



PRESS RELEASE

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Delta Coalition Files Complaint Over “Questionable” Science Used In Delta Operations Assessment

CALIFORNIA – The Coalition for a Sustainable Delta has filed a formal complaint with the U.S. Bureau of Reclamation over the misuse of so-called “scientific information” for which the agency has no records.

“It’s frankly outrageous that federal regulators could base major decisions on so-called science for which they have absolutely no documentation...nothing, not a report, no scientific analysis, not even a single piece of data to back up the untested hypothesis being advanced in a highly influential agency report,” said Michael Boccadoro, a spokesman for the Coalition.

The highly questionable science was mentioned repeatedly and relied upon in a crucial document regarding the Bay-Delta known as the *Central Valley Project and State Water Project Operations Criteria and Plan Biological Assessment (BA)*. The BA will become the basis for ongoing operations of the state and federal water projects that provide drinking water to 25 million California residents and millions of acres of prime agricultural farmland. The untested hypothesis in question has been advanced by Dr. William Bennett, who has speculated that delta smelt females that hatch early in the spawning season grow larger and potentially produce more offspring and that a disproportionate number of these females may be harmed by water project operations. However, Reclamation has no documentation, statistical evidence, or data to support the hypothesis, and it does not appear that any such evidence exists.

“It is critical that regulators and the courts base decisions and actions in the Bay-Delta on sound science,” stated Michael Boccadoro. “We cannot allow decisions that impact millions of Californians and our state’s economy to be based on untested hypotheses and speculation by scientists.”

The complaint was filed under the federal Information Quality Act (IQA). Congress enacted the IQA in December 2000 requiring information disseminated and relied upon by the federal government meet quality standards. The purpose of the IQA is to ensure that information is objective, that information is supported by scientifically sound data, and that the public has meaningful access to the methods and data used to test the government’s results. “Inclusion of Bennett’s hypothesis in the BA absent any records that describe that hypothesis and supporting data flies in the face of good science and is a clear violation of the IQA and its implementing guidelines,” stated Paul Weiland, an attorney for the Coalition.

By relying on the Bennett hypothesis in the BA without any supporting documentation, the Bureau of Reclamation is contributing to Bay-Delta lore that attributes all the maladies of the estuary to water export operations. Bennett himself has recognized the great uncertainty regarding the role of export operations in the decline of the smelt. “Unfortunately, reliance on lore rather than science complicates efforts to understand and respond to the multitude

The Coalition for a Sustainable Delta 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.

of factors – such as invasive species, contaminants, and in-Delta diversions – that may have combined to contribute to long-term ecosystem decline in the Bay-Delta.” Weiland added.

“Billions of taxpayer dollars have been wasted on the Bay-Delta, chasing after one unsubstantiated claim or another while the estuary continues to decline. We need to ensure that influential decisions are based on sound, tested, and peer-reviewed science,” Boccadoro concluded. “The environmental and economic health of our state deserves nothing less.”

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