



CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

February 11, 2015

Honorable Felicia Marcus
Chair
State Water Resources Control Board
1001 I Street, 26th Floor
Sacramento, CA 95814

Dear Madame Chair:

We are surprised by the recent decision of your Executive Director, Mr. Tom Howard, to deny the portion of the Temporary Urgency Change Petition (TUCP) that would allow the Department of Water Resources and the U.S. Bureau of Reclamation to increase pumping during specific periods of February and March 2015. We believe the State of California, the State Water Resources Control Board (Board) and Mr. Howard should immediately reconsider and reverse the denial in light of the support for the TUCP provided to Mr. Howard and the Board by the California Department of Fish and Wildlife, the National Marine Fisheries Service, and the U.S. Fish and Wildlife Service.

Mr. Howard's decision is inexplicable in light of the deepening drought. January, normally one of the wettest months of the year, was the driest on record with an astoundingly low 0.03" of rainfall in the Sacramento Valley. Both the State Water Project and the Central Valley Project have notified their water users to expect record low, or near record low water supplies this year. In this fourth year of drought, it is essential that we balance the needs of California's people with the needs of the ecosystem. We think that balance was appropriately struck by the State and federal fish agencies when they supported all provisions of the TUCP, including limited increases in pumping during February and March.

It is unclear to us why Mr. Howard disregarded the scientific and biological conclusions of the State and federal scientists and replaced them with his own view. While we recognize that the Board has a responsibility to act independently to balance California's competing needs for water, it is not clear why Mr. Howard ignored the advice of the State and federal agencies charged with protecting fish and wildlife.

We request that the Board and Mr. Howard immediately reconsider and reverse the February 3rd denial of the increased pumping provision of the TUCP. However, if after that review Mr. Howard and the Board

determine that the denial should stand until the Board's February 18th workshop, then we request that Mr. Howard and the Board provide a written description of the scientific analysis used to refute the scientific conclusions of the State and federal fish agencies.

Sincerely,

Jan Fulk
~~Jan Fulk~~

P. J. AUB
J. White

Sharon Hume
Ch. Fies
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McGee
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cc: Hon. Matthew Rodriguez
Hon. Karen Ross
Hon. John Laird
Hon. Mark Cowin
Hon. Charlton Bonham
Ms. Nancy McFadden
Ms. Martha Guzman-Aceves
Ms. Tara Andress
Mr. Rob Egel
