



United States Senate
WASHINGTON, DC 20510-0504
<http://feinstein.senate.gov>

September 11, 2009

The Honorable Ken Salazar
Secretary of the Interior
1849 C Street, North West
Washington, D.C. 20240

The Honorable Gary Locke
Secretary, U.S. Department of Commerce
1401 Constitution Avenue, North West
Washington, D.C. 20230

Dear Secretaries Salazar and Locke:

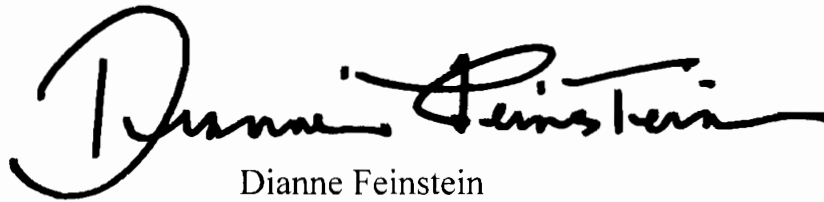
As you both know, the water situation in the San Joaquin Valley remains untenable. Given the severe consequences of the pumping restrictions required by the implementation of the Biological Opinions, and the potential for conflict between the two opinions, an independent review of the science on which the opinions are based is warranted.

The FY2010 Interior and Environment Appropriations bill includes \$750,000 for the Fish and Wildlife Service to contract with the National Academy of Sciences to conduct a review of the science in the Delta and the biological opinions regarding pumping operations. I intend to proceed with the funding and hope you will consider using whatever discretionary funds may be available to your Departments to begin the study now, in advance of the Appropriations Bill, since time is of the essence.

The National Academy of Sciences, through the National Research Council (the operating arm of the Academy), is the only body whose views will be respected by all relevant parties as a truly independent voice. Enclosed for your review is a letter from Stewart Resnick, in which he and his staff suggest a series of three studies by the Research Council. They hope that an initial study can be completed within six months, and I would share that hope. These decisions of course belong to the Departments. My request is that, as the recipient of the funds, the Department of the Interior take the lead, working closely with Commerce to make the decisions on shaping the study or series of studies, determining the appropriate timing and sequence, and writing the task statement.

I have truly appreciated the time and resources you have both directed at the water crisis in California. The situation remains dire, and your continued leadership and attention remain very much needed. Please let me know thoughts on this matter at your earliest convenience.

Sincerely,

A handwritten signature in black ink, reading "Dianne Feinstein". The signature is fluid and cursive, with the first name "Dianne" written in a large, stylized script and the last name "Feinstein" in a more compact, cursive style.

Dianne Feinstein
United States Senator

Enc.: Letter from Stewart Resnick to Senator Feinstein dated September 4, 2009.

DF:lr