United States Department of the Interior
FISH AND WILDLIFE SERVICE
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National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Southwest Region
501 West Ocean Blvd. Suite 4200
Long Beach, California 90802

California Department of Fish and Game
1416 Ninth Street, Room 1205
Sacramento, California 95814

January 11, 2001

Kirk Rodgers
Deputy Regional Director
U.S. Bureau of Reclamation
Mid Pacific Region
2800 Cottage Way Suite
Sacramento, California 95821

Raymond D. Hart
Deputy Director
California Department of Water Resources
1416 Ninth Street, P.O. Box 942836
Sacramento, California 94236

Dear Messrs. Rodgers and Hart:

This responds to your letter dated January 11, 2001 concerning the request for concurrence that the Environmental Water Account (EWA) is operable utilizing the assets that are currently in place. We would like to thank all individuals who participated in the numerous meetings centered around EWA asset acquisition. We all knew it would be a difficult undertaking. We feel that these individuals have done an excellent job in acquiring the assets that are currently in place considering the time available since the signing of the CALFED Record of Decision (ROD). However, we must continue working diligently as all assets and agreements as stated in the ROD are not yet completely in place, specifically Ground Water Storage in dry years. We have every expectation that the remaining assets and agreements will be in place by February of this year.

Our collective agencies (Project Agencies and Management Agencies) have agreed to an interim set of Operating Protocols to help guide us through the first year of EWA operation and to help us deal with those problems that do arise. I am confident that we will continue to meet and address these problems in a coordinated fashion in order to better prepare for future EWA operation. We must continue to acquire the remaining assets, develop long-term agreements for EWA asset acquisition, and develop a more complete set of long-term operating protocols. This will ensure that the Management Agencies will be able to provide a more complete set of Endangered Species Act commitments for the remaining three years of this phase of the CALFED Bay-Delta Program.

Based on the CALFED budget and the Ecosystem Restoration Plan, the CALFED Restoration Program has been funded to a level of at least $150 million dollars. Therefore, since all of the

necessary elements identified in the ROD for Endangered Species Act commitments are essentially in place and functional for this year, we by this letter are providing Endangered Species Act commitments, as identified in the ROD, for calendar year 2001. We would like to stress again that these commitments in no way set a precedent on future Endangered Species Act commitments and anticipate that we will all need to use the remainder of the year to fully develop assets and resources for the next three years to establish an EWA that is fully operational for the long-term.

If you have any questions regarding this letter, please contact Michael Thabault at the Service (916) 414-6600, Jim White at the Department of Fish and Game (916) 653-3540, or Michael Aceituno at the National Marine Fisheries Service (916) 930-3623.

Sincerely

Wayne S. White
Field Supervisor
Sacramento Fish and Wildlife Office

FOR
L. Ryan Broddrick
Chief Deputy Director
California Department of Fish and Game

for James Lecky
Assistant Regional Administrator
Southwest Region, National Marine Fisheries Service