



March 7, 2017

The Honorable Felicia Marcus, Chair  
and Members of the State Water Resources Control Board  
c/o Jeanine Townsend, Clerk to the Board State Water Resources Control Board  
1001 I Street, 24th floor  
Sacramento, CA 95814

Sent via email to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

**RE: Comments pertaining to the SWRCB Draft Proposal Based on “Percentage of Unimpaired Flows”**

Dear Chair Marcus and Members of the Board:

On behalf of the Three Valleys Municipal Water District (TVMWD), I am writing in response to the State Water Resources Control Board's (Board) proposed approach to updating the Bay-Delta Water Quality Control Plan. The proposal, which bases new water quality objectives for the San Joaquin River and its tributaries on a “percentage of unimpaired flows,” could lead to widespread fallowing of agricultural land and negatively affect water reliability for much of the state’s population.

There is also concern that the update would undercut the state’s groundwater sustainability goals and cripple implementation of the Brown Administration’s California Water Action Plan, the coequal goals defined in the Delta Reform Act of 2009, the Sustainable Groundwater Management Act of 2014, and the Human Right to Water Act. These impacts are not in the public’s interest and are inconsistent with the Administration’s water policy objectives.

The proposal would undermine investments in storage, adversely impact the drinking water quality of disadvantaged communities, increase groundwater overdraft in a part of the state where groundwater basins are already out of balance, and put large acreages of agricultural land out of production. Further, any strategy that would result in vast amounts of agricultural land going out of production and ultimately reduce water supply reliability for most Californians is irreconcilable with the policy of coequal goals and the State Water Board’s statutory obligation to protect all beneficial uses of water when establishing water quality objectives.

It would seem more reasonable that the Board should set aside the percent of unimpaired flows approach and heed Governor Brown’s call for negotiated agreements. Such agreements have been very successful in achieving desired ecological outcomes while maintaining water supply reliability. The State Water Board should embrace a collaborative process to develop water quality objectives that incorporates the best available science, utilizes comprehensive solutions that

address multiple variables, aligns with established state policies, considers economic impacts, and ensures that Bay-Delta Plan decisions enable rather than obstruct implementation of the California Water Action Plan.

Thank you for allowing us the opportunity to provide comment. We urge the Board to set aside the unimpaired flows approach and recognize that the best outcome can be achieved through comprehensive, collaborative approaches that include “functional flows” as well as non-flow solutions that contribute real benefits. If you have any questions regarding our comments, please do not hesitate to contact me at 909-621-5568.

Sincerely,



Richard Hansen, P.E.  
General Manager  
Three Valleys Municipal Water District

cc:      Senators Ed Hernandez, Connie Leyva, Tony Mendoza, Josh Newman, Anthony Portantino  
Assembly Members Ian Calderon, Philip Chen, Chris Holden, Freddie Rodriguez, Blanca Rubio