



Statement from Nicole Sandkulla, Chief Executive Officer for the Bay Area Water Supply and Conservation Agency (BAWSCA), Regarding an Appeal of the recent Court Decision in the State Water Board Cases related to the State Water Resources Control Board's (State Water Board) Updated Bay-Delta Plan (Plan)

May 10, 2024

In February 2019, BAWSCA intervened in a legal action in Tuolumne County Superior Court to protect the water interests of its 26-member agencies in Alameda, San Mateo and Santa Clara counties against actions adopted in December 2018 by the State Water Board. As an intervenor in the State Water Board Cases, BAWSCA joined the City and County of San Francisco and other water suppliers challenging the State Water Board's adopted Plan for the San Francisco Bay-Sacramento-San Joaquin Delta Estuary.

The Plan includes the Tuolumne River, which is the source of 85 percent of the water for the San Francisco Regional (Hetch Hetchy) Water System (System), which in turn provides two-thirds of the water used by BAWSCA's agencies. If implemented, the Plan would significantly reduce the water supply available to the 1.8 million residents, more than 40,000 businesses, including Silicon Valley, and community organizations in the three counties that rely on water from the Hetch Hetchy System.

On March 15, 2024, the Court in the State Water Board Cases issued its decision and ruled in the State Water Board's favor on all 116 claims by the 12 petitioners, including BAWSCA's claims.

BAWSCA's concerns with the Plan as adopted remain, including reduced water supply and resulting impact to the Bay Area's economy and the need to develop critically needed housing. Therefore, on May 10, 2024, BAWSCA filed an appeal of the Court's March 15, 2024 decision to protect the water interests of its member agencies and their water customers.

BAWSCA recognizes the need for a healthy Bay Delta environment and for providing critically necessary water for all the water users it represents. BAWSCA continues to focus on the Agreements to Support Healthy Rivers and Landscapes being proposed by State, federal and local agencies, including supporting a potential voluntary agreement for the Tuolumne River, which is currently undergoing review and evaluation by the State Water Board.

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