



United States Senate

August 26, 2021

The Honorable Deb Haaland
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Haaland,

I write to bring your attention to a proposal by Cadiz, Inc. to extract water from an ancient aquifer in the California Desert that would cause irreparable harm to the desert ecosystem. Cadiz has tried to advance this project for more than two decades despite overwhelming scientific evidence that it would destroy precious resources. In December 2020, under the previous Administration, the Bureau of Land Management used a categorical exclusion to grant the company a right-of-way to a gas pipeline that it wants to use to convey water drained from the aquifer. I ask that you review this decision and rescind the right-of-way.

For decades, Cadiz has sought to cast aside U.S. Geological Service (USGS), National Park Service, and peer-reviewed scientific studies to promote its project. Cadiz's goal has been to extract an estimated 50,000 acre feet annually from the Mojave Desert for commercial sale – an amount of water that a USGS analysis found to be ten times more than can be naturally recharged. Depleting this aquifer would have devastating consequences for the desert's entire ecological system and in turn, the surrounding communities that rely on a healthy, vital California desert. Importantly, as described by Metropolitan Water District in a letter (attached), this project is impracticable and structurally infeasible.

Cadiz is able to access this water because it owns 35,000 acres in the Mojave Desert, surrounded by the Mojave Trails National Monument and the Mojave National Preserve. It now appears the company wants to use a gas pipeline to drain water in the local aquifer, regardless of consequences to the desert ecosystem in a time of drought.

I have long fought on behalf of California to improve its water reliability and infrastructure. In long-standing partnership with the Interior Department, I have helped to lead bipartisan efforts to ensure billions of dollars for California water projects. I appreciate your support for these efforts in the bipartisan infrastructure bill just passed by the Senate. I understand the devastating impacts on our state due to long, prolonged droughts.

To provide some further background, I have attached to this letter some of the correspondence from the many years I have fought this company, including, letters from USGS and the National Park Service regarding recharge rates and Cadiz's highly dubious science. I have also included a letter from Metropolitan Water District – whose infrastructure Cadiz would have to utilize – discussing toxins in the aquifer and Metropolitan's concerns about the huge cost and difficulty Cadiz would have in building the needed infrastructure or successfully link it to the Metropolitan Water District's facilities.

I would also like to note that prior to his joining the Trump Administration, Interior Secretary Bernhardt was a lobbyist for Cadiz, Inc. Although he assured me prior to his confirmation that he had recused himself from Cadiz related matters, it appears that Interior tried to block the USGS from sending me a letter in 2017 regarding the recharge rates for the aquifer (correspondence attached).

When the Bureau of Land Management initiated a fast-track process to consider Cadiz' right-of-way application in November of 2020, the Native American Land Conservancy filed a formal objection to BLM's decision to exclude environmental and historic preservation concerns from consideration. That filing triggered a requirement established in a 2019 State Protocol Agreement between BLM and California's State Historic Preservation Officer (SHPO) that BLM consult with SHIPO and those objecting to the process. Rather than complying with its own Agreement, BLM unilaterally exited the State Protocol Agreement and finalized the Cadiz right-of-way agreement on December 20, 2020.

In January 2021, the Advisory Council on Historic Preservation (ACHP) wrote to BLM's Needles Field Office, stating "The ACHP is not aware of any tribal consultation that occurred for this undertaking beyond a public notice posted on the BLM's ePlanning website, or of any consideration given to pausing deadlines to accommodate these limitations, despite sustained concern from tribes regarding this undertaking." Regarding BLM's abrupt and unjustified change in process, the ACHP also stated "it appears [BLM] may have done so in this case to circumvent the consultation process mandated under the protocol."

I respectfully ask you to reconsider and reverse the BLM's decision granting this right-of-way. Thank you for your attention to this matter and your review of the materials I have provided. Please do not hesitate to contact me should you have any further questions or would like to discuss the matter in more detail.

Sincerely,



Dianne Feinstein
United States Senate

Enclosures: Letter from CA Dept. of Fish and Wildlife dated December 4, 2018
Letter from Metropolitan Water District dated September 15, 2017
Letter from USGS dated May 5, 2017
Letter from National Park Service dated February 13, 2012
Letter from USGS dated January 15, 2002

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