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**Friends of the Santa Clara River**  
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May 1, 2006

Mr. Jeff Hogan, Senior Planner  
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Re: SB 610 Water Supply Assessment for the Gate-King Project

Dear Mr. Hogan,

Friends of the Santa Clara River urges you not to approve the SB 610 Water Supply Assessment for the Gate-King Project. It is based on water supply assessments that contain flaws, and are currently being challenged in court. These documents include Castaic Lake Water Agency's 2005 Urban Water Management Plan, and Department of Water Resources (DWR) Draft State Water Project Water Delivery Reliability Report 2005. This Water Supply Assessment also relies on a 41,000 acre-foot-per-year (AF) water transfer from the Kern County Water Agency that is not final and is currently in litigation.

These documents, and the purported water transfer, are further compromised by recent court rulings that include the October 2005 ruling by the 3<sup>rd</sup> District Court of Appeals overturning the CALFED Record of Decision; the 2<sup>nd</sup> District Court of Appeals ruling, known as the California Oak Foundation Ruling, that overturned the Gate-King Environmental Impact Report because it was based on the illegal 41,000 AF water transfer from Kern County; the February 9<sup>th</sup>, 2006, 3<sup>rd</sup> District Court of Appeals ruling in which Golden Gate Audubon prevailed and the court ordered that existing salinity standards in the Bay Delta be upheld; and the subsequent Order by the State Water Resources Control Board requiring DWR and the Central Valley Project to shut down their pumps if the salinity standards are not met—which means that more water must be left in the San Joaquin River and the Bay Delta. Therefore there is less water for pumping to southern California.

Thank you for your consideration of these comments.

Sincerely,

Ron Bottorff, Chair

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