

# Public Water Coalition

# of California

December 22, 2008

The Honorable Mike Chrisman  
Chair, Delta Vision Committee  
650 Capitol Mall  
Sacramento, California 95814

Re: Proposed Delta Recommendations – Comments of Public Water Coalition of California

Dear Secretary Chrisman:

We appreciate this opportunity to comment on the Delta Vision Committee December 16, 2008 discussions toward finalizing the Committee's recommendations to the Governor and Legislature. As you know, the Public Water Coalition of California is a coalition of major water suppliers in the state's largest water-management regions.

We believe that the proposed recommendations generally are beneficial, particularly:

- Water rights. We greatly appreciate the confirmation during the December 16, 2008 Delta Vision Committee meeting that, in any Delta proposals, "[e]xisting water rights, including area-of-origin rights, need not be modified but rather affirmed." We understand that this overarching requirement will apply to the implementation of all Delta solutions, and not merely the proposal to expand and enhance the State Water Resources Control Board's (SWRCB) water rights administrative accountability. This is critical given that our communities have invested billions of dollars based on water rights and area-of-origin laws.
- Delta Conservancy. We generally agree with the proposed conservancy and its governance, although more specificity must be provided as to how the conservancy will focus on the "Delta watershed," in addition to the statutory Delta, and whether that focus implicates tributary streamflows.
- Policy Group. The proposed Delta Policy Group would appropriately coordinate existing agencies. Because of the SWRCB's role under statute, the SWRCB must develop procedures to ensure separation between its Policy Group role and its exercise of its regulatory authorities.
- Diversion data. We agree this data should be reported electronically to maximize its utility. Efforts at organizing electronic databases for data that already exists should be a first priority before expanding reporting programs.

*A united effort by public water agencies, utilities and leaders from the Bay Area, Northern and Southern California committed to solving our state's water problems*

- Regional water conservation. The recommendations indicate that regional conditions will drive conservation programs. However, our coalition believes that the policy direction should be changed to one that focuses on the efficient and locally cost-effective use of water rather than on rigid conservation goals that do not reflect differences related to, among others, region, climate, soils, hydrology, prior investments in water supply reliability and mix of economic activity. Enforcement actions and monetary penalties will increase conflict, encourage water suppliers to seek to protect their individual interests and discourage maximization of regional benefits through integrated regional water management plans.

We also have suggestions that we believe would improve the proposed recommendations:

- Funding. Fees on specific water users would be appropriate to fund specific programs that are demonstrated to benefit those water users, provided nexus and proportionality exist. For example, Coalition members who would benefit from improved Delta conveyance intend to contribute to it. Fees for general agency activities, however, would not be appropriate and would trigger significant resistance.
- Co-equal Goals. We support including the co-equal goals of a vital Delta ecosystem and improved water supply and supply reliability in statutes governing improved Delta conveyance and its funding. Those goals should not be included in general water statutes.
- Delta Plan. The Delta Plan's role and content are not fully clear. If our understanding is correct that the Plan is to focus on the legal Delta and engage local government in land use, habitat restoration and flood planning decisions and help facilitate statewide water planning needs, it could be very useful.
- Water Rights Accountability. There are many issues to address within this topic. We will engage with the SWRCB to develop possible means to help streamline SWRCB processes, as well as seek changes that would remove certain exemptions to water use reporting and allow enforcement of reporting noncompliance.

Certain additions to, and subtractions from, the proposed recommendations would promote a Delta solution by focusing more closely on pending Delta issues:

- Scope of ecosystem measures. The Committee should state explicitly that all Delta stressors should be addressed as rapidly as possible. Stressors like invasive species and loss of in-Delta habitat have not received the same intense attention as streamflows and Delta exports. Making rapid progress in the Delta will require

***A united effort by public water agencies, utilities and leaders from the Bay Area, Northern and Southern California committed to solving our state's water problems***

focusing on all Delta stressors. Pursuing broad-scale stream adjudications and streamflow proceedings would divert significant resources from Delta solutions.

- Water pricing. Mandating volumetric pricing usurps local elected officials' authority. It is unlikely to be effective because: (1) an urban agency's local and regional setting, not any "standard" rule, determines what conservation programs will be most cost-effective; and (2) agricultural water use is driven by crop water demands, and because overall cost of service does not change, no real price signal is achieved.

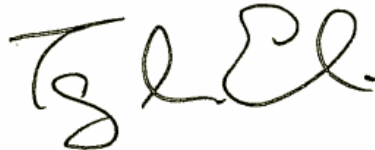
Sincerely yours,

NORTHERN CALIFORNIA WATER ASSN

STATE WATER CONTRACTORS

By:

By:



Thad Bettner  
Delta Policy Work Group

Terry Erlewine  
General Manager

SAN JOAQUIN RIVER GROUP AUTHORITY

SAN LUIS & DELTA- MENDOTA WATER  
AUTHORITY

By:

By:



Allen Short  
San Joaquin River Group Authority

Daniel G. Nelson  
Executive Director

PWCCletter121808  
1/21/2009 9:32 AM

*A united effort by public water agencies, utilities and leaders from the Bay Area, Northern and Southern California committed to solving our state's water problems*