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FOR IMMEDIATE RELEASE
October 26, 2007

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PRESS STATEMENT

State proposes to give away water resources **Monterey Amendments Draft EIR Released**

Sacramento- Despite the recent crisis in the Delta and the Governor's push for new dams, last week the Department of Water Resources (DWR) proposed to give away the largest water storage facility in the state and to eliminate drought safeguards for urban areas in California.

DWR's draft decision, revealed in the Monterey Plus Environmental Impact Report (EIR) (http://www.des.water.ca.gov/mitigation_restoration_branch/rpmi_section/projects/index.cfm), would require the State to permanently adopt State Water Project contract amendments, called the "the Monterey Amendments," negotiated in secret by DWR in 1994. The original behind closed doors deal was successfully challenged in a lawsuit by the Planning and Conservation League, the Citizens Planning Association of Santa Barbara, and Plumas County Flood Control and Water Conservation District (*Planning and Conservation League v. Department of Water Resources* (2000) 83 Cal.App.3d). While DWR has been allowed to operate under the Monterey Amendments provisionally since 1995, the PCL lawsuit forced DWR to analyze the impact of the amendments and to decide whether or not permanently to adopt the Monterey Amendments or to modify the proposed contract changes based on that analysis.

If permanently adopted, the Monterey Amendments would fundamentally change how the State Water Project (SWP) operates. Specifically, the Monterey Amendments would:

- Eliminate contract provisions that provide drought safeguards for urban areas. DWR's own analysis shows that in dry years like 2001, water supplies for homes and businesses in urban areas will **be reduced by over 400,000 acre-feet**, (a reduction of 26% of total urban water deliveries from the SWP), if the Monterey Amendments are adopted.
- Give away the State owned Kern Water Bank, the largest water storage facility in the State.
- Eliminate the common-sense provision in the original contract which required DWR to determine the realistic yield of the SWP. Without a knowing the actual capacity of the SWP, DWR will continue to promise to deliver "paper water," water which actually does not exist in the real world. Already, the promise of paper water has led to over-



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reliance on the water from the fragile Bay-Delta, over-pumping, inevitable cutbacks in water supplies, and ultimately decreased water supply reliability.

- Transfer millions of dollars in costs to the taxpayers, while rebating millions to individual water agencies.
- Encourage the over-pumping of Delta water in the winter and spring months, which has already, under the provisional use of the Monterey Amendments, contributed to the massive decline of the Delta smelt and other Bay Delta fish populations.

PCL has long held that DWR's provisional operations under the Monterey Amendments are directly related to the declines in the health of the Delta, and decreases in water supply reliability across the State. If permanently adopted, the Monterey Amendments would strip urban areas, including homes and businesses of their drought safeguards, forcing those areas to depend on delivery of "surplus" water from the Delta in wetter years. The recent fish declines in the Delta and the resulting ruling from Judge Oliver W. Wanger of the U.S. District Court in Fresno, demonstrate that the "surplus" water urban areas now dependent on is actually just "paper water" that cannot be delivered in the future.

"PCL is outraged that despite the obvious impacts on California, DWR is proposing to adopt the Monterey Amendments on a permanent basis, stripping urban areas of their drought safeguards and giving away the State's largest storage facility," said Mindy McIntyre, Water Program Director at the Planning and Conservation League. "This is a terrible decision for California that will exacerbate the water problems we are already facing today."

The Planning and Conservation League is a nonpartisan, nonprofit alliance of individuals and conservation organizations working at the state, local, and national levels to protect and restore California's natural environment, and to promote and defend the public health and safety of the people of California.

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