

# SF Receiving Free Pass on Endangered Species Act

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In 2013, Endangered Species Act (ESA) restrictions directly resulted in the loss of more than 800,000 acre-feet of water that could have been delivered to San Joaquin Valley, Bay Area and Southern California businesses and residents. This would have been enough water to supply 1.6 million homes with water for a year or to irrigate 400,000 acres of farmland.

In 2013, San Francisco, which garners its water supplies from the same Delta watershed, received its entire water supply, with no restrictions.

The difference: the State and Federal Water Projects divert water from within the Delta; San Francisco diverts its water directly from the Sierra watershed and around the Delta.

San Francisco uses a 55-mile peripheral tunnel that diverts water from the Tuolumne River at Hetch Hetchy Reservoir. Rather than allowing the water to naturally flow through the Sierra watershed into the Sacramento-San Joaquin Delta, the City by the Bay is allowed to remove pristine mountain water from the system and deliver it directly to its customers.



**San Francisco uses a 55-mile peripheral tunnel that diverts water from the Tuolumne River at Hetch Hetchy Reservoir.** (Photo by the California Department of Water Resources)

Other water users who do not have the benefit of a peripheral tunnel must wait for the water to reach the Delta estuary and then contend with a number of environmental constraints, including ESA restrictions imposed in an attempt to protect endangered smelt and salmon.

Federal government regulators have long ignored the fact that San Francisco's water supply is intrinsically connected to the Delta. Just because the city is able to divert their water before it gets into the system does not mean that the lost water doesn't negatively impact the troubled estuary.

The Center for Environmental Science, Accuracy and Reliability (CESAR) recently filed a lawsuit to address the oversight after Department of Interior repeatedly ignored CESAR's petitions to follow the ESA in implementing programs regarding San Francisco's water supply. Even during the current drought, where the ESA has resulted in water supply allocations of only five percent for the State Water Project and ZERO percent for Central Valley Project customers, San Francisco has received a free pass from environmental regulators.

The Endangered Species Act was not written to allow the government to pick and choose winners and losers. Regulators must enforce the law fairly and equitably.

Using a piecemeal approach to enforce the Endangered Species Act not only leaves endangered species at risk, but harms residents and businesses who must bear the unfair burden of meeting the ESA requirements while others receive a free pass. It's clearly time for the Department of Interior to apply the law properly and evenly for the sake of endangered species and fairness to all Californians.



# Delta Watch

## A Project of the Coalition for a Sustainable Delta

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