
**Coalition for a Sustainable Delta/Kern County Water Agency release
concerning litigation filed challenging the 2009 Biological Opinion
(August 28, 2009)**

PRESS RELEASE

FOR IMMEDIATE RELEASE

August 28, 2009

Coalition for a Sustainable Delta

Contact:

Michael Boccadoro

(916) 441-7685

(916) 600-4383

Kern County Water Agency

Contact:

Jeanne Varga

(661) 549-4520

San Joaquin Valley Water Users File Suit Over Water Restrictions **Federal Actions To Protect Salmon Based On Flawed Science**

Bakersfield, CA – The [Coalition for a Sustainable Delta](#) (Coalition) and the [Kern County Water Agency](#) jointly filed suit against the United States Department of Commerce, National Marine Fisheries Service (NMFS) for their continued failure to address all factors or stressors that impact the Delta ecosystem and its fish species. The suit focuses on recent federal actions, designed to protect salmon populations, which will bring great harm to California's economy and ongoing water crisis, but provide little help to the ecosystem or its fisheries.

The water pumping restrictions contained in the revised NMFS salmon biological opinion (BiOp) will further reduce water supplies for 25 million Californians, millions of acres of farmland and countless businesses throughout the state.

"Federal regulators are layering bad decisions on bad decisions and exacerbating California's water crisis. Residents, farmers, farm workers and our economy are already paying a high price for the inability of federal regulators to address the real problems regarding a declining Delta ecosystem," said Jim Beck, Kern County Water Agency General Manager. "The salmon BiOp adds to the problem without providing any real solutions."

Federal regulators continue to focus their attention only on the water projects and continue to ignore the effects of other stressors on the Delta and its native fish species. The suit focuses on three main issues:

1. Failure to use the best available science and data;
2. Failure to properly analyze the effects of all stressors on listed species; and
3. Failure of federal agencies to demonstrate the benefit to the listed species from further pumping restrictions.

The overall health of the Delta ecosystem, including the health of salmon and green sturgeon, is in decline due to a number of stressors. Among the well known factors contributing to the decline are contaminated run-off; pesticide discharges; predation from striped bass, black bass and other non-native species; widespread pollution from wastewater treatment plants; development of levees; dredging; operation and expansion of shipping channels; and land-use activities.

“We cannot allow federal bureaucrats to continue destroying our economy based on bad science and untested theories. By again focusing only on water pumping and failing to address all the Delta stressors, our economy will be further damaged, businesses and workers will unnecessarily suffer, and the Delta ecosystem and fish populations will continue to decline,” said Michael Boccadoro, a spokesperson for the Coalition.

The Coalition for a Sustainable Delta (Coalition) is an ad hoc group of water users who depend on conveyance through the Delta for a large portion of their water supplies. The Coalition is dedicated to protecting the Delta and is committed to promoting a strategy to ensure its sustainability.

The Kern County Water Agency (Agency) was created in 1961 by a special act of the State Legislature and serves as the local contracting entity for the State Water Project. The Agency participates in a wide scope of management activities, including water quality, flood control and groundwater operations to preserve and enhance Kern County’s water supply—the main ingredient for a healthy economy.

#

***For more information, including a copy of the lawsuit, visit the Coalition’s web site at:
www.sustainabledelta.com***