



tel: 916.455.7300 • fax: 916.244.7300
510 8th Street • Sacramento, CA 95814

November 3, 2017

SENT VIA FAX TO (202) 228-1379

Senator McCain
Chairman, U.S. Senate Committee on Armed Services
218 Russell Senate Office Building
Washington, DC 20510

RE: Reject Westlands Drainage Deal (H.R. 1769) Rider on NDAA

Dear Chairman McCain:

This letter is submitted on behalf of Local Agencies of the North Delta and Restore the Delta. We are writing to express our strong opposition to H.R. 1769, the San Luis Drainage Resolution Act, and our alarm that a concerted effort is underway to include it in the National Defense Authorization Act (“NDAA”) through a rider. We urge you to reject inclusion of this rider in the NDAA because it is not germane to the Armed Services Committee. (Upon its introduction, the bill was referred to the Natural Resources Committee.)

The advancement of H.R. 1769 outside regular order in the House (the bill has not been introduced in the Senate) is highly problematic. While it might appear that the purported nexus of H.R. 1769 to the NDAA is section 6(c) of the bill, a water service contract for the Leemore Naval Air Station, H.R. 1769 is not germane to the Armed Services Committee. Instead, H.R. 1769 would actually promote the continued pollution of water used by the Leemore Naval Air Station by Westlands Water District irrigators (“Westlands”).

In addition, the proposed deal is a taxpayer giveaway that would forgive a roughly \$375 million debt owed by Westlands for its share of Central Valley Project construction. The Congressional Budget Office reported that H.R. 1769 has PayGo impacts of \$309 million over the 2017-2027 period. (See House Report No. 115-349 at 18.) There is no reason for Congress to approve a bailout of the largest irrigators in California at taxpayer expense.

In addition to its adverse fiscal impacts, this bill would disrupt the state water rights system in California by providing a permanent contract to the Westlands Water District. Putting Westlands in charge of the drainage solution would also result in the

Senator McCain, Chairman
U.S. Senate Committee on Armed Services
November 3, 2017
Page 2 of 3

continued pollution of the already imperiled Sacramento San Joaquin Delta and San Joaquin Valley groundwater with Westlands' toxic discharges.

There are many problems with the Westlands Drainage settlement, which was created during the Obama Administration, and which must now be reexamined. For purposes of the Armed Services Committee, we would simply ask that you refuse to accept this rider and help ensure that H.R. 1769 is subject to public hearings and regular order if it is to be considered further.

We are available to answer any questions you might have and thank you for considering our request.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 
Osha R. Meserve

cc (via facsimile to (202) 228-1379):

Senator Jack Reed (D - RI), Ranking Member
Senator Richard Blumenthal (D - CT)
Senator Tom Cotton (R - AR)
Senator Ted Cruz (R - TX)
Senator Joe Donnelly (D - IN)
Senator Joni Ernst (R - IA)
Senator Deb Fischer (R - NE)
Senator Kirsten E. Gillibrand (D - NY)
Senator Lindsey Graham (R - SC)
Senator Martin Heinrich (D - NM)
Senator Mazie Hirono (D - HI)
Senator James Inhofe (R - OK)
Senator Tim Kaine (D - VA)
Senator Angus King (I - ME)
Senator Claire McCaskill (D - MO)
Senator Bill Nelson (D - FL)

Senator McCain, Chairman
U.S. Senate Committee on Armed Services
November 3, 2017
Page 3 of 3

Senator David Perdue (R - GA)
Senator Gary C. Peters (D - MI)
Senator Mike Rounds (R - SD)
Senator Ben Sasse (R - NE)
Senator Jeanne Shaheen (D - NH)
Senator Luther Strange (R - AL)
Senator Dan Sullivan (R - AK)
Senator Thom Tillis (R - NC)
Senator Elizabeth Warren (D - MA)
Senator Roger F. Wicker (R - MS)

Senator Dianne Feinstein (via facsimile to (202) 228-3954)
Senator Kamala D. Harris (via facsimile to (202) 224-2200)