



August 29, 2022

The Honorable Debra Haaland  
Secretary of the Interior  
Department of the Interior  
1849 C Street, NW  
Washington, D.C. 20240

The Honorable Tanya Trujillo  
Assistant Secretary for Water and Science  
Department of the Interior  
1849 C Street, NW  
Washington, D.C. 20240

The Honorable Camille Calimlim Touton  
Commissioner  
Bureau of Reclamation  
1849 C Street, NW  
Washington, D.C. 20240

Dear Secretary Haaland, Assistant Secretary Trujillo, and Commissioner Touton:

Across the southwestern United States, demands for water far exceed supply. That is true not only in the Colorado River basin, but extends into California's Sacramento-San Joaquin River Delta (Delta), the source of the Central Valley Project's (CVP's) water supply. Climate change has driven changes in hydrology that have reduced, and will continue to reduce, the water available for capture and delivery by the CVP. These changes come on top of an ecological crisis in the Delta that has persisted for decades, driving numerous native salmon and other fish to the brink of extinction, harming Native American Tribes and the West Coast's salmon fishery, and increasing the occurrence and persistence of harmful algal blooms that threaten human health and safety in the Delta estuary.

You have a rare opportunity to begin to solve these problems in a way that would place the Delta estuary on a path to recovery and restore a semblance of equity and fairness to the CVP's allocation of scarce water resources. The Biden Administration has initiated an Endangered Species Act consultation on the joint operations of the CVP and California's State Water Project, and how those operations should be adjusted to adapt to the realities of climate change-driven hydrology and prevent the extinction of salmon and other native species. As part of that consultation, the Biden Administration should analyze and modify long-term water delivery contracts to reflect current environmental and hydrological realities.

This is particularly true for Reclamation's Sacramento River Settlement Contracts, which in total promise more than 2.1 million acre-feet of water per year, water that is largely supplied from Reclamation's Shasta Reservoir. The implementation of these contracts in 2021 led to the deaths of approximately 75 percent of the endangered winter-run Chinook Salmon eggs below Shasta

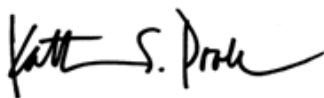
Dam that year due to lethal water temperatures. This excessive level of salmon mortality has been repeated in several recent years due to lack of cold water stored in Shasta. Earlier this year, a federal court found that these unsustainable water contracts “make it exceedingly and increasingly difficult for Reclamation to operate Shasta Dam in a manner that is sufficiently protective of winter-run.”<sup>1</sup> The implementation of these contracts also threatens the commercially valuable fall-run chinook salmon and other listed species, and the thousands of fishing jobs that depend on healthy salmon runs.

Reclamation renewed the Sacramento River Settlement Contracts for forty years in 2005, but the renewal has never undergone a valid Endangered Species Act consultation for protected fish species. The contracts are not compatible with listed species protection and are based upon an inequitable water rights system that prioritizes water for agriculture over water for human health and safety and the shared environment. These contracts do not reflect today’s laws or values.

There is widespread acknowledgement among responsible water managers in the southwest that the water deliveries promised from Reclamation’s western water projects no longer reflect reality and must be modified to allow water users to adjust their expectations and investments. The CVP consultation represents a critical turning point that can and must be used to halt the Central Valley’s current trajectory towards a Colorado Basin-style water shortage crisis. Reclamation should exercise its authority during this reinitiated consultation process to re-open and modify long-term water delivery contracts.

As the Department of the Interior works to reconcile water demand and supply across the West, we look to you for leadership to ensure that Reclamation reforms the unsustainable water contracts of the Central Valley Project, including the Sacramento River Settlement Contracts.

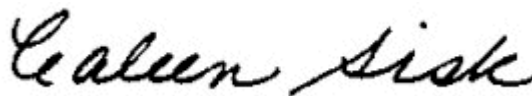
Sincerely,



Katherine Poole  
Natural Resources Defense Council



John McManus  
Golden State Salmon Association



Caleen Sisk  
Spiritual Leader  
Winnemem Wintu Tribe



Mike Conroy  
Pacific Coast Federation of Fishermen’s  
Associations & Institute for Fisheries Resources

---

<sup>1</sup> See *Pacific Coast Federation of Fishermen’s Associations v. Raimondo*, E.D. Cal. No. 1:20-cv-00431-SLT-EPG, Dkt. 394 at 93 (Mar. 11, 2022).