

# California State Senate

STATE CAPITOL  
SACRAMENTO, CALIFORNIA  
95814

April 21, 2004

Senator Dianne Feinstein  
Senator Barbara Boxer  
U.S. Senate  
Hart Senate Office Building  
Washington, D.C. 20510

Dear Senators Feinstein and Boxer:

As members of the California State Senate, we the undersigned encourage you to help resolve the litigation that is blocking the restoration of the Trinity River in Humboldt and Trinity Counties. The Trinity River is a unique national treasure. Failure to resolve this litigation could be an impediment to both renewing water contract in the Central Valley Project and as well as planning and implementing future CalFed actions affecting the Sacramento/San Joaquin Delta.


Congressional action would be a reaffirmation of the promise made by the federal government that enough water would be left in the river to support the fish. This promise has not been kept and for the past 40 years up to 90 percent of the Trinity River's flow at Lewiston has been diverted to the Central Valley. In 2002, an estimated 34,000 fish, mostly endangered species salmon, died in the Klamath River before they could migrate to the Trinity River to spawn.

For more than three years, the Trinity River Record of Decision has been blocked in court by litigation initiated by the Westlands Water District and the Northern California Power Agency. This long and expensive litigation has diminished the human and financial resources needed to restore the Trinity River's fishery. Now the litigation threatens the expedient negotiation of new water contracts in the Central Valley and planning and implementing future CalFed actions.

The CalFed Record of Decision assumed full implementation of the Trinity Record of Decision. Other measures are available to improve water reliability to Westlands Water District and the other plaintiffs in the case, measures that can be part of a bundled set of actions to restore the Sacramento/San Joaquin River Delta. It is neither necessary nor desirable to delay restoration of the Trinity River in order to address Westlands' reliability concerns.

The Trinity River restoration and the Central Valley water negotiations can simultaneously benefit from your leadership to resolve this litigation. Resolution of the Trinity River litigation must be a preface to CalFed. We ask that you support full implementation of the Record of Decision on the Trinity River.

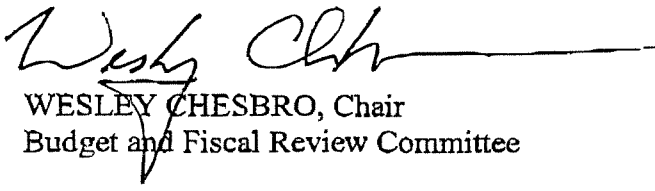
Sincerely yours,



JOHN BURTON, President Pro Tempore  
California State Senate



MICHAEL J. MACHADO, Chair  
Agriculture and Water Resources Committee



WESLEY CHESBRO, Chair  
Budget and Fiscal Review Committee