



THE SECRETARY OF THE INTERIOR
WASHINGTON

JUN 02 2011

The Honorable Doc Hastings
Chairman, Committee on Natural Resources
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I write to you concerning H.R. 1837, the San Joaquin Valley Water Reliability Act, to underscore the very serious problems with this bill that affect not only Californians but all those who depend and rely upon both state-based and federal water rights. We recognize the long-standing problems of water supply and related ecosystem decline facing California, and their effects on communities, businesses and families. We are committed to solving these problems, but in contrast to this legislation, we believe this must be accomplished through cooperation with the state and affected stakeholders and reliance upon sound science.

This legislation would undo ongoing broad-based collaborative initiatives that have been underway for many years to resolve some of California's most significant water issues in the San Joaquin River and in the Sacramento-San Joaquin River Bay-Delta. Contrary to one of the bedrock principles of Federal Reclamation law, it would expressly and broadly preempt California state water law. This would set the stage for harmful adversarial relations with California and would establish a dangerous precedent for other states. In addition, some measures in the bill would contradict the long-standing principle that the beneficiary should pay for the costs of developing water supplies and mitigating the impacts of such development. Shifting these costs to the American taxpayer, as this bill would do, is not an appropriate change in Federal water policy particularly in this era of limited budgets.

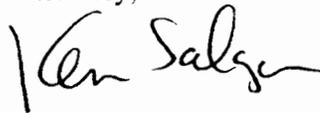
This Administration strongly supports the coequal goals embodied in California's recent landmark water legislation of (1) providing a more reliable water supply for California and (2) protecting, restoring, and enhancing the overall quality of the Bay-Delta environment. That legislation, the Sacramento-San Joaquin Delta Reform Act of 2009, was a bipartisan product that had the support of water users, affected communities, the conservation community, and many other stakeholders. Many of these same stakeholders are participating in the development of the Bay-Delta Conservation Plan, an effort that is intended to achieve the co-equal goals and has the potential to serve as the keystone for a long overdue and lasting solution to California's critical water supply and related ecological crises. The Administration's commitment to work with the State on these important matters is described in the 2009 Interim Federal Action Plan for the Bay Delta. Unfortunately, H.R. 1837 would hinder if not spell the end of this effort to provide a secure water supply and restore the Bay-Delta environment doing so, the bill would destroy the cooperative and productive partnership that has developed between California and Federal agencies over the course of several Federal and state administrations.

The bill also would repeal the San Joaquin River Restoration Settlement Act, the legislative enactment of an agreement that resolved 18 years of contentious litigation over San Joaquin River water operations. The bill would not only undo the very valuable restoration work committed to by all the settling parties, but would also create uncertainty for all stakeholders and pave the way for many more years of costly court battles.

California's complex water problems require thoughtful, science-based solutions developed with the support of the Federal and state governments and all stakeholders. H.R. 1837 flies in the face of this principle by undermining State water laws, dismantling bipartisan and broad-based planning processes, and discarding a productive settlement in favor of continued contentiousness and litigation. We believe this legislation would not help move California toward the collaborative and science-based solutions we need to address California's water supply and ecosystem challenges.

A similar letter was sent to Ranking Member Edward Markey.

Sincerely,

A handwritten signature in black ink that reads "Ken Salazar". The signature is written in a cursive, flowing style.

Ken Salazar

Enclosure



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