



October 30, 2015

The Honorable Edmund G. Brown, Jr.  
Governor  
State of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

Dear Governor Brown,

On behalf of our California members – who grow more than 60% of the vegetables, fruits and tree nuts produced in the entire United States – we want to thank you for your decades-long commitment to improving the water infrastructure of our state. Your leadership helped deliver an historic water bond that enables construction of new surface storage projects by providing funding for the public benefits they deliver. Similarly, you continue to press for improved conveyance infrastructure to efficiently transport stored water to cities and farms south of the Delta.

However, these infrastructure projects are many years away from completion. This year and for many years to come, we have no choice but to rely on the existing infrastructure, even as climate change alters the precipitation norms for which it was designed. Federal and state environmental policies have severely restricted our ability to capture, store and transport water during the present drought, even in the midst of brief storm events that produced significant runoff in the Sacramento-San Joaquin Delta. Because of the Endangered Species Act limitations on the Delta pumping plants, millions of gallons of water that could have otherwise been directed to parched farms and cities have been forced to flow out to sea – to no measureable environmental benefit.

In light of the strengthening El Niño weather pattern, which is now predicted to bring average-to-heavy rains to all parts of the state, your Administration should plan to capture as much precipitation as our infrastructure will allow. As part of this plan, we urge that you partner with the federal government to establish El Niño protocols for the Delta pumping plants that result in the state and federal pumps being operated at their *designed maximum capacity* to convey water to storage facilities south of the Delta in major runoff/flood conditions. Pumping levels would return to the ESA limits once the flood waters subside.

We are encouraged by the comments of the California Natural Resources Agency spokesperson, in the November 22<sup>nd</sup> edition of the *Los Angeles Times*: “If we do see heavy precipitation like that of the winters of 1982-83 or 1997, the capacity of the federal and state water projects – not water quality or environmental regulations – is likely to be the limiting factor on how much water is moved into storage.” This is an entirely reasonable and pragmatic position. With climate change altering the state’s precipitation pattern from snow-storage and moderated runoff to warmer and more intense rain-flood events, a change in the operation of our infrastructure is needed to avoid losing large amounts of water when it arrives.

**WESTERN GROWERS**

P.O. Box 2130 • Newport Beach, CA 92658 • T: 949.863.1000 • F: 949.863.9028 • Internet: [www.wga.com](http://www.wga.com)

On a parallel track, as the Senate debates Western drought legislation over the next month in anticipation of a final bill, we ask that you and your Administration proactively engage with key Senators and Representatives in an effort to include language that eases federal restrictions on the operations of the Delta pumping plants. We pledge to lend any support that may be beneficial to achieve this objective.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Nassif', written in a cursive style.

Tom Nassif  
President & CEO, Western Growers

cc: John Laird, Secretary, California Natural Resources Agency  
Karen Ross, Secretary, California Department of Food and Agriculture  
Mark Cowin, Director, California Department of Water Resources  
Sally Jewell, Secretary, U.S. Department of the Interior  
Penny Pritzker, Secretary, U.S. Department of Commerce  
Estevan Lopez, Commissioner, U.S. Bureau of Reclamation