



YUROK TRIBE

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June 10, 2011

The Honorable Doc Hastings, Chair
Natural Resources Committee
1324 Longworth House Office Bldg.
Washington, D.C. 20515

The Honorable Tom McClintock, Chair
Water and Power Subcommittee
428 Cannon HOB
Washington, D.C. 20515

The Honorable Edward Markey
Ranking Democratic Member
Natural Resources Committee
2108 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Grace Napolitano
Ranking Democratic Member
Water and Power Subcommittee
1610 HOB
Washington, D.C. 20515

RE: Yurok Tribe Opposition to H.R. 1837: A Bill to address certain water-related concerns on the San Joaquin River, and for other purposes.

The Yurok Tribe writes in opposition to H.R. 1837. This bill is designed to benefit select CVP water contractors at the expense of State and Federal water quality protection, State water rights laws and Endangered Species Act requirements. Enactment of this bill will undermine the intent and authorities of the CVPIA and seriously threaten the federal government's ability to meet its trust responsibilities to the Yurok Tribe. Enactment will extend Congressional guarantee for the delivery of water to select CVP contractors waiving senior water rights protections and tribal trust obligations to the Yurok Tribe.

This bill will result in severe economic impacts to the fishing communities of Northern California, including the Yurok Tribe. The primary claim of the supporters of the bill is that the CVPIA has significantly reduced water diversions from the Delta. In fact, since CVPIA was passed in 1992, water diversions from the Delta have increased. Increased south of Delta pumping over the last decade has contributed to the drastic decline of Sacramento River Chinook salmon populations, resulting in State wide ocean commercial and sport salmon season closures in 2009 and 2010. H.R. 1837 will reduce the mandates of the 1992 CVPIA to protect the fishery and the San Francisco Bay and Sacramento-San Joaquin Delta. These reductions will further threaten the recovery of endangered Sacramento River winter-run Chinook salmon and other native fish species and slow the economic recovery of dependent fishing communities.

If enacted, H.R. 1837 threatens to undermine the 2000 Trinity River Record of Decision (ROD), and limits the ability of the Bureau of Reclamation to manage the Trinity River Division of the CVP to provide reliable quantities and quality of water for in-river restoration flow releases. The Yurok Tribe is the single largest harvester of Trinity River fall Chinook salmon and is dependent upon its fishery to meet our subsistence, economic and ceremonial needs. Enactment of H.R. 1837 will undermine the ability of the Bureau of Reclamation to meet its federal trust obligation to protect, preserve and enhance the trust resources of the Yurok Tribe.

The Yurok Tribe strongly urges you to oppose H.R. 1837. This bill benefits a select group of CVP water contractors at the expense of the public and tribal trust resources of California. We encourage you to defeat this bill and support the ongoing consensus-based efforts in the Bay-Delta Conservation Planning process, uphold the San Joaquin River Restoration settlement and enforce critical species protections under the federal Endangered Species Act.

If you have any questions regarding our concern, please don't hesitate to contact me at the address in the letterhead.

Respectfully,

A handwritten signature in blue ink, appearing to read "Th O'Rourke". The signature is fluid and cursive, with a large initial "Th" and a stylized "O'Rourke".

Thomas O'Rourke
Chairman Yurok Tribal Council