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NAS Review Critical to Bay-Delta Restoration Efforts **Elite panel kicks-off review this Sunday**

DAVIS, CA – An elite panel of leading water, engineering, and environmental scientists from throughout the nation is set to meet for five days starting Sunday at the University of California at Davis to begin examining rules adopted by federal environmental and wildlife regulators to protect imperiled Delta fish species. The panel was put together by the National Academy of Sciences; the nation's most esteemed science body. U.S. Senator Dianne Feinstein, D-California, and others from the California Congressional delegation asked for the review after business leaders and water users raised important questions and concerns with the science underlying critical Bay-Delta regulatory actions and how it was being used by federal regulators.

"The review by the National Academy of Sciences is welcomed and greatly needed to ensure that steps currently being taken by federal regulators to protect the estuary and its fisheries are in fact achieving their objective, said Michael Boccadoro, a spokesperson for the Coalition for a Sustainable Delta. This review is critical for the millions of acres of farmland, tens of thousands of businesses and 25 million California residents who depend on the Delta for all or part of their water supply."

The review is expected to provide a comprehensive and independent investigation of the complex issues involving wildlife, fisheries and water in the Sacramento-San Joaquin Delta. In addition to reviewing the two Biological Opinions designed to protect the Delta smelt and salmon species that have led to significant reductions in water supplies for most Californians, the two-phase review will also explore other factors harming the Delta. Phase One will be completed as early as March 15 and will take a hard look at the Biological Opinions and whether actions, other than the currently restrictive cutbacks in Delta pumping, can better protect the estuary. The second and more comprehensive review will focus on the other factors or stressors harming the Delta and provide options for addressing the impacts.

"Given the huge stakes involved for both the environment and economy of California, this review is long overdue, said Michael Boccadoro. It is absolutely critical that regulators get it right going forward. Sustainable solutions must be found so that the needs of fish, farms, business owners and residents are all met."

Previous "peer reviews" conducted by federal regulators occurred within untenable time limitations and did not meet prevailing standards for the conduct of independent scientific reviews, including standards regarding conflicts of interest. Three separate reviews of the Delta smelt Biological Opinion have been conducted, but have been limited in scope and severely hampered by time constraints. Two were organized by a private corporation under contract with federal regulators and one of those involved two California scientists whose research was relied upon substantially in one of the Biological Opinions. However, even those previous reviews raised significant concerns about the current direction and efforts of federal regulators with respect to water management in the Delta, including the following:

- Cumulative impacts and the effects of all potential stressors were weak or not addressed;
- Plans failed to quantify expected results and lacked sufficient performance measures;

The Coalition for a Sustainable Delta is an ad hoc group of water users who depend on 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 Coalition played an important role in advocating for the NAS review.

- Critical habitat analysis was not scientifically defensible;
- Certain results were presented without analysis and others presented without defensible analysis;
- Baseline modeling approach was questionable; and
- Plans lacked sufficient assessment and discussion of how their suite of actions would contribute to recovery of the species.

Billions of taxpayer dollars have been spent over the past 10 years by state and federal regulators to address the declining Delta estuary and its imperiled wildlife. Despite the massive infusion of resources and efforts the Delta has continued to decline causing many in the California business and water community to question the direction and underlying science relied upon by regulators. State and federal governments are also now preparing to spend many more billions of dollars, possibly in excess of \$20 billion, over the next decade. It is more critical now than ever to ensure that the best available science is being used appropriately and that all of the many factors or “stressors” impacting the Delta estuary are being addressed.

“The Delta will best be served by a truly comprehensive and independent scientific review. The ramifications to Californians are huge and the level of review should be the best available. The NAS effort best meets this critical need,” concluded Boccadoro.

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For more information, visit www.sustainabledelta.com or the NAS web site at <http://www8.nationalacademies.org/cp/projectview.aspx?key=49175>