814

Dear Governor Newsom:

On April 7, 2020, we sent you a letter requesting that your Administration withdraw its lawsuit against the recently finalized Federal biological opinions and issue a consistency determination under the California Endangered Species Act so the State Water Project (SWP) and Federal Central Valley Project (CVP) can be operated in a coordinated manner, as they have for decades prior. Unfortunately, not only have we not received a response to our letter, but your Administration is now doubling down on its ill-conceived course of action by seeking a preliminary injunction to halt implementation of the new Federal biological opinions and to apply the California Endangered Species Act to operations of the CVP.

The preliminary injunction that your Administration is pursuing, if successful, will deny tens of millions of Californians, including those who live in the San Francisco Bay Area, Los Angeles, the Inland Empire, and San Diego, the water they depend on to live and thrive. If successful it will also deny the water needed to keep the fertile San Joaquin Valley producing the agricultural products that we all eat, ultimately jeopardizing a keystone in our nation's food supply. While our constituents battle the novel coronavirus and psychological strain of the stay at home order, the last thing they should be worried about is not receiving the water they contract and pay for because of your Administration's actions.

In your February letter to U.S. Interior Secretary David Bernhardt, you recognize that our constituents "face major water constraints" and to find solutions "our water users rely on us to work together to reliably provide water." You conclude by sharing your "commitment to staying engaged and working to find a shared path forward." Yet, it is our understanding that your Administration ignored proposals from SWP contractors designed to address the State's concerns with the new Federal biological opinions and that there has been no substantive dialogue with the Federal government since mid-February, when your Administration filed suit against the United States, regarding the State's concerns with the new biological opinions.

On the one hand, you pledge to work with the Federal government to find commonsense solutions to California water issues. Yet on the other hand, you allow your Administration to immediately file litigation against the very entity you have pledged to work with to find common ground. Make no mistake – if your Administration is successful with its motion for a preliminary injunction this week, it will have singlehandedly undone years of work – started by the Obama Administration – to bring new science and data to bear on California water policy

decision-making that will directly adversely impact the Californians we all represent by denying them the water they need.

It is not too late to stop this ill-advised course of action. It is not too late to protect the water supply and economic vitality of our State. It is not too late to base actions to protect fish on the best scientific data available. It is not too late to fulfill your pledge to work together with the Federal government on water policy for the benefit of all Californians, including cities, farms, and the environment.

Accordingly, we again call on you to drop your Administration's pending litigation, including the motion for a preliminary injunction, against the new Federal biological opinions in order to "turn the page on old binaries," as two of your cabinet members said last November, and to issue a consistency determination for the SWP so the SWP and CVP can once again be operated in harmony to fulfill our State's water needs. Without changing course, your Administration's actions will ensure years of litigation and water supply uncertainty.

Thank you for your attention to this important and timely issue.

Sincerely,



KEVIN McCARTHY  
House Republican Leader



DEVIN NUNES  
Member of Congress



KEN CALVERT  
Member of Congress



TOM McCLINTOCK  
Member of Congress



DOUG LAMALFA  
Member of Congress



PAUL COOK  
Member of Congress



THE SECRETARY OF THE INTERIOR  
WASHINGTON

APR 28 2020

The Honorable Dianne Feinstein  
United States Senate  
Washington, DC 20510

Dear Senator Feinstein:

I have reviewed your letters dated April 15, 2020, addressed to me and Governor Newsom regarding California water management.

Rest assured that the Department of the Interior (Department) is continuing coordinated operations between the Central Valley Project (CVP) and State Water Project (SWP) on a minute, hourly, daily, and weekly basis with the State of California (State). Though it may seem strange, given the contentious circumstances in which we have found ourselves, we are nonetheless pleased that the State continues to participate with implementing actions associated with our 2019 biological opinions. You have the Department's full commitment that we will continue these meetings to implement the 2019 biological opinions.

I agree with your long-held view of the need to improve California water supply reliability through enhanced Central Valley Project-State Water Project (CVP-SWP) operations. It is my belief that a commitment to updated science employed in the proposed operational changes and biological opinions will lead to improved water supply reliability to millions of Californians, promote agricultural and industrial prosperity, and protect wildlife and other aquatic resources. That has been the Department's goal. Obviously, the State has chosen to move in a different direction.

In your December 19th letter to Governor Newsom and me, you urged "There is only one way to avoid this potential crisis, and that is for the federal government and California to work together." Governor Newsom responded to your call by

- filing a lawsuit on February 20th against the Department for supposed violations related to the 2019 biological opinions;
- proceeding to have the State issue its own incidental take permit (ITP) on March 30th creating separate operating rules for the SWP, a document that is in direct conflict with the Federal permits; and
- filing, by the State through Attorney General Xavier Becerra, a motion for a preliminary injunction and other pleadings on April 21st regarding the CVP.



Given the extensive collaboration between the Federal and State agencies in the development of the biological opinions, and the fact that these opinions are strongly grounded in the best available science, I believe the State's recent actions and litigation are ill-founded and potentially unlawful.

Earlier this month, the Metropolitan Water District of Southern California Board (Metropolitan) voted to initiate a lawsuit against the State regarding the ITP for long-term operation of the SWP in the Sacramento-San Joaquin Delta. In a recent letter to the California Department of Fish and Wildlife (DFW) and the California Department of Water Resources (DWR), Metropolitan stated that "[t]he permit issued by DFW does not replace or eliminate the SWP obligation to comply with federal ESA and the 2019 Biological Opinions."

I agree with this statement; there can be no "stand alone permit" apart from the Federal process to protect species under the Endangered Species Act. I also agree with Metropolitan that there is no technical or scientific justification for concluding that the State's ITP is better or more protective than the Federal biological opinions simply because it does not seek to increase SWP exports. I believe that the proposal of such limitations on water supply without legal or scientific basis is contrary to our obligation to the people and environment.

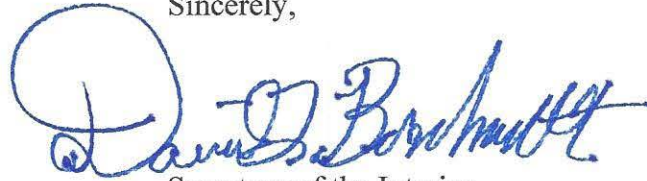
I have always appreciated your thoughtful recognition that prudent and science-based management of California's water, particularly the operations of the CVP and SWP, is critically important for the State's economy, communities, and natural environment.

Using over a decade of new scientific understanding and operational experience, the 2019 biological opinions approved new management actions. These new actions provide for the protection of endangered and threatened fish species and their habitat, as well as better management of cold-water supplies for the survival of winter-run Chinook salmon. The new actions allow for more reliable delivery of water to California farmers, families, and communities, while serving as a model for collaboration between water project operators and fisheries experts in years to come.

As the California-initiated operations and litigation proceeds, I anticipate that the State and the Department will face significant administrative and operational challenges regarding the intertwined operations of these two water projects, some of which have not been seriously contemplated for decades. The result of this, and any litigation related to this matter, will be further uncertainty for the water supplies of over 35 million people, including numerous economically disadvantaged communities, farms, groundwater sustainability and ecosystems dependent on these water sources.

I appreciate your continued communication as we move forward to better ensure water supply reliability for the benefit of the State's working families, local communities, and environment. A similar reply is being sent to the cosigners of your letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "David D. Bonmuth". The signature is fluid and cursive, with a large initial "D" and a long horizontal stroke at the end.

Secretary of the Interior



May 6, 2020

The Honorable Dianne Feinstein  
United States Senate  
Washington, DC 20510

The Honorable Jim Costa  
United States House of Representatives  
Washington, DC 20515

The Honorable John Garamendi  
United States House of Representatives  
Washington, DC 20515

The Honorable Josh Harder  
United States House of Representatives  
Washington, DC 20515

The Honorable T.J. Cox  
United States House of Representatives  
Washington, DC 20515

Dear Senator Feinstein, Representative Costa, Representative Garamendi,  
Representative Harder and Representative Cox:

We write in response to your letter to Governor Newsom dated April 15, 2020. First, thank you for taking time to share your perspective and concerns regarding California water operations during this extraordinary time. We appreciate your patience regarding this response given the COVID-19 crisis and hope that your families and employees remain safe and healthy as our state and federal governments collaborate to respond to this unprecedented challenge.

We agree with you on the importance of operating our water infrastructure in California to provide reliable water supplies to our communities and economy while protecting the environment. Achieving this balance is a complex, ongoing process that requires both engagement across our state agencies and cooperation from the federal government. We are focused on operating state water infrastructure to capture and convey water supplies in a manner that complies with California's Endangered Species Act (CESA) and other state and federal laws and regulations, which requires thoughtful operational rules and adequate environmental protections. Our iconic salmon are highly imperiled and facing extinction. These species, along with Delta and longfin smelt have recently been surveyed at the lowest population levels ever recorded.

Unfortunately, the Biological Opinions (Opinions) issued by the federal fisheries agencies and adopted by the Bureau of Reclamation (Bureau) in February, have put several endangered species in the Delta watershed at immediate risk of extinction. In fact, actions already taken by the Bureau under the new Opinions caused such alarming

impacts to longfin smelt populations in April that we filed a motion to enjoin the Bureau's operations in May in order to stop the harm from continuing.

We recognize that the state and federal projects need to coordinate closely given their joint responsibilities for water supply delivery and environmental protection. Historically, California relied on the federal process to protect endangered species. This option was effectively eliminated by the President's 2018 memorandum that both shaped and accelerated the updating of earlier biological opinions. In recognition of this extraordinary situation, state agencies pursued a separate state permit for the first time to ensure that the Department of Water Resources (DWR) water operations can comply with state law. Following the finalization of the Trump Administration's Opinions on February 20, 2020, the Department of Fish and Wildlife (DFW) issued a new state permit for the long-term operations of the State Water Project (SWP) under CESA.

This permit, which was issued on March 31, 2020, enables DWR to continue to provide reliable water to 27 million Californians and our agricultural economy while protecting four species of fish at risk of extinction. The permit carefully analyzed operations of our state water infrastructure, drawing on a decade of science to develop a permit that strengthens safeguards for fish while improving real-time management of state water operations. It contains a robust set of protective measures, and makes several improvements to waterways, including a new barrier in the south Delta to improve survival of migrating juvenile salmon and better use of salinity gates in the Suisun Marsh to expand the habitat for Delta Smelt. Lastly, the permit includes new funding for a comprehensive adaptive management program that includes updated modeling, monitoring, and analyses to inform real-time operations. This operational flexibility in the state permit will facilitate more exports during large storm events and hydrology wet years while protecting endangered species.

The state permit includes important safeguards for endangered species that are not specifically protected by the federal Biological Opinions. This distinction is increasingly critical as negative effects already are being observed by operations under the new Opinions, especially for longfin smelt. The federal and state water projects have a long history of shared responsibilities for meeting environmental needs. The State Water Project cannot be forced to absorb the burden of environmental compliance that belongs to others.

This new approach strengthens water security for Californians by ensuring the continued lawful operation of the SWP for the next 10 years, regardless of federal actions. The regulatory certainty provided by this permit will support continued smart water management, including groundwater recharge, expanded water recycling, and modernized Delta conveyance – all of which are critical to supporting our capacity to prepare for dry years like this one.

We remain committed to working with federal agencies to navigate and resolve differences between the federal and state permits to ensure necessary protections for endangered fish. We also remain equally committed to pursuing voluntary agreements as a pathway to create a comprehensive solution. We continue to pursue these agreements and have included flexibility in the state permit to sync with this effort, but

we need the federal government to work towards meaningful compromises to be successful.

We look forward to continuing our efforts to align and advance both federal and state priorities, in order to establish clear rules that protect endangered species, provide regulatory certainty, and meet the water supply needs of California's diverse communities.

Sincerely,



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Wade Crowfoot  
Secretary for Natural Resources



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Jared Blumenfeld  
Secretary for Environmental Protection