



WATER RESOURCES ASSOCIATION OF YOLO COUNTY

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May 7, 2009

The Honorable Joseph Simitian
Senator, Eleventh District
State Capitol, Room 2080
Sacramento, California 95814

Re: Senate Bill 12 – Concerns of Water Resources Association of Yolo County

Dear Senator Simitian:

The Water Resources Association of Yolo County (WRA) would like to express its appreciation for your willingness, over the last several years, to tackle issues related to the Sacramento-San Joaquin Bay-Delta, which are among the most complicated facing the State. The WRA consists of ten member agencies including: the County of Yolo; the cities of Davis, West Sacramento, Winters and Woodland; the University of California, Davis; Yolo County Flood Control and Water Conservation District; Dunnigan Water District; and Reclamation Districts 108 and 2035. We understand that your current Delta bill, Senate Bill 12, is the basis for discussions among many interests and, as a result of those discussions, may be amended in the near future. The WRA would like to describe its members' interests in the subjects addressed by SB 12 and the concerns its members would have about any Delta solution.

In order to enable WRA members to continue to serve the needs of Yolo County's communities, any Delta solution must respect the water rights on which communities have based enormous past investments and must recognize those communities' ability to use local water sources in the future. WRA's members use locally-available water supplies to meet the needs of the vast majority of Yolo County's residents and to supply water to support the County's very diverse economy, which ranges from the county-wide agricultural industry to UC Davis' laboratories. Our members are actively seeking to manage locally-available supplies in coordinated ways. For example, Davis, Woodland and UC Davis have proposed a joint water project under which all three agencies would fund and use a diversion from the portion of the Sacramento River on Yolo County's eastern boundary. Those agencies all have historically relied on the local groundwater, which now presents challenges because of potential overdraft and because their use of that groundwater will make it difficult to comply with increasingly stringent wastewater-discharge regulations. Similarly, in conjunction with the WRA, the Yolo County Flood Control and Water Conservation District is monitoring groundwater conditions in the large portions of the County that it has served with Cache Creek water for decades to determine whether it is possible to conjunctively manage that surface water and groundwater to better serve agriculture within the District. These and many other innovative water resource projects are

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cc (w/encl.): Congressman Michael Thompson
Congressman Wally Herger
Honorable Lois Wolk
Honorable Mariko Yamada
Honorable Jim Nielsen
Alf Brandt, Principal Consultant, Assembly Water, Parks and Wildlife Committee
Dennis O'Connor, Consultant, Senate Natural Resources and Water Committee
Water Resources Association of Yolo County member agencies

**MEMBERSHIP of
WATER RESOURCES ASSOCIATION OF YOLO COUNTY**

- City of Davis
- City of West Sacramento
- City of Winters
- City of Woodland
- County of Yolo
- Dunnigan Water District
- Reclamation District 108
- Reclamation District 2035
- University of California, Davis
- Yolo County Flood Control & Water Conservation District

WATER RESOURCES ASSOCIATION OF YOLO COUNTY
DELTA POSITION PAPER
MAY 4, 2009

The Water Resources Association of Yolo County (WRA) is a collaboration of public and quasi-public agencies in Yolo County, which rely on the diverse water supplies available in the County. These water supplies have historically served to meet local municipal and agricultural demands. WRA's members seek to coordinate their planning and project implementation efforts to ensure that the County's local water supplies continue to meet community needs.

Yolo County overlies a portion of the Sacramento-San Joaquin Bay-Delta. The well publicized environmental/water quality problems plaguing the Delta, and proposed solutions to those problems, affect the County and the WRA's members in many ways. This paper outlines the WRA's perspective on the relationship between solutions to the Delta's problems and the County's water resources.

Delta Problems and Need for A Comprehensive Solution

WRA's members recognize that California's sub-regions are interdependent with regard to water and, therefore, acknowledge the need to work collaboratively to address the broader Delta and state water problems. WRA members also recognize that the Delta supports unique fish, wildlife and natural resources that are currently threatened by a wide range of issues. WRA members further acknowledge the need to promote a healthy Delta ecosystem. The WRA, therefore, supports the implementation of solutions in the Delta that would address its current problems comprehensively, so that both regions that rely on the Delta's water and the Delta's ecosystem can improve. The WRA currently takes no position on what Delta solution is most appropriate.

Delta Solutions and Upstream Water Supplies

The December 2008 Delta Vision Strategic Plan identifies "regional self-sufficiency" as an important principle in managing California's water resources in the future. WRA's members use water supplies available in Yolo County to satisfy community needs, whether those supplies are surface water or groundwater. Through the WRA, members are planning additional projects to use those locally-available supplies to meet future community demands. For example, the Cities of Davis and Woodland and the University of California, Davis, are planning a surface-water supply project that would divert water from the Sacramento River along the County's eastern border to avoid potentially overdrafting local groundwater aquifers and to assist these entities in complying with increasingly strict wastewater regulations.

The ability of WRA's members to implement projects that rely on locally-available water supplies depends on any Delta solution continuing to recognize two key principles.

First, any Delta solution must not redirect impacts to Yolo County by demanding, from local water supplies, water beyond that necessary to mitigate individual water uses' impacts on the Delta's resources. The California Endangered Species Act (CESA) already recognizes this principle by stating that any "mitigation measures or alternatives to address a particular impact on a candidate species, threatened species, or endangered species . . . shall be roughly proportional in extent to any impact on those species that is caused by" the relevant project. (Fish and Game Code § 2052.1.) Any Delta solution must incorporate this basic principle of equity, particularly because a primary goal of such a solution would be to improve the health of species listed under CESA.

Second, any Delta solution must also respect the state's area-of-origin laws, which were the key assurances that northern California needed prior to agreeing to construction of the Central Valley and State Water Projects. Those laws allow northern California communities like those in Yolo County to rely on local water sources to satisfy local demands while the CVP and SWP continue to serve the San Joaquin Valley and southern California. WRA members recognize that Delta solutions are necessary to support the economies in all California regions and also believe that solutions for those regions must honor the historic assurances provided to ensure that sufficient water remains available to meet northern California needs.

Recognizing these principles is crucial to maintaining Yolo County's multi-faceted economy. As Yolo County's largest industry, agriculture relies extensively on the dependable local water sources. Agriculture provides a crucial economic engine that drives many Yolo County businesses. In addition, the University of California, Davis, was founded in part to conduct agricultural research and has succeeded in becoming one of the world's leading agricultural research centers. Yolo County communities and UC Davis are irrevocably linked to agriculture, and agriculture is dependent upon reliable high quality water supplies. Finally, Yolo County communities and UC Davis, require standard municipal supplies to meet daily water needs.

For these reasons, any Delta solution must carefully consider adverse or potentially adverse effects to Yolo County.

Delta Habitat Restoration and Impacts to Yolo County Agriculture

Many physical changes in Yolo County have been proposed as potential parts of a Delta solution. Of primary concern is the proposed conversion of actively farmed land into ecosystem restoration habitat. Such conversions carry significant risks for Yolo County communities. Losing tens of thousands of acres of productive farmland could reduce the agricultural economic base below the "critical mass" necessary to support the businesses supplying local farms.

It is important to recognize that the primary reasons for such land use conversions would be to replace Delta habitat that has been altered in other locations. Accordingly, any Delta solution must avoid redirecting economic impacts to Yolo County in order to address ecosystem problems that other factors have caused. To the extent any such

economic impacts may occur, any Delta solution must include measures to fully mitigate those impacts. Such mitigation measures would have many components.

They must ensure at least that: (1) sufficient funds and personnel are permanently dedicated to restoration areas to guarantee proper management in perpetuity. For example, mitigation must ensure that such areas do not become problems for nearby landowners or attract criminal activities; (2) the County's agricultural community does not suffer due to the loss of active farmland; and (3) the County of Yolo's tax revenues are held harmless from the loss of property tax payments associated with the conversion of land into public ownership or legally restricted species habitat. In addition, any Delta solution involving habitat restoration must ensure that new or increased regulatory burdens are not placed on private landowners as a result of restoration areas' attraction of listed species. Finally, any projects or measures taken to improve conditions in the Delta or restore Delta habitat also must not reduce the effectiveness of the components of the Sacramento-San Joaquin flood-control system or any local flood-control systems.

Governance In The Delta

Any solution to the Delta's problems is likely to include new governance structures, either through agreements or legislation. These structures must focus tightly on those problems, both to increase the likelihood that the solution will succeed and to reduce the risk that impacts will be redirected to areas that do not depend on Delta water supplies such as Yolo County. The WRA therefore will support new governance structures that focus on in-Delta issues such as CVP and SWP export operations and the loss of estuary habitat. The WRA supports the implementation of such new structures in accordance with the County of Yolo's adopted Delta-related policies. The most recent set of such policies adopted by the County is attached.