

San Luis & Delta-Mendota Water Authority



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VIA ELECTRONIC MAIL

Anthony Navasero, Senior Engineer
Delta Stewardship Council
oa_amendsingle@deltacouncil.ca.gov

Re: Proposed Delta Plan Amendment: Single-Year Water Transfers

Dear Mr. Navasero:

The San Luis & Delta-Mendota Water Authority, on behalf of itself and its member agencies (together, "Water Authority"),¹ strongly supports the Delta Stewardship Council ("Council") amending existing regulation 23 C.C.R. §5001(dd)(3) and WR R15 of the Delta Plan to exclude single-year water transfers from the definition of "Covered Actions".² California policy encourages water transfers as a valuable water management tool. The Water Authority's member agencies have utilized the tool and are dependent upon single-year water transfers to help alleviate the hardship of the chronic water shortages they face. The proposed Delta Plan and regulatory amendments before the Council are consistent with state policy and respect the importance of single year water transfers to the Water Authority's member agencies, among others.

Representatives of the Water Authority have previously explained the reasons why excluding single-year water transfers from the scope of "Covered Actions" is so important. Those reasons were presented orally at the September 24, 2015 Council Meeting and in writing on June 13, 2016. At those times, Water Authority representatives emphasized three important reasons for the exclusion.

¹ The Authority's member agencies are: Banta-Carbona Irrigation District; Broadview Water District; Byron Bethany Irrigation District (CVPSA); Central California Irrigation District; City of Tracy; Columbia Canal Company (a Friend); Del Puerto Water District; Eagle Field Water District; Firebaugh Canal Water District; Fresno Slough Water District; Grassland Water District; Henry Miller Reclamation District #2131; James Irrigation District; Laguna Water District; Mercy Springs Water District; Oro Loma Water District; Pacheco Water District; Panoche Water District; Patterson Irrigation District; Pleasant Valley Water District; Reclamation District 1606; San Benito County Water District; San Luis Water District; Santa Clara Valley Water District; Tranquillity Irrigation District; Turner Island Water District; West Side Irrigation District; West Stanislaus Irrigation District; Westlands Water District

² The San Luis & Delta-Mendota Water Authority is a party in pending lawsuits against the Council. (*San Luis & Delta-Mendota Water Authority v. Delta Stewardship Council*, Sacramento County Superior Court, Case No. 34-2013-80001500; *Delta Stewardship Council Cases*.) SLDMWA reserves all claims against the Council and nothing in this letter constitutes a waiver of any pending or future claim.

First, single-year water transfers involve time-sensitive transactions that could be impeded by the Council's administrative proceedings.

Second, even without Council involvement, single-year water transfers are subject to extensive regulation. Multiple federal and state agencies provide oversight and multiple federal and state laws ensure consideration of environmental impacts.

Third, water transfers further the co-equal goals, as they serve to help alleviate the adverse impact of water shortages and do so while providing significant environmental benefits for fishery and wildlife resources.

The information before the Council reflects these points. (See, e.g., Addendum to the Delta Plan Programmatic Environmental Impact Report, at 4-5, 10-11, 23-29.)

For these reasons, the Water Authority urges the Council to approve its staff recommendations. Thank you in advance for considering these comments.



Jason Peltier
Executive Director
San Luis & Delta-Mendota Water Authority