



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

*Office of the General Manager*

September 30, 2009

The Honorable Dianne Feinstein  
United States Senate  
SH-331 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Feinstein:

As an active participant in legislative efforts to address the environmental and water crises in the Sacramento-San Joaquin Delta, the Metropolitan Water District firmly believes that the restoration of this valuable ecosystem is necessary to establish a reliable water supply. Recent deliberations before the United States Senate have raised some questions about the proper application of the federal Endangered Species Act and relevant biological opinions that guide water project operations in the Delta. Metropolitan fully supports your efforts to work within the Act while ensuring that biological opinions and water supply restrictions are based on the best available science.

Metropolitan is among the many water districts who rely on supplies from the Delta that have questioned the scientific basis of certain operational restrictions that are now mandated under federal biological opinions for delta smelt, winter- and spring-run salmon and other species. Our analysis of new requirements to increase fresh water flows into San Francisco Bay on behalf of the delta smelt, for example, shows little to no benefit to fish species at a tremendous cost of water to the state economy. That said, Metropolitan believes that the reconsultation process under the Act, and the operational flexibility within the biological opinions, provide opportunities to adaptively manage the Delta based on new and better information. Your effort to engage the National Academy of Sciences in a full and exhaustive review of the biological opinions is precisely the kind of prudent and helpful approach to ensure defensible, sound actions under the Act.

The ongoing discussions before the California Legislature exemplify the need to link ecosystem improvements to water supply improvements. The Bay Delta Conservation Plan, a landmark effort by state and federal agencies, water districts and key environmental groups, is a cornerstone of any successful long-term Delta Plan. The goal is to achieve the highest level of environmental compliance possible, a Natural Communities Conservation Plan that seeks to recover numerous aquatic species. Sidebar proposals to suspend the Endangered Species Act are contrary to the emerging, comprehensive solutions to the Delta. With your continued leadership, a historic breakthrough in the Delta and for all of California water policy is within reach.

The Honorable Dianne Feinstein  
September 30, 2009  
Page 2

Please rest assured that Metropolitan stands ready to work with you and the appropriate state and federal agencies to make progress on this critical issue within the existing legal framework.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Kightlinger". The signature is written in a cursive, somewhat stylized font.

Jeffrey Kightlinger  
General Manager

JK:bg

cc: K. Salazar, Secretary, U.S. Department of Interior  
M. Chrisman, Secretary, California Resources Agency

T.F. Brick, Chairman, Metropolitan Board of Directors