



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA



March 17, 2017

Felicia Marcus, Chair
Members of the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

RE: Bay-Delta WQCP Update: San Joaquin River Flow and Salinity Objectives: Draft Supplemental Environmental Document (SED)

Transmit via e-mail: commentletters@waterboards.ca.gov

Dear Chair Marcus and Members of the Board:

On behalf of the member counties of the Rural County Representatives of California (RCRC), we appreciate the opportunity to provide a few comments on the Bay-Delta WQCP Update: San Joaquin River Flow and Salinity Objectives Report: Draft Supplemental Environmental Document (SED).

RCRC is an association of thirty-five rural California counties, and our Board of Directors is comprised of elected supervisors from those member counties. RCRC represents local governments that have land use, public trust, and, more recently, groundwater responsibilities affecting much of this rich landscape that benefits all of California.

RCRC acknowledges the State Water Resource Control Board's (SWRCB) time and effort in the development of the SED. While our member counties do not, in general, have direct responsibility for water management, counties are the local government that has over-all responsibility for the economic health and vitality of its residents. The conservation of its natural resources, and general livability of its communities are also of prime concern. In that spirit, we offer the following comments to address several policy areas of concern:

- The State has a significant number of key water policy initiatives and projects that are moving at differing speeds at the same time. This includes, but is not limited to the Administration's California Water Action Plan, the Sustainable Groundwater Management Act (SGMA), the California WaterFix, the expenditure of Proposition 1 dollars by the California Water Commission for storage, and the development of the California Water Plan Update 2018. It is imperative that none of these efforts or future proposed efforts are looked at in isolation as California looks to increase water conservation and water use efficiency through improved water resource management for the 21st Century. RCRC does not believe that addressing unimpaired flows in virtual isolation meets the criteria for successful water resource management moving forward.

- In 2014, landmark water legislation – Senate Bill 1168 and Assembly Bill 1739 – established SGMA, provided a framework for local agencies, including counties, to develop plans and implement strategies to sustainably manage groundwater resources within a defined period. The suggested flow requirements in the SED could be detrimental to achieving sustainable groundwater management within the San Joaquin Valley basins by constraining the opportunity to access flows for recharge purposes, particularly in “wet years”. This would significantly undercut the efforts of local agencies which are working to meet their statutory requirements under SGMA and, more importantly, working to improve the Valley’s groundwater health for environmental and economic purposes.

Therefore, it is very concerning to see the draft SED suggest to water users, disadvantaged by the proposed increase in unimpaired flows, to look to groundwater as an alternative source. This is expressly contrary to SGMA’s intent as well as our collective desire to see California’s groundwater continue to serve as a critical resource in meeting our water supply needs.

- Throughout much of the San Joaquin Valley, agriculture is a critical economic driver and we fully expect the draft SED would exacerbate the difficulties these communities have experienced through increased unemployment and drought. Also, this would undermine the work of the local agencies in implementing SGMA. RCRC is concerned that the SWRCB’s assessment of the potential economic impacts of the SED is too narrow in scope and does not account for the water supply reliability, sustainability and volatility challenges that does and will continue in the affected counties.

This concern seems to be confirmed by the economic study commissioned by several of the affected counties and prepared by Stratecon Inc. in 2016. According to the analysis done by Stratecon, the economic impacts within the Study Area of the proposed SED flow objectives is substantial and derives from a combination of:

- A) reduced crop production;
 - B) reduced output by enterprises relying on that crop production as key inputs (e.g. dairies);
 - C) increased costs of pumping incurred by irrigators and communities;
 - D) reduced lake recreation visitor spending; and
 - E) reduced hydropower generation values.
- RCRC is also concerned that the data upon which the proposed flow criteria are based do NOT seem to reflect the data and science developed by the Delta Stewardship Council (DSC) and the Delta Independent Science Board (Board). The State has expended tremendous energy and funding in the development of the work produced by the Board to meet the DSC’s co-equal goals of environmental health and water supply reliability. Ignoring the robust volume of work emanating from this effort not only discounts these investments, but also discounts the most contemporary, peer-reviewed work available as we all struggle to address the issues that bedevil this key West Coast Estuary. RCRC encourages the SWRCB to incorporate this body of work as it works to a final version of the proposal.

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- We would also add that, in our experience at the local level, regulatory solutions do not seem to be working well, nor are they achieving the outcomes associated with their adoption. Moreover, regulatory approaches have proven to lack the flexibility to manage a vibrant ecosystem and achieve the desired resource health. Therefore, we encourage the SWRCB to aggressively pursue negotiated agreements with the affected parties to achieve the functional flows that are sustainable, contribute to species health in the Delta, and improve overall ecosystem viability. Furthermore, this approach is in concert with the California Water Action Plan (which specifically calls for a collaborative and coordinated approach to water management in the State) and the Governor's September 19, 2016 letter directing agencies to pursue negotiated agreements.

Finally, the near catastrophic dam event in Oroville, the recent drought, flooding throughout the state and even the mudslides that are largely a result of too much precipitation on areas burned by wildfire all speak to the fragile and fragmented nature of our water resources. This set of circumstances re-enforces the need for an integrated approach which the unimpaired flow approach clearly does not address.

If you should have any questions or concerns, please do not hesitate to contact me at (916) 447-4806 or mwarmerdam@rcrcnet.org

Sincerely,



MARY-ANN WARMERDAM
Senior Legislative Advocate

cc: Members of the Madera County Board of Supervisors
Members of the Merced County Board of Supervisors
Honorable Jim Costa, Member, U.S. House of Representatives
Honorable Jeff Denham, Member U.S. House of Representatives
Honorable Edmund G. Brown, Governor, State of California
Honorable Anthony Cannella, California State Senate
Honorable Cathleen Galgiani, California State Senate
Honorable Adam Gray, California State Assembly