



Western Environmental Law Center

Defending the West

November 16, 2000

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VIA FACSIMILE AND FIRST CLASS MAIL

Bruce Babbitt
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United States Department of the Interior
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David Hayes
Deputy Secretary of the Interior
United States Department of Interior
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John Leshy
Solicitor
United States Department of Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Messrs. Babbitt, Hayes, and Leshy:

I am writing on behalf of a coalition of concerned citizens groups, including the Sierra Club, the National Parks Conservation Association, and the California Wilderness Coalition, to urge you to act immediately to extend the public comment period for the Cadiz Groundwater Program to at least 90 days from the date of public notice in the Federal Register.

As noted in my letter of October 20, the immense and unrealistic time pressure created by the 45-day comment period that was initially announced makes it imperative not only that the extension to 90 days be granted, but that the extension be granted as early as possible. It has now been almost four weeks since we first made this request, and the Department's delay in acting on it is seriously prejudicing our ability to thoroughly scrutinize and comment on the supplemental EIS for the Cadiz Program. (A copy of the October 20 letter is attached for your information.)

The requested extension is necessary for the following reasons. First, this highly controversial proposal to drain the aquifer that sustains the ecosystems of the western Mojave desert raises numerous complex technical issues. To thoroughly and meaningfully comment on these issues and the supplemental EIS's ramifications will require time consuming review and expert consultation.

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Further, as you may have heard, just three days ago it was revealed that the native groundwater which would be extracted by the Cadiz program and sold to southern California for domestic consumption contains the known carcinogen Chromium 6 at levels up to more than 100 times the California proposed health protective level. This adds a major new public health dimension to the proposed project that has never been addressed in any of the NEPA documents.

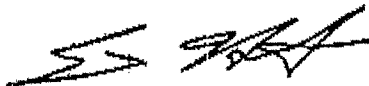
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Finally, the BLM's own regulations mandate a 90 day comment period where, as here, a proposed project will require the amendment of a resource management plan under FLPMA. Because the project would not provide additional water to southern California for at least two years and there is no pressing need for the project's potential water supply, we believe it would be unreasonable and arbitrary to abrogate the procedural requirements of the BLM's own regulations.

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In light of these compelling reasons for the extension and the enormous time pressure bearing down on the interested public, please act now to extend the comment period for the Cadiz Program's supplemental EIS to 90 days from the date of public notice in the Federal Register. If you have any questions regarding this request, please do not hesitate to contact me at (505) 751-0351. Thank you for your attention to this urgent matter.

Very truly yours,



Simeon Herskovits