North State Water Alliance Update

**Issue:** The North State Water Alliance has been actively participating in the various processes involving the Sacramento-San Joaquin Delta to assure that state and federal policy leaders fully understand and embrace the North State principles adopted by the SACOG Board and many other boards throughout the region.

**Recommendation:** None. This item is for information only.

**Discussion:** The legislative debate in 2009 surrounding the Bay-Delta raised awareness by the board about the potential impact of the Delta actions on the region’s water resources and economy. SACOG formalized its commitment to working on these issues by adopting policy principles and participating in the creation of the North State Water Alliance (NSWA) in December 2011. Since then, staff has been collaborating with core members of the Alliance—including Northern California Water Association (NCWA), Regional Water Authority (RWA), Mountain Counties Water Resources Association (MCWRA), and the Sacramento Metro Chamber (Chamber)—to assess the impacts of the Delta Plan and other efforts on the north state region. John Woodling, RWA Executive Director, and David Guy, NCWA President, will provide an update to the committee on three important state efforts and how they may affect the region.

**Delta Plan**
The Delta Stewardship Council has made revisions to the Delta Plan, and a final draft is expected in September along with supplemental environmental documentation. As the Delta Plan has regulatory elements, it must also be approved by the Office of Administrative Law. Conflict remains between the statutory assurances that the Plan will not affect water rights and the requirements in the Plan for reduced reliance on water from the Delta watershed by upstream water users. Most recently, the NSWA sent letters to the Delta Stewardship Council expressing concerns with the Delta Plan (see Attachment A).

**Bay-Delta Conservation Plan**
The NSWA is also tracking the Bay-Delta Conservation Plan (BDCP), particularly after Governor Brown’s and Secretary of the Interior Salazar’s announcement on renewed efforts to complete the BDCP. Despite assurances that water rights and supplies of others will not be affected, many are still concerned with, among other issues, the uncertainty regarding the location and operation of peripheral conveyance tunnels, changes in operation of state and federal reservoirs, the amount of water available to south-of-Delta water contractors, fresh water needs in the Delta, land and water needs for habitat restoration. NCWA and RWA expressed concern with the BDCP (see Attachment B) and Sacramento County opposes the plan (see Attachment C).

**State Water Resources Control Board**
A key variable in these efforts is the amount of fresh water inflow to and outflow from the Delta to improve the health of the Delta ecosystem. Deliberations by the State Water Resources Control Board to determine a “flow standard” are ongoing and will soon include a series of workshops to facilitate input on selected topics including: Ecosystem Changes, Bay-Delta Fishery Resources, and Analytical Tools for Evaluating the Water Supply, Hydrodynamic and Hydropower Effects of the BDCP. The outcome of these workshops and decisions by the water board will have varying degrees of impacts on the region depending on the amount of environmental water needed from the Sacramento River watershed. The first phase of the SWRCB process is to update the Bay-Delta Water Quality Control Plan, which will be followed by a water rights proceeding to implement the flow standard. The NSWA sent a letter to the SWRCB urging it to “recognize the important and diverse beneficial uses of water in Northern California upstream of the Delta” (see Attachment D).

Approved by:

Mike McKeever
Chief Executive Officer

Attachments
Key Staff:  Kirk Trost, Chief Operating Officer, (916) 340-6210
            David Shabazian, Senior Planner, (916) 340-6231
            Erik Johnson, Government & Media Affairs Coordinator, (916) 340-6247
June 12, 2012

Joe Grindstaff
Executive Director
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Dear Mr. Grindstaff:

The North State Water Alliance appreciates the progress in the Sixth Draft Delta Plan (Draft Delta Plan, May 14, 2012). As the Delta Stewardship Council (Council) takes up the matter of crafting the final Delta Plan, we remain very concerned regarding the way the Draft Delta Plan confuses the issues of “reduced reliance on the Delta” and “increased regional self-reliance” with respect to water supplies in Northern California within the Delta watershed.

As you know, the North State Water Alliance was created to promote responsible solutions for the Sacramento-San Joaquin Delta that protect the economy, environment and quality of life in Northern California. North state water suppliers and users are aggressively pursuing water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts, as required in Water Code §85021. We have also pursued a number of actions in the region to balance and thus ensure reliable water supplies for both economic purposes and sustainable ecosystems.

In the “Water Resources” chapter of the Draft Delta Plan, however, we believe staff has misinterpreted the language and intent of Water Code §85021 in a manner that may violate §85031(a), and would be detrimental to water suppliers serving water for various beneficial uses within the Delta watershed. The Draft Delta Plan suggests that water suppliers within the Delta watershed should decrease their future use of local water sources. This simply does not make sense for areas upstream of the Delta and it is at odds with the area-of-origin laws, the specific purpose of which is to protect the ability of communities in the Delta watershed to use their local water supplies and have maximum flexibility to meet future needs.
Importantly, while our per capita urban use will continue to decline and farms are applying less water to their fields, the economic outputs and productivity in the region have increased. To sustain these efficiency improvements and to provide water for economic and environmental purposes throughout the region, Northern California water suppliers will continue to rely on access to existing water rights and supplies, while maximizing flexibility to actively manage the water resources in the region. These supplies are critical to meeting both present and future water supplies in a growing region with numerous demands on the water.

We therefore urge the Council to amend its concept of “regional self reliance” with respect to water users within the Delta watershed as suggested in the attached document. To protect water rights consistent with §85031(a), the Delta Plan’s interpretation of §85021 should recognize the need for maximum flexibility and the increased water use of local and regional water sources within the Delta watershed.

Thank you for the opportunity to comment on the Draft Delta Plan. We look forward to continuing to work with the Council in crafting the Final Delta Plan. If you have any questions, please contact any of the undersigned.

Very truly yours,

John Woodling  
Executive Director  
Regional Water Authority

David Guy  
President  
Northern California Water Association

Roger Niello  
President and CEO  
Sacramento Metro Chamber

John Kingsbury  
Executive Director  
Mountain County Water Resources Association

Mike McKeever  
Chief Executive Officer  
Sacramento Area Council of Governments

cc: Council Members
Statement on the Bay-Delta

July 25, 2012

We appreciate Governor Brown, Secretary of Interior Salazar and NOAA Assistant Administrator Schwaab gathering today to acknowledge that California has many important challenges in advancing a sound water policy that stabilizes water supplies for the future of California’s economy and environment.

It is no secret that California has too many disparate efforts underway that will further destabilize California’s water system and stifle progress toward an environmentally and economically sustainable Bay-Delta solution. The new level of assertive leadership shown today and the active coordination of these various state and federal processes is critical to ensure that the state’s co-equal goals are not only met, but that sound decisions are made in a judicious manner to begin providing stability to California’s water system. We are both hopeful and encouraged that today marks the beginning of more concerted and coordinated leadership towards a Bay-Delta solution.

Since the inception of the Bay-Delta Conservation Plan (BDCP) process, water suppliers that divert water upstream of the Delta have been actively following the BDCP process. Importantly, these entities will not be covered by the approvals and permits issued for the BDCP and will not rely upon the BDCP or related processes focused on the Delta to receive their water supplies. Thus, we have not directly participated in the BDCP process; however, upstream water suppliers have supported the state’s co-equal goals and have encouraged success in the formulation of the BDCP and related actions to help resolve the challenges in the Delta with an eye to stability in California’s water system.

Our ability to help the BDCP process and related Delta-processes succeed is predicated upon the fact that water rights, supplies and regional self-sufficiency in areas upstream of the Delta will be fully honored. We laud the leadership and commitment today to “make sure implementation of BDCP will not result in adverse effects on the water rights of those in the watershed of the Delta, nor will it impose any obligations on water users upstream of the Delta to supplement flows in and through the Delta.” For the various Bay-Delta processes to be successful, the direct beneficiaries of these actions in the Bay-Delta must step forward and be fully responsible for any impacts or obligations (including appropriate mitigation) related to any flows and funding in these processes, and they must not injure any legal user of water or fish and wildlife upstream of the Delta.
For the area upstream of the Delta we represent, we remain committed to continue collaborative efforts to further develop innovative solutions that will benefit both the economy and the environment. We have a strong track record in this arena. The Sacramento Valley joins together a world-renowned mosaic of natural abundance: productive farmlands, wildlife refuges and managed wetlands, cities and rural communities, and meandering rivers that support and feed fisheries and natural habitats. Through efficient management of the region’s water resources, the Sacramento Valley will continue to provide what’s essential to California’s future success and prosperity: nourishment and sustenance from the fields, habitats for fish and wildlife, recreation and a special quality of life—the Sacramento Valley is home to all of this, and more. Our path forward is rooted in our continuing ability to rely upon our own water supplies to provide water for all these beneficial purposes—both now and into the future.

Additionally, if the state and federal agencies are serious about achieving the co-equal goals of “providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem,” then new surface storage, such as Sites Reservoir in the Sacramento Valley, must be integrated with conveyance to maximize the operational flexibility of the existing water system. This linkage between smart storage and conveyance is critical for the future of California. This, in turn, will provide more stability to California’s water system.

We look forward to working with state and federal leaders as well as our various partners, in developing a solution to the Bay-Delta. If you have any questions, please call David Guy at 916-442-8333 or John Woodling at 916-967-7692.

For more information, please visit the North State Water Alliance website at www.northstatewater.org.

A description of “What’s at Stake? The importance of protecting water resources in the Sacramento Valley” can be viewed at http://www.norcalwater.org/wp-content/uploads/2012/07/17781_NCWA_WhatsAtStakeBrochure_v1_a10_FINAL_single_LR.pdf.
July 24, 2012

The Honorable Edmund G. Brown, Jr.
Governor of the State of California
State Capitol, First Floor
Sacramento, CA 95814

The Honorable Ken Salazar, Secretary
United States Department of the Interior
1849 C Street NW
Washington, D.C. 20240

The Honorable John Laird, Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Re: Sacramento County’s Opposition to the Bay Delta Conservation Plan (BDCP)

Dear Gentlemen:

The Sacramento County Board of Supervisors is writing to express our strong opposition to portions of the BDCP process, and specifically, a major project-related feature, an isolated water conveyance facility which is proposed to transport water around/under the Delta to the State (Banks) and Federal (Jones) pumping plants located near Tracy. Following six years and significant investment from water contractors, the planning and environmental review process is at an important decision point. According to Dr. Jerry Meral, Deputy Secretary, California Resources Agency, due to concerns raised by the regulatory/permitting agencies, the long-suggested, preferred alternative consisting of a 15,000-cubic foot per second (cfs), five-intake facility is being scaled back to a 9,000-cfs, three-intake facility for environmental review purposes.
As you know, Sacramento County is ground zero in terms of potential physical, environmental, and socioeconomic impacts as these significant water infrastructure facilities will be constructed in or near the communities of Freeport and Hood. Regardless of the larger 15,000-cfs/five-intake facility or a 9,000-cfs/three-intake facility, the preferred project and mitigation alternatives proposed by the BDCP process are inconsistent with existing Delta-specific policies and principles adopted by our Board. Notably:

- No evidence of enforceable assurances or protections for Sacramento County.
- Impacts to the short- and long-term prosperity and economic structure of the communities in the Delta.
- Uncertainty for long-term use of water from the Sacramento River; i.e., water rights.
- Lost agricultural production and resulting lost property tax revenues as prime agricultural land is converted to natural habitat.
- Significant impacts to existing infrastructure; e.g., roadways, rail lines, natural gas wells, and water lines.

Sacramento County has consistently expressed its concerns regarding the BDCP and has attempted to remain actively engaged throughout the public process. Again, it is critical that we devote resources to remain engaged in the process due to the potentially devastating impacts to our longstanding water rights and the Delta’s socioeconomic framework. However, the County is well aware that improving the health of the Delta ecosystem and maintaining a reliable water supply is also extremely critical (and a statutory mandate). As a result, we have never opposed finding solutions to address these issues. To date, the BDCP process has not effectively addressed the Sacramento County-specific and other significant local concerns and there seems to be little effort from the state and federal agencies to commit to incorporating meaningful and enforceable assurances and local protections.

In closing, Sacramento County recognizes and understands what is at stake for all Californians, not just the people we represent, and while we oppose the currently proposed preferred conveyance alternative, we remain committed to being a substantive and proactive partner in the BDCP process to evaluate all viable options and assist with the development of reasonable and implementable water management, and ecosystem restoration strategies. However, this can only occur if the County is given a decision-making “seat at the table” so that we can work collaboratively with the Resources Agency, water contractors, and State and Federal agencies in the development of comprehensive solutions which work for everyone. We look forward to
engaging in future dialogue and discussions with you with the hope of developing a suite of solutions that will address the coequal goals while sustaining and enhancing features of the local environment and economy.

Sincerely,

Don Nottoli, Chairman, District 5

Phillip R. Serna, District 1

Jimmie R. Yee, District 2

Susan Peters, District 3

Roberta MacGlashan, District 4

Attachment: Sacramento County Board Resolution of July 24, 2012

cc:
U.S. Senator Dianne Feinstein
U.S. Senator Barbara Boxer
Representative Jerry McNerney
Representative John Garamendi
Representative George Miller
Representative Doris Matsui
Representative Mike Thompson
Representative Daniel Lungren
Representative Wally Herger
Representative Tom McClintock
Representative Dennis Cardoza
Representative Jim Costa
Representative Jeff Denham
State Senate President Pro tem Darrell Steinberg
State Senator Lois Wolk
State Assemblymember Joan Buchanan
State Assemblymember Roger Dickinson
State Assemblymember Beth Gaines
State Assemblymember Alyson Huber
State Assemblymember Richard Pan (Dr. Pan)
State Assemblymember Mariko Yamada
State Senator Ted Gaines
Supervisor Mary Piepho, Contra Costa County
Supervisor Larry Ruhstaller, San Joaquin County
Supervisor Ken Vogel, San Joaquin County
Supervisor Michael Reagan, Solano County
Supervisor Mike McGowan, Yolo County
Supervisor Jim Provenza, Yolo County
RESOLUTION OPPOSING THE STATE’S DRAFT BAY DELTA
CONSERVATION PLAN PROPOSAL

WHEREAS, the current Bay Delta Conservation Plan’s (BDCP) proposed conservation measures violate sound public policy related to water management and land use planning, and will result in irreversible socioeconomic impacts to the established legacy communities located within the Sacramento-San Joaquin Delta (Delta); and

WHEREAS, the existing process whereby the BDCP is being developed is governmentally, economically, and scientifically flawed; and

WHEREAS, the current BDCP process does not provide measurable and predictable water management operation and ecosystem outcomes nor enforceable assurances and protections for Sacramento County;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Sacramento County Board of Supervisors – consistent with the County’s adopted 2008 Delta water policies addressing water rights protection, local control, equitable financing, and mitigation of impacts to our region and County, and as well as the principles of the Delta Counties Coalition (DCC), of which Sacramento County is a member – formally OPPOSES the current BDCP process which includes a range of significant and damaging proposed alternatives, including a likely preferred alternative of a 9,000 cfs isolated water conveyance facility and 100,000-plus acres of habitat restoration/creation in the Delta, without adequate assurances and protections for the County.
On a motion by Supervisor Phil Serna, seconded by Supervisor Susan Peters, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento this 24th day of July, 2012, by the following vote, to wit:

AYES: Supervisors, Roberta MacGlasha, Susan Peters, Phil Serna, Jimmie Yee, Don Nottoli

NOES: Supervisors, None

ABSENT: Supervisors, None

ABSTAIN: Supervisors, None

Chair of the Board of Supervisors of Sacramento County, California

(SEAL)  CALIFORNIA

ATTEST:  Florence Evans

for Clerk, Board of Supervisors

F I L E D
BOARD OF SUPERVISORS
JUL 24 2012

By Florence Evans
CLERK OF THE BOARD

By Florence Evans
Deputy Clerk, Board of Supervisors

In accordance with Section 25103 of the Government Code of the State of California a copy of the document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento on 7/24/12.
April 25, 2012

Charlie Hoppin, Chair
Members of the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Dear Chairman and Members of the Board:

The North State Water Alliance (Alliance) urges the State Water Resources Control Board (Board), during its process to develop Bay-Delta flow objectives, to recognize the important and diverse beneficial uses of water in Northern California upstream of the Bay-Delta. The Alliance provides these comments to the Board’s January 24, 2012 Supplemental Notice of Preparation (NOP) for the Update and Implementation of the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan).

More than 150 cities, counties, water suppliers, businesses, and community groups in Northern California have recently united to form the Alliance around our common interests in assuring sustainable water resources. The Alliance is an urban-rural partnership committed to statewide water solutions that protect the economy, environment and quality of life in Northern California.

Many of the North State’s beneficial uses of water are described in “Water in California’s North State,” which is enclosed for your review. Water from local rivers, streams and groundwater in Northern California grows food for the world; serves our homes and businesses; supports birds along the Pacific Flyway; provides recreational opportunities enjoyed by visitors from around the world, supplies clean, renewable hydropower; and sustains our forests and prime habitat for fish and wildlife.
Many *Alliance* participants will be providing more specific comments under separate cover that we encourage you to review in more detail.

If you have any questions, please call us or visit our website at [www.northstatewater.org](http://www.northstatewater.org).

Sincerely yours,

[Signature]
John Woodling  
Executive Director  
Regional Water Authority  
(916) 967-7692

[Signature]
Roger Niello  
President and CEO  
Sacramento Metro Chamber  
(916) 552-6800

[Signature]
Mike McKeever  
Chief Executive Officer  
Sacramento Area Council of Governments  
(916) 321-9000

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David Guy  
President  
Northern California Water Association  
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John Kingsbury  
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