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August 19, 2008

Mr. Phil Isenburg, Chair
Delta Vision Blue Ribbon Task Force
State of California Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, Ca 95814

RE: Delta Vision Strategic Plan

Dear Mr. Isenburg:

The northern Sacramento Valley region is the Area of Origin for much of the water that flows through the Delta; therefore, Butte County and its surrounding counties are a major source for California's overall water supply picture. The region's surface water resources include the crown jewel of the State Water Project (SWP) located at Lake Oroville, the headwaters of the Central Valley Project (CVP) located at Lake Shasta, as well as a network of creeks and rivers that are tributary to the great Sacramento River, which feed into the Delta. Much of the region's local water supply comes from the various groundwater basins that are re-charged through these creeks and rivers.

The local governments within our region have a vested interest in the overall health and stewardship of the Delta. The County's water resources provide the life blood for our agricultural-based communities, economy and environment. The delicate balance of our natural resources comes from the care and planning of local governments, private landholders and water agencies. In fact, the balance of our water system is a testament to the stewardship of local governments, private landholders and water purveyors in the region. In pursuing the Delta Vision Strategic Plan, the Task Force must recognize that our success was a result of the existing water right system and to be cautious about attempts to upset this balance to meet statewide interests.

Through a Four County Memorandum of Understanding (Four Counties) signed by the counties of Butte, Colusa, Glenn and Tehama, this region is working collaboratively on regional water and resource management issues. The counties of Shasta and Sutter have participated with us in coordinating water management issues. In consultation with our regional partners, Butte County

is offering comments and recommendations on the Delta Vision Strategic Plan.

Butte County believes that the Strategic Plan contains many positive elements that will protect the Delta's ecosystem and communities, as well as enhance water supply reliability.

Unfortunately, the Strategic Plan includes many elements that undermine these purposes through a proposed direct assault on Area of Origin water rights, the existing water right priority system and preemption of local governments. The County does not believe it is prudent to implement short term strategies to remedy the Delta while negatively impacting the Sacramento Valley. We believe that the Strategic Plan can be successful by respecting the principle of Area of Origin rights, supporting regional self-sufficiency, and having a cooperative approach with existing water rights.

The Governance and Finance section raises significant concerns for our region. We understand the need to have a better governance structure for water management decisions for the Delta. However, the new and enhanced multi-part governing agencies are granted authority and scope that far exceed what is necessary or reasonable. We oppose granting the California Delta Ecosystem and Water Council the authority to affect areas outside the Delta or supersede existing water rights. We do not support the broad scope that the California Delta Ecosystem and Water Plan (CDEW Plan) would have in dictating water management policies outside the confines of the Delta. The broad language and authority of the proposed CDEW Plan suggests that steps needed to protect the Delta would be taken without any regard to existing water rights or impacts to other areas.

Butte County opposes the promotion of the Public Trust doctrine over the current water rights system and Area of Origin water rights. The Strategic Plan states "that water required to support and revitalize the Delta would not be purchased but will be provided within the California's systems of water rights and constitutional principles of reasonable use and public trust". This approach not only ignores Area of Origin water rights but does so without making any provisions for regional representation in the proposed governance structures.

The County generally supports the goals in the Strategic Plan to revitalize the Delta ecosystem, supports the pursuit of the Bay Delta Conservation Plan process, and will continue to engage in that process. Butte County recommends that any action to increase freshwater flows must be done so in a cooperative manner, recognizing the current framework of existing water rights and providing an assurance that increased flows to the Delta will not deplete upstream water systems. For example, the hard work of local stakeholders (i.e., water districts, agencies, conservation groups and local landowners) in the northern Sacramento Valley, which led to restoration of spring run salmon to the point that their numbers have increased thousand-fold over the past two decades, could be negated if not considered in making decisions about increasing flows. The draft Strategic Plan focuses solely on managing surface water for the benefit of the Delta. Reduced surface water diversions in our region will jeopardize the stream flow that sustains this threatened fishery by an increased demand on groundwater due to a reduction in surface water diversions. Revitalizing the Delta ecosystem must not come at the expense of other equally valuable ecosystems. Similarly, the recommendation to improve conjunctive use programs should emphasize that their initiation and management be by local entities to ensure their viability and to prevent adverse impacts.

Butte County supports the recognition that management and control of invasive species and toxins is critical to a healthy Delta. Actions to prevent and control invasive species will not only benefit the Delta but the entire state because invasive species both directly impact ecosystems and can lead to disruptive control strategies. We are pleased that the Strategic Plan supports implementing Best Management Practices through the Regional Water Board's Irrigated Lands Program. Such an approach would achieve water quality standards from agricultural chemicals in an economical and agronomic manner. The suggestion that incentives be explored for those in the Irrigated Lands Program who adopt water use efficiency practices has merit. The County can attest to the value of the Irrigated Lands Program since both Butte County, through its County Agricultural Commissioner, entered into a formal agreement with the Regional Water Boards to assist in the implementation of the Irrigated Lands Program. The successful role of the County Agricultural Commissioner illustrates the importance that local agencies can play in meeting issues of statewide significance.

The Water Supply Reliability section of the Strategic Plan offers many laudable recommendations. The County not only agrees with the Strategic Plan's support for the concept of regional self-sufficiency as the best avenue to achieve sustainability of statewide water demands but believe that it should be a guiding principle. Moving towards regional self-sufficiency will require locally driven solutions that must include the full suite of water management options.

The County supports the approach to increase water supply reliability by increasing water supplies, reducing demand and promoting self-sufficiency. The need to increase water supply sources must also be part of the state's future. We support the completion of the feasibility studies associated with the CALFED water storage projects. It is time to increase the overall water supply within California and the completion of new water storage projects is long overdue.

Efforts to reduce the demand for water must equally be advanced. Butte County strongly supports efforts to promote water use efficiency and improve assessment and protection of regional groundwater resources. The increased reliance on local agencies will require continued improvements of data acquisition and maintenance. We applaud the tasks that would help to improve the collection of baseline data that will be necessary for sound water planning at the local and regional level.

As the Strategic Plan aptly cautions, regions should not rely on imported water as a sustainable means of meeting their future demands. Butte County recognizes the need for water transfers given the appropriate set of circumstances. Water transfer programs should be controlled and monitored at the local level to ensure that local needs are met first. Therefore, the County believes that the Strategic Plan should be consistent and support local governments and landowners in playing a primary role in water management. However, we do not believe the proposed approaches to streamline water transfer regulatory processes are necessary or advisable. Those recommendations seem to promote reliance on imported water and preempt any local control of water resources. The action to pre-approve water transfers would circumvent local ordinances as well as the environmental review process.

Regional self-sufficiency must apply to decisions on groundwater banking and exports. Those within a region are in the best position to determine local water demands and the availability of any potentially surplus water from within this region. The County is troubled by the concept of exempting groundwater banking projects from county permit requirements that regulate groundwater exports and vehemently opposed to this preemption of local government authority. The reason that many counties adopted ordinances to regulate groundwater exports was due to real or perceived failures on the part of the state to manage these programs adequately. Butte County does not support these actions being taken at the state level, which may do little to solve the problems facing the Delta and have the potential to cause irreparable economic, ecological, and social harm to our region.

Butte County understands the challenges facing the Delta. Our region has done its part in the past and will in the future to help our neighbors when we can. But the decision on when, what and how we can help must be left to those who rely on the local resource. The County is the one in the best position to determine local water demands, the availability of water and assure that any water project will not adversely impact our economy, ecosystem and communities.

The County believes that the Strategic Plan offers great hope in providing a long term solution to the problems facing the California Delta. However, using the Delta Vision process as a means of attacking Area of Origin rights and California's water right priority system will do little to advance the much needed remedies for the California Delta. Removal of these unnecessary and divisive aspects will position the Delta Vision Strategic Plan toward a positive and constructive path for meeting the "co-equal" goals of protecting the Delta ecosystem and ensuring a reliable water supply for all users.

Butte County encourages the Task Force to support the concept of regional self-sufficiency, increase water supplies and recognize Area of Origin rights. We discourage the Task Force from fixing the Delta through actions that would negatively impact the Sacramento Valley. And lastly, Butte County defends Area of Origin water rights to meet our local needs and protect our communities, economy and environment and discourage the Task Force from fixing the Delta at the expense of the Sacramento Valley region.

Representatives of Butte County and our regional partners would be happy to meet with you to answer any questions and assist the Task Force in moving forward a strategic plan that meets the needs of our region. Please feel free to contact Paul Gosselin, Butte County Director of Water and Resource Conservation, in this regard.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Curt Josiassen', with a long horizontal flourish extending to the right.

Curt Josiassen, Chair, Butte County Board of Supervisors