

**Friends of Trinity River * Planning and Conservation League
Friends of the River * California Sportfishing Protection Alliance
California Trout, Inc. * Clean Water Action * Restore the Delta
Northern California Council Federation of Fly Fishers * Trout Unlimited
Butte Environmental Council * Redwood Empire Chapter Trout Unlimited
Northcoast Environmental Center * California Save Our Streams Council
Pacific Coast Federation of Fishermen's Associations * Felix Smith
Public Employees for Environmental Responsibility * Public Trust Alliance
California Water Impact Network * Save The American River Association, Inc.**

P. O. Box 2327
Mill Valley, CA 94942-232
415 383 4810

Via Email and USPS

January 12, 2009

Mr. Mike Finnegan
Mr. Federico Barajas
Bureau of Reclamation, MP Regional Office
2800 Cottage Way
Sacramento, CA. 95825-1898

RE: Draft Legislation 11-26-08 (SLU Drainage "Alternative Plan")

Dear Mr. Finnegan and Mr. Barajas:

Attached are copies of our letters of August 15, 2008 and December 12, 2008 signed by an individual and 18 organizations representing more than 40,000 members in California commenting on the Drainage Legislation Working Group Legislation Discussion Draft dated November 26, 2008.

The issues we raised in our previous letters have not been addressed in the revised draft legislation. For this reason, we resubmit and incorporate them as a part of these comments in response to the revised November 26, 2008 draft legislation. We ask that they be reviewed again to revise future draft legislation requested by Senator Feinstein, that we receive a response to these comments, and that they be made a part of the record.

We also set forth below certain issues more specifically that were inherent in our previous comments.

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LEGISLATION IS PREMATURE

Until a plan is developed by an independent, scientifically qualified entity, preferably the United States Geological Service (USGS), to eliminate contaminated irrigation drainage from Westlands Water District's (WWD) lands, no legislation should be introduced. In addition, the plan should include quantified performance standards. The USGS currently is developing a process that would fulfill these requirements.

The legislation, when introduced, also should provide for consistent – time period specified - independent monitoring of results against the plan's quantified performance standards. Again, the USGS would be an appropriate entity to fulfill this function.

To the extent that quantified performance standards are not achieved by the methods employed to eliminate contamination from WWD's contaminated irrigation drainage, then the amount of water to be delivered by the Bureau of Reclamation (BOR) to WWD under any proposed contract should be reduced. The reduction in water delivery to WWD should be that volume which will enable WWD to come into compliance with the legislation's specified performance standards. Quantified water delivery reductions should be set forth in the legislation based upon the extent to which WWD is not meeting the legislation's quantified performance standards.

ANY LEGISLATION SHOULD INCLUDE A PROVISION FOR RETURN OF WATER TO THE CENTRAL VALLEY PROJECT FROM ALL RETIRED LAND

Water associated with any land retired by WWD should be returned to the CVP for beneficial environmental uses. The return of water to the CVP should be proportionate to the relationship between the amount of land retired and total land within the WWD. For example, if 100,000 acres were retired, then about one-sixth of the water to be delivered to WWD under any contract should be returned to the CVP (100,000 acres subtracted from a total of 605,000 acres within the WWD).

Again, we look forward to your response to our comments, and we thank you for that in advance.

Yours very truly,

Friends of Trinity River
s/Byron Leydecker,
Chair

Planning and Conservation League
s/Charlotte Hodde,
Water Policy Analyst

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Friends of the River
s/Steve Evans,
Conservation Director

California Trout, Inc.
s/Thomas Weseloh,
North Coast Manager

Northcoast Environmental Center
s/Greg King,
Executive Director

California Sportfishing Protection Alliance
s/Bill Jennings,
Chairman, Executive Director

Northern California Council Federation of Fly Fishers
s/Mark Rockwell,
Conservation Director

Trout Unlimited
s/Stan Griffin,
Northern California Conservation Chair

Clean Water Action
s/Jennifer Clary,
Policy Analyst

Pacific Coast Federation of Fishermen's Associations
s/Zeke Grader,
Executive Director

Public Employees for Environmental Responsibility
s/Karen Schambach,
California Field Director

Butte Environmental Council
s/Lynn Barris,
Water Policy Analyst

California Save Our Streams Council
s/Lloyd Carter,
President

Felix Smith
s/Felix Smith,
Retired USF&WS Biologist

Restore the Delta
s/Barbara Barrigan-Parrilla,
Campaign Director

Redwood Empire Chapter Trout Unlimited
s/Brian Hines,
Treasurer

Public Trust Alliance
s/Michael Warburton,
Executive Director

California Water Impact Network
s/Carolee Krieger,
President

Save The American River Association, Inc.
s/ Warren V. Truitt
President

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cc:

The Honorable Dianne Feinstein
The Honorable Barbara Boxer
The Honorable Jeff Bingaman
The Honorable Nancy Pelosi
The Honorable Nick Rahall
The Honorable George Miller
The Honorable Mike Thompson
The Honorable Grace Napolitano
The Honorable Darrell Steinberg
The Honorable Lois Wolk
The Honorable Karen Bass
The Honorable Jared Huffman
The Honorable Wesley Chesbro

Mr. Donald R. Glaser
Mr. Ren Lohofener
Mr. Lester Snow
Mr. Don Koch
Mr. Alf Brandt
U. S. Geological Survey
Environmental Protection Agency
State Water Resources Control Board
Central Valley Regional Water Quality
Control Board
Congressional Research Service