



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

October 3, 2016

Cathy Green
President
Orange County Water District
18700 Ward Street
Fountain Valley, CA 92708

Dear Madam President,

I write to express my concern with the Orange County Water District's upcoming decision about whether to approve a non-binding letter of intent regarding a water purchase agreement with Cadiz Inc. The Cadiz project sits in the heart of the Mojave National Preserve and the Mojave Trails National Monument, and it poses a dire threat to the surrounding desert ecosystem. I, along with the National Park Service and U.S. Geological Survey, have deep concerns that Cadiz's proposed project could devastate these pristine desert lands.

As you may know, Cadiz proposes to withdraw significantly greater amounts of water than can be recharged from the fragile desert region in which the project sits. The National Park Service and the U.S. Geological Survey have maintained since 2002 that they believe the recharge rate ranges from 2,000 to 10,000 acre feet per year. Yet Cadiz proposes to extract roughly *five times that amount*—about 50,000 acre feet per year, an entirely unsustainable amount.

In its comments on the Cadiz project's Draft Environmental Impact Report, the Park Service concluded that the proponents' estimated annual recharge and discharge rates "are not reasonable and should not even be considered." The Park Service also observed that this project would not be limited to capturing water that would otherwise evaporate. Instead, the Park Service pointed out that the analysis conducted was technically deficient and left uncertain how much water would, in fact, be subject to evaporation.

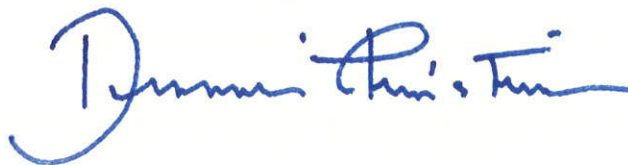
The pending decision not only potentially sanctions an environmentally disastrous project in a fragile desert ecosystem, but is also entirely premature. To

export the water, Cadiz must also receive approval from the Bureau of Land Management, given that Cadiz's proposed 43-mile long water conveyance pipeline will bisect the new Mojave Trails National Monument—a monument established in part to protect this delicate landscape, a landscape where “[u]nderground aquifers feed springs and seeps that are important for sensitive ecosystems and wildlife”¹ Given the concerns about this project, language has been included in successive appropriations bills that prohibits the use of Department of the Interior funds for approving any rights-of-way proposals related to exporting groundwater from the area.

Last year, moreover, the Bureau of Land Management rejected Cadiz's proposed use of a right-of-way in the area, concluding that such uses do not further the railroad purposes for which the right-of-way was originally granted. The Bureau's conclusion that Cadiz tried to circumvent federal review by relying on an existing railroad right-of-way is consistent with over 100 years of federal and state court precedent. The Bureau's ruling that the project could not move forward was the right one and I will continue my efforts to prevent the depletion of water supplies vital to this fragile ecosystem.

In light of the grave threat this project poses to the Mojave National Preserve and the new Mojave Trails National Monument, I strongly urge you to not enter into a purchase agreement for this water. I am happy to speak with you at your convenience about this matter should you have any questions.

Sincerely,



Dianne Feinstein
United States Senator

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¹ Presidential Proclamation: Establishment of the Mojave Trails National Monument, *available at* <https://www.whitehouse.gov/the-press-office/2016/02/12/presidential-proclamation-establishment-mojave-trails-national-monument>