

Tom Birmingham

From: Butler, Jessica [Jessica.Butler@mail.house.gov]
Sent: Monday, December 08, 2014 10:24 AM
To: 'Tom Birmingham'
Subject: RE: Potential water questions

Thank you!! Saved the day again!

Jessica

Jessica Butler
Legislative Director
Rep. David G. Valadao (CA-21)
1004 Longworth House Office Building
Washington, DC 20024
202-225-4695
Jessica.butler@mail.house.gov



From: Tom Birmingham [mailto:tbirmingham@westlandswater.org]
Sent: Monday, December 08, 2014 12:39 PM
To: Butler, Jessica
Cc: David L. Bernhardt (dbernhardt@bhfs.com)
Subject: Re: Potential water questions

Sent from my iPad

On Dec 8, 2014, at 9:06 AM, "Butler, Jessica" <Jessica.Butler@mail.house.gov> wrote:

Good morning gentlemen,

In prep for floor debate today I ran across these from CRS, any way we could try and get a few of these answered before 2?

Questions Emerge

H.R. 5781 raises several potential questions and issues that are unique to the bill, and in some cases are similar to issues raised by S. 2198 and H.R. 3964. For example:

- How will the Secretary of the Interior implement the provisions in the bill to result in increased water supplies for users while remaining consistent with existing laws and regulations?

The existing biological opinions provide ranges for management of reverse flow in Old and Middle Rivers. The range during the period from December 1 - June 30 is -1250 to -5000 cubic feet per second, and these ranges are achieved by modifying rates of export pumping. The legislation provides that OMR reverse flow will be managed at the upper end of the range unless the agencies conclude, based on data, that it is necessary to reduce reverse flow in order to avoid a negative impact on the long-term survival of the species. The difference between operating at the upper end versus the low end of the range can mean more than 1MAF per for the Central Valley Project and the State Water Project. In addition, the legislation provides that for water purchased and used to augment flow in the San Joaquin River during the April - May period, the projects can pump that water at a 1:1 inflow/export ratio so long as environmental conditions permit. This year, the CVP and SWP contractors have already made arrangements to purchase 100,000 that will be released in April/Many, and compare to a 4:1 inflow/export ratio the projects will be as much as 75,000 acre-feet for the two projects. These increased volumes of flow also provide benefit to out-migrating salmon.

- What are the short- and long-term environmental effects of the bill, given the uncertainty of how long the state will be under a drought emergency declaration?

One of the short term environmental effects of this legislation will be to reduce groundwater overdraft in the San Joaquin Valley. Increased water supplies from the CVP and SWP will mean that farmers will have to rely less on groundwater to irrigate crops. To the extent that there is sufficient water to put back into production fields that have been fallowed, there will be improved air quality in the Valley. There should be no effect on the fisheries, because the agencies maintain discretion to take actions within the biological opinions to protect species from long-term harm.

- What are the short- and long-term effects on water users, assuming no redirected adverse impacts or changes to state water law?

The bill is carefully crafted to ensure that there is neither short-term nor long-term harm to other water users. For public water agencies that receive water from the CVP and the SWP, there should be short-term water supply benefits. Given the temporary nature of this legislation, there are no foreseeable long-term effects.

- How will the potential projects and operational changes, as well as mitigation expenses, be funded under this bill?

The federal agencies have sufficient discretionary funding to enable them to pay for operational changes and mitigation. For every additional acre-foot of water delivered to CVP ag service contractors, there will be an additional \$9.99 paid to the CVPIA restoration fund.

- What are the precedent-setting provisions in the bill for managing resources wh

This is emergency legislation and should not be precedent setting.

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Tom Birmingham

From: Tom Birmingham [tbirmingham@westlandswater.org]
Sent: Monday, December 08, 2014 11:00 AM
To: Butler, Jessica
Cc: David L. Bernhardt
Subject: Re: Potential water questions

Jessica,

One additional short-term environmental impact is improved water quality in the Central and South Delta. The legislation provides for keeping the cross-channel gates open. This will have a dramatic effect on water quality, to the good.

Tom

Sent from my iPad

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Tom Birmingham

From: Butler, Jessica [Jessica.Butler@mail.house.gov]
Sent: Monday, December 08, 2014 9:22 AM
To: Tom Birmingham (tbirmingham@westlandswater.org); David L. Bernhardt (dbernhardt@bhfs.com)
Subject: latest water numbers

Where can I find the latest numbers for the amount of water that has been dumped into the ocean for fish etc?

Jessica

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Tom Birmingham

From: Butler, Jessica [Jessica.Butler@mail.house.gov]
Sent: Wednesday, December 03, 2014 1:27 PM
To: Tom Birmingham; David L. Bernhardt
Subject: HR 5781 differs from 3964

Can you write me a quick blurb on the differences between the two bills? I'm sitting in rules on the bill now.

Thank you,
Jess

Jessica Butler
Senior Policy Advisor
Rep. David G. Valadao
202-225-4695