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From: **Andy Hitchings** <[ahitchings@somachlaw.com](mailto:ahitchings@somachlaw.com)>

Date: Thu, Apr 11, 2019 at 4:29 PM

Subject: Meeting Request - April 30/May 1

To: [kristen.l.gustafson@noaa.gov](mailto:kristen.l.gustafson@noaa.gov) <[kristen.l.gustafson@noaa.gov](mailto:kristen.l.gustafson@noaa.gov)>

Cc: Meredith Nikkel <[mnikkel@downeybrand.com](mailto:mnikkel@downeybrand.com)>, Crystal Rivera <[crivera@somachlaw.com](mailto:crivera@somachlaw.com)>

Dear Ms. Gustafson:

I represent certain agricultural and municipal water users along the Sacramento River in California, along with co-counsel Meredith Nikkel (cc'd above), in the pending *NRDC v. Bernhardt* litigation and in the Reinitiated Consultation on the Bureau of Reclamation's Long Term Operations of the Central Valley Project. Our clients are senior water right holders who each hold a Sacramento River Settlement Contract with the United States in connection with Reclamation's operation of Shasta Dam. In this regard, some legal issues have arisen as to the scope and extent of any take coverage that may result at the conclusion of the ESA consultations between NMFS and the Bureau of

Reclamation. For further information and context, I have attached hereto some recent briefing, and a recent court order, that address these issues.

Ms. Nikkel and I will be in DC starting the afternoon of April 30<sup>th</sup> through May 1<sup>st</sup>, and we would greatly appreciate the opportunity to meet with you to discuss these matters. I will contact your office in the next few days to follow up on this meeting request, but in the meantime, please contact me if you have any questions.

Thank you for your consideration.

Sincerely,

Andrew Hitchings



**Andrew M. Hitchings** | *Attorney*

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