

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Environmental Resources

BOARD AGENDA #: *B-9

AGENDA DATE: December 20, 2016

SUBJECT:

Approval to Adopt a Resolution Opposing the State Water Resources Control Board 2016 Revised Draft Substitute Environmental Document and Calling for Sustainable Solutions for the Region's Water Supply and Economy

BOARD ACTION AS FOLLOWS:

No. 2016-653

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


PAM VILLARREAL, Assistant Clerk

File No.

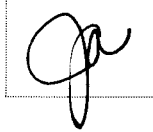
**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Environmental Resources
Urgent Routine

BOARD AGENDA #: *B-9

AGENDA DATE: December 20, 2016

CEO CONCURRENCE: *pht*



4/5 Vote Required: Yes No

SUBJECT:

Approval to Adopt a Resolution Opposing the State Water Resources Control Board 2016 Revised Draft Substitute Environmental Document and Calling for Sustainable Solutions for the Region's Water Supply and Economy

STAFF RECOMMENDATIONS:

1. Adopt a resolution opposing the State Water Resources Control Board 2016 Revised Draft Substitute Environmental Document and calling for sustainable solutions for the region's water supply and economy.

DISCUSSION:

The State Water Resources Control Board (SWRCB) issued the Bay-Delta Plan, Phase 1 Draft Substitute Environmental Document (SED) in December 2012, which proposed to require Stanislaus, Tuolumne, and Merced rivers release 35% of unimpaired flows from February to June each year for environmental benefit. A revised Draft SED was issued on September 15, 2016 and is currently being circulated for public comment.

The SWRCB, after a hearing in March 2013 and submittal of comments regarding the adequacy and sustainability of the SED, has now revised and increased the recommendations of the Draft SED to 40% unimpaired flows, with the ultimate intention of finalizing the SED and updating the Bay-Delta Water Quality Control Plan with its Board for adoption at a date to be determined.

Flows described in the SED will create significant and lasting impacts that will harm the socioeconomic welfare of those within Stanislaus, San Joaquin and Merced counties. Water supply impacts of flows described in the SED include the loss of hundreds of thousands of acre-feet of surface water that is used to keep agriculture stable. The loss of water would result in the following of some of the most prime farmland in California.

Groundwater impacts of flows described in the SED include increased groundwater pumping at a time when California is working to implement the landmark Sustainable Groundwater Management Act. The SED estimates additional and significant groundwater impacts resulting from an increased reliance on groundwater pumping. The reduced surface water deliveries proposed in the SED will severely hamper the ability to conjunctively use surface water deliveries on farms to provide adequate groundwater recharge.

Electrical power impacts of flows described in the SED include public power agencies being resigned to generating more hydropower at a time of low demand, meaning less water is available to generate hydropower in summer when power demand is at its peak. This has

Approval to Adopt a Resolution Opposing the State Water Resources Control Board 2016 Revised Draft Substitute Environmental Document and Calling for Sustainable Solutions for the Region's Water Supply and Economy

economic impacts to public power agencies, and such impacts bear a direct relation to local customer utility rates.

There is reasonable and significant doubt that the flows described in the SED will benefit native fish populations or promote ecosystem restoration. The SED focuses narrowly on flows as a solution to environmental concerns while ignoring non-flow alternatives such as predator suppression and fish habitat restoration. Such non-flow management measures are often less costly and more effective.

The cities and Irrigation Districts within Stanislaus County have made significant investments in diversifying their drinking water sources to include the use of water from the Tuolumne and Stanislaus rivers. With the implementation of the SED, the use of river water for drinking water is threatened, leaving local communities even more vulnerable to the impacts of drought and potentially stranding significant investments in these vital assets.

With the attached resolution, Stanislaus County urges the SWRCB to pursue a comprehensive solution, which takes into account, rather than dismisses, the impacts listed above. This solution must prioritize non-flow measures to protect native fish species, such as predation reduction programs, before requiring flow increases that would threaten the economic vitality of our region's counties, cities and small family farms.

POLICY ISSUE:

The Board of Supervisors' approval is required to adopt a resolution.

FISCAL IMPACT:

There is no fiscal impact associated with the Board approval of this Resolution.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions are consistent with the Board's priorities of a Safe Community, a Healthy Community, a Strong Local Economy, Effective Partnerships, and a Well Planned Infrastructure System.

STAFFING IMPACT:

Existing staff will continue to oversee the work associated with this item.

CONTACT PERSON:

Jami Aggers, Director of Environmental Resources
Walter Ward, Water Resources Manager

Telephone: 209-525-6770
Telephone: 209-525-6710

ATTACHMENT(S):

1. Resolution

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

2016-653

Date: December 20, 2016

On motion of Supervisor O'Brien Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # *B-9

THE FOLLOWING RESOLUTION WAS ADOPTED:

**A RESOLUTION OPPOSING THE STATE WATER RESOURCES CONTROL BOARD 2016
REVISED DRAFT SUBSTITUTE ENVIRONMENTAL DOCUMENT AND CALLING FOR
SUSTAINABLE SOLUTIONS FOR THE REGION'S WATER SUPPLY AND ECONOMY**

WHEREAS, the State Water Resources Control Board's (SWRCB's) Bay-Delta Plan, Phase 1 Draft Substitute Environmental Document (SED) issued in December 2012 proposed to require the Stanislaus, Tuolumne, and Merced rivers release 35 percent of unimpaired flows from February to June each year for environmental benefit; and

WHEREAS, a revised Draft SED was issued on September 15, 2016, and is currently being circulated for public comment; and

WHEREAS, the SWRCB, after a hearing in March 2013 and submittal of comments regarding the adequacy and sustainability of the SED, has now revised and increased the recommendations of the Draft SED to 40% unimpaired flows, with the ultimate intention of finalizing the SED and updating the Bay-Delta Water Quality Control Plan with its Board for adoption at a date to be determined; and

WHEREAS, flows described in the SED will create "significant and unavoidable" lasting impacts that will harm the socioeconomic welfare of those within Stanislaus, San Joaquin and Merced counties; and

WHEREAS, water supply impacts of flows described in the SED include the loss of hundreds of thousands of acre-feet of surface water that is used to keep agriculture – the region's economic engine – stable. This loss of water would result in the fallowing of some of the most prime farmland in California; and

WHEREAS, groundwater impacts of flows described in the SED include increased groundwater pumping at a time when California is working to implement the landmark Sustainable Groundwater Management Act. The SED estimates additional and significant groundwater impacts resulting from an increased reliance on groundwater pumping. The reduced surface water deliveries proposed in the SED will severely hamper the ability to conjunctively use surface water deliveries on farms to provide adequate groundwater recharge; and

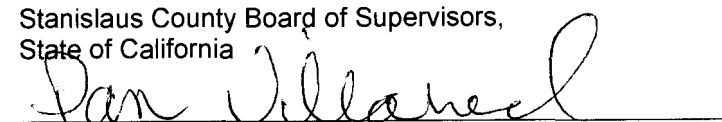
WHEREAS, electrical power impacts of flows described in the SED include public power agencies being resigned to generating more hydropower at a time of low demand, meaning less water is available to generate hydropower in summer when power demand is at its peak. This has economic impacts to public power agencies, and such impacts bear a direct relation to local customer utility rates; and

WHEREAS, there is reasonable and significant doubt that the flows described in the SED will benefit native fish populations or promote ecosystem restoration. The SED focuses narrowly on flows as a solution to environmental concerns while ignoring non-flow alternatives such as predator suppression and fish habitat restoration. Such non-flow management measures are often less costly and more effective; and

WHEREAS, the cities and Irrigation Districts within Stanislaus County have made significant investments in diversifying their drinking water sources to include the use of water from the Tuolumne and Stanislaus rivers. With the implementation of the SED, the use of river water for drinking water is threatened, leaving local communities even more vulnerable to the impacts of drought and potentially stranding significant investments in these vital assets.

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS urges the State Water Resources Control Board to pursue a comprehensive solution, which takes into account, rather than dismisses, the impacts listed above. This solution must prioritize non-flow measures to protect native fish species, such as predation reduction programs, before requiring flow increases that would threaten the economic vitality of our region's counties, cities and small family farms.

ATTEST: PAM VILLARREAL, Assistant Clerk
Stanislaus County Board of Supervisors,
State of California



A handwritten signature in cursive script, reading "Pam Villarreal", is written over a horizontal line.

File No.