

**BAY AREA WATER SUPPLY AND CONSERVATION AGENCY  
BOARD OF DIRECTORS MEETING**

**July 13, 2018**

Correspondence and media coverage of interest between June 15, 2018 and July 12, 2018

**Correspondence**

Date: July 12, 2018  
To: BAWSCA Board of Directors  
From: Virginia Tincher  
Subject: Support for the Bay Delta Water Quality Control Plan Phase 1

Date: June 29, 2018  
To: The Hon. Tim Strack, Chairman, California Seismic Safety Commission  
Stefan Cajina, Division of Drinking Water, State Water Resources Control Board  
From: Harlan L. Kelly, Jr., General Manager, San Francisco Public Utilities Commission  
Subject: Wholesale Regional Water System Security and Reliability Act Notice of Changes to Water System Improvement Program (WSIP)

Date: June 19, 2018  
To: The Hon. Ike Kwon, President, San Francisco Public Utilities Commission  
From: Nicole Sandkulla, CEO/General Manager, BAWSCA  
Subject: Projected Wholesale Customer Water Purchases from the San Francisco Regional Water System in Compliance with Section 4.05 of the 2009 Water Supply Agreement between San Francisco and its Wholesale Customers

**Media Coverage**

**Bay Delta Water Quality Control Plan:**

Date: July 10, 2018  
Source: ACWA Advisory  
Article: State Water Board Releases Final Draft of Bay-Delta Water Quality Control Plan Update

Date: July 10, 2018  
Source: Elk Grove News  
Article: State Water Board Releases Plan to Increase Flows in San Joaquin River and Tributaries

Date: July 6, 2018  
Source: NRDC  
Article: State Water Board Proposes Increased Delta Outflow

Date: July 6, 2018  
Source: San Francisco Chronicle  
Article: SF would face new limits under state water proposal

Date: July 6, 2018  
Source: Sacramento Bee  
Article: Here's how to move beyond the water wars and save the Delta

Date: June 15, 2018  
Source: San Francisco Chronicle  
Article: Plan would restore the Tuolumne

**Restore Hetch Hetchy:**

Date: July 11, 2018  
Source: Sierra Sun Times  
Article: Restore Hetch Hetchy to Continue Legal Challenge Following Adverse Ruling from Appellate Court

Date: July 9, 2018  
Source: San Francisco Chronicle  
Article: Appeals court rejects effort to tear down Yosemite's Hetch Hetchy Reservoir

**Delta Tunnels:**

Date: July 9, 2018  
Source: Daily KOS  
Article: Coalition Protests Delta Tunnels Tax as MWD Revotes on \$11 Billion to Finance WaterFix

Date: July 9, 2018  
Source: YubaNet.com  
Article: Restore the Delta PRA Request Shows Kern County Water Agency and MWD Worked together on Valadao Rider

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**From:** Virginia Tincher  
**To:** [BAWSCA2](#)  
**Subject:** Support for the Bay Delta Water Quality Control Plan Phase 1  
**Date:** Thursday, July 12, 2018 1:25:50 PM

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Dear BAWSCA Board of Directors,

As a Bay Area resident and customer of water sold by the city of San Francisco to my community of Palo Alto I agree wholeheartedly with the State Water Board's update to the Bay Delta Water Quality Control Plan Phase 1.

Given all that we now know about the health and importance of our rivers and bay deltas it is time for the State Water Board to update the Bay Delta Water Quality Control Plan to increase the unimpaired flow of the Lower San Joaquin River and its three tributaries to the San Francisco Bay. Increased flow is critical not only for the aquatic and land ecosystems but to also increase San Francisco Bay resilience in the face of encroaching salinity and rising sea levels.

We will benefit from a healthier bay delta and the City of San Francisco will still be able to provide water to it's customers in the event of a multiple year drought. San Francisco has already done a great job of conservation while at the same time adding jobs and residents.

There are multiple other opportunities to conserve water and increase use of treated water for irrigation. The analysis prepared by Tuolumne River Trust shows how we can have healthy ecosystems and a vibrant economy (<https://www.tuolumne.org/can-vibrant-economy-healthier-ecosystems/>). This is the kind of forward thinking we need to maintain reasonable water quality objectives for all 17 Beneficial Uses of the water from the Lower San Joaquin River and its three tributaries.

Regards,

Virginia Tincher  
[879 Garland Drive](#)  
[Palo Alto, CA 94303](#)





**San Francisco**  
**Water Power Sewer**

Services of the San Francisco Public Utilities Commission

525 Golden Gate Avenue, 13th Floor  
 San Francisco, CA 94102

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**JUL 05 2018**

June 29, 2018

The Honorable Tim Strack, Chairman  
 California Seismic Safety Commission  
 1755 Creekside Oaks Drive, Suite 100  
 Sacramento, CA 95833-3637

Mr. Stefan Cajina  
 Division of Drinking Water  
 State Water Resources Control Board  
 1001 I Street  
 Sacramento, CA 95814

**Subject: Wholesale Regional Water System Security and Reliability Act  
 Notice of Changes to Water System Improvement Program  
 (WSIP)**

Dear Commissioner Strack and Mr. Cajina:

Pursuant to the reporting requirements of the Wholesale Regional Water System Security and Reliability Act, the San Francisco Public Utilities Commission (SFPUC) respectfully submits this Change Notice, describing changes adopted by the SFPUC Commission (Commission) on April 10, 2018 to the schedule of the Water System Improvement Program (WSIP). Although not required by the Wholesale Regional Water System Security and Reliability Act, the SFPUC is also providing a description of the budget revisions and the project scope changes adopted by the Commission.

The SFPUC has made significant progress towards the implementation of the WSIP since the Commission last adopted program-wide revisions to the scope, schedule, and budget for the program in April 2016. Between March 2016 and March 2018, the overall completion of WSIP Regional projects increased from 89.0% to 95.5%. With only a few projects remaining in design, the implementation of the program almost exclusively focuses on construction activities. As of March 2018, seven (7) Regional projects with a total value of \$1,183 million are in construction and forty (40) with a total value of \$2,527 million are in closeout or have been completed. The remaining four (4) Regional projects are in pre-construction, one (1) being a support project that does not contribute directly to the program's Level of Service (LOS) goals. Forty (40) out of

Mark Farrell  
 Mayor

Ike Kwon  
 President

Vince Courtney  
 Vice President

Ann Moller Caen  
 Commissioner

Francesca Vietor  
 Commissioner

Anson Moran  
 Commissioner

Harlan L. Kelly, Jr.  
 General Manager



forty-three (43) Regional WSIP projects with specific LOS goals have achieved their LOS goals to date.

Program revisions are necessary to incorporate the project teams' latest knowledge, understanding, and analysis due to encountering unexpected challenges during construction.

In early 2018, WSIP Senior Management recognized the need to refine estimates at completion for other active projects based on the latest available information and formally initiate the process for approval of program revisions in order to:

- Incorporate the latest project schedule and cost forecasts based on the most recent information available, including the status of change orders, trends, risks and contingencies reported by the various construction management (CM) teams;
- Transfer forecasted project savings to projects with forecasted overruns;
- Secure the additional funding needed to complete all WSIP projects;
- Provide realistic project baselines for more accurate performance measurements; and
- Ensure compliance with the California Water Code (Assembly Bills [AB] 1823 and 2437).

On March 9, 2018, the SFPUC notified the Bay Area Water Supply and Conservation Agency (BAWSCA) that the Commission would be considering changes to the WSIP at a public hearing on April 10, 2018. At our request, BAWSCA forwarded the notification to the 26 wholesale agencies it represents to comply with the change notice requirements of the Wholesale Regional Water System Security and Reliability Act. In addition, the Notice of Public Hearing and all supporting documents submitted to BAWSCA were posted on the SFPUC website. On April 10, 2018, following a 30-day review period, the Commission, per Resolution No. 18-0052, adopted the March 2018 Revised WSIP.

In summary, the overall scope of the WSIP essentially remains unchanged and no projects were deleted from the program. The scopes of seven (7) projects were refined to facilitate their implementation, but those changes will not impact the LOS goals to be achieved by the WSIP. These goals also remain unchanged.

A number of project schedules were revised to address an appeal of an environmental review of one project and construction challenges in the field for other projects. The program completion date adopted as part of the March 2018 Revised WSIP is December 30, 2021, which represents about a 24-month extension over the last program-level schedule approved by the Commission as part of the March 2016 Revised WSIP.

Of the fifty-two (52) existing regional projects in the WSIP, thirty-nine (39) have been completed, three (3) have no schedule variance, and ten (10) have been extended. The project with the longest forecast schedule extension is the Bioregional Habitat Restoration (BHR) Project at 40 months. The last project forecast to complete in the March 2018 Revised WSIP is the Regional Groundwater Storage and Recovery (RGWSR) project.

The forecasted cost of regional projects has increased from \$4,373.8M to \$4,415.8M (an increase of \$42M or 1%). This forecast does not include financing costs which are currently being reconciled for comparison to the original financing budget for the program.

The budget revisions involve a mix of cost increases and cost savings at the project level. The project with the largest cost increase is the RGWSR. The 2018 approved project budget of the RGWSR is \$25.2M greater than the 2016 approved project budget had been.

To facilitate distribution, the attached document is also available in the Reports section of the WSIP Web Page at [www.sfwater.org/wsip](http://www.sfwater.org/wsip). Please do not hesitate to contact me at (415) 554-1600 if you have questions or need additional information.

Sincerely,

  
Harlan L. Kelly, Jr.  
General Manager

Attachment: Notice of Changes Report, Water System Improvement Program

cc: (with attachment)

Nicole Sandkulla - Chief Executive Officer and General Manager, BAWSCA

Thomas (Tom) Francis – Water Resources Manager, BAWSCA

Richard (Dick) McCarthy - Executive Director, California Seismic Safety Commission

Fred Turner - Structural Engineer, California Seismic Safety Commission

Bruce Burton - Chief of Northern California Drinking Water Field Operations Branch, California Department of Public Health

cc: (without attachment)

Commissioner Ike Kwon, President

Commissioner Vince Courtney, Vice President

Commissioner Ann Moller Caen

Commissioner Francesca Vietor

Commissioner Anson Moran

Assembly Member Al Muratsuchi – Chair, Joint Committee on Legislative Audit

Senator Richard Roth – Vice Chair, Joint Committee on Legislative Audit

Dr. Karen Smith, MD, MPH, Director, CA Dept. of Public Health

The Honorable Tracy Johnson, Vice-Chairman, California Seismic Safety Commission

Al Mendall - Chair, BAWSCA

Barbara Pierce - Vice-Chair, BAWSCA

BAWSCA Member Agencies (distributed by BAWSCA)





June 19, 2018

The Hon. Ike Kwon, President  
San Francisco Public Utilities Commission  
525 Golden Gate Avenue, 13<sup>th</sup> Floor  
San Francisco, CA 94102

**SUBJECT: Projected Wholesale Customer Water Purchases from the San Francisco Regional Water System in Compliance with Section 4.05 of the 2009 Water Supply Agreement between San Francisco and its Wholesale Customers**

Dear President Kwon,

Section 4.05 of the July 2009 Water Supply Agreement (Agreement) between the City and County of San Francisco (San Francisco) and its Wholesale Customers requires the San Francisco Public Utilities Commission (SFPUC) to annually prepare a Water Supply Development Report (Report) for consideration by the Commission each December. The purpose of the Report is to assess progress made toward meeting the Interim Supply Limitation (265 million gallons per day, MGD) adopted by the Commission and in effect through December 31, 2018.

The Agreement provides that the Bay Area Water Supply and Conservation Agency (BAWSCA) will provide the SFPUC with water purchase projections for the Wholesale Customers utilized in the Reports. These projections are to be submitted by BAWSCA to the Commission by June 30 each year beginning 2010.

Based on information provided to BAWSCA by its member agencies, the aggregate Wholesale Customer Water Purchases in 2018 are currently projected to be 139 MGD.

The enclosed Table 1 summarizes the projected purchases from San Francisco for each Wholesale Customer in FY 2018-19. This table was prepared using data documented in the *BAWSCA FY 2016-17 Annual Survey*.

BAWSCA looks forward to working with your staff as the Report is prepared for the Commission's consideration this coming December. If you have any questions, please contact Tom Francis, BAWSCA Water Resources Manager, at 650-349-3000.

Sincerely,

A handwritten signature in blue ink that reads "Nicole M. Sandkulla".

Nicole M. Sandkulla  
Chief Executive Officer/General Manager

Enclosure:

- Table 1: Projected SFPUC Purchases by the BAWSCA Member Agencies in FY 2018-19

cc: Harlan Kelly, SFPUC General Manager  
BAWSCA Board of Directors  
BAWSCA Member Agency Representatives  
Allison Schutte, Hanson Bridgett



## **State Water Board Releases Final Draft of Bay-Delta Water Quality Control Plan Update**

ACWA Advisory | July 10, 2018

The State Water Resources Control Board on Friday released the final draft of the Bay-Delta Water Quality Control Plan update for the Lower San Joaquin River and Southern Delta and announced progress on efforts to update flow requirements for the Sacramento River, Delta and their tributaries.

The State Water Board's proposal continues to require 40 percent of unimpaired flows for February through June, with an allowed adaptive range between 30 to 50 percent, for the Stanislaus, Tuolumne and Merced Rivers through to the San Joaquin River. The proposed flow objectives are intended to increase the required flows left in rivers for the protection of fish and wildlife, but would significantly reduce water available to water users in the Lower San Joaquin River Watershed.

ACWA staff is reviewing the document and coordinating with affected members to determine the best steps moving forward.

ACWA and its members strongly believe that water policy based on a percentage of unimpaired flow is the wrong approach and should be replaced with a comprehensive, collaborative approach that includes "functional" flows as well as non-flow solutions.

### **Background**

In March 2017, ACWA submitted written comments on the initial draft document. In May 2017, ACWA produced a video titled "A Defining Moment in California Water" to highlight the key issues in the policy statement, including functional flows. In November 2017, ACWA coordinated with water suppliers from throughout California to develop and submit a coalition statement to the State Water Board on a new approach to water management for the Bay-Delta.

Unfortunately the State Water Board continues to seek to impose the "unimpaired flow" approach, which does not ensure adequate habitat or other important functions critical to species survival. Instead, it will lead to widespread fallowing of vital agriculture land, affect drinking water supplies and hydro power generation, undercut groundwater sustainability goals and make more difficult the implementation of other priority water issues in the Governor's California Water Action Plan.

### **Next Steps**

The State Water Board has instructed that it will only accept written comments on the proposed revisions to the 2016 Draft Amendments that are reflected in the Proposed Final Amendments in double underline and double strikeout, located in Appendix K, Revised Water Quality Control Plan, of the Final Substitute Environmental Document. It will no longer consider comments on the plan in general.

Written comments are due on July 27 by noon and are to be submitted by email.

The State Water Board will receive oral comments at its meeting Aug. 21 and Aug. 22 in Sacramento.

### **Questions**

For questions regarding this matter, please contact Regulatory Advocate Chelsea Haines or ACWA Director of State Regulatory Relations David Bolland at (916) 441-4545.

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## **State Water Board Releases Plan to Increase Flows in San Joaquin River and Tributaries**

Elk Grove News | July 10, 2018 | Dan Bacher

The State Water Resources Control Board on July 6 released its final draft plan to increase water flows through the Lower San Joaquin River and its tributaries — the Stanislaus, Tuolumne and Merced rivers — a move praised by fishermen and environmentalists, but criticized by agribusiness representatives.

Citing nine years of research and extensive public outreach, the Board announced the increased water flows were designed to “prevent an ecological crisis, including the total collapse of fisheries,” according to a statement from the Board.

“The San Francisco Bay-Delta is an ecosystem in crisis. The Board’s challenge is to balance multiple valuable uses of water—for fish and wildlife, agriculture, urban, recreation, and other uses,” said State Water Board Chair Felicia Marcus. “Californians want a healthy environment, healthy agriculture, and healthy communities, not one at the expense of the others. That requires the water wars to yield to collective efforts to help fish and wildlife through voluntary action, which the proposed plan seeks to reward.”

Ironically, the same board that released the draft plan to increase water flows thorough the Lower San Joaquin River and its tributaries is also continuing with the evidentiary hearings for the change in point of diversion petitions by the California Department of Water Resources and the Bureau of Reclamation to build Governor Jerry Brown’s Delta Tunnels.

If these tunnels are built, tunnels opponents say they would greatly counteract the fishery and ecosystem benefits resulting from the draft plan released today because they would divert more Sacramento River from flowing into the San Francisco Bay-Delta Estuary.

The Board said the release of the third and final draft of the Bay-Delta Water Quality Control Plan update for the Lower San Joaquin River and Southern Delta, and an accompanying Substitute Environmental Document, “comes after a nine-year process during which the Board studied and analyzed options, conducted extensive public outreach, including public hearings in the area, and reviewed more than 1,400 comment letters.”

On the same day, the State Water Board also announced “further progress” on its effort to update flow requirements for the Sacramento River, its tributaries, and the Delta and its tributaries, including the Calaveras, Cosumnes and Mokelumne rivers. This update is at an earlier stage procedurally than the Lower San Joaquin River/Southern Delta plan update; a draft proposed plan and staff report analyzing alternatives will be released later this year for public review and comment, according to the Board.

“The two Bay-Delta Plan updates are aimed at addressing an ecological crisis in the Delta and preventing further collapse of Bay-Delta fisheries,” the Board stated. “A dramatic decline in the populations of native fish species that migrate through and inhabit the Delta has brought some species to the brink of extinction.”

Approximately 70,000 fall-run Chinook salmon adults returned to the San Joaquin Basin in 1984. The number of returning adults dropped to approximately 40,000 in 2010 and again to 8,000 returning adults in 2014, the Board noted.

“While multiple factors are to blame for the decline, the magnitude of diversions out of the Sacramento, San Joaquin, and other rivers feeding into the Bay-Delta is a major factor in the ecosystem decline,” the Board added.

The draft final Lower San Joaquin River/Southern Delta update includes improved instream flows February through June, the critical months for protecting migrating fish on the Stanislaus, Tuolumne and Merced rivers, according to the Board. These flows are measured as a percentage of “unimpaired flow,” the amount of water that would come down the river if there were no dams or other diversions.

Here are some of the specifics of the draft plan:

- A 40 percent of unimpaired flow requirement, within a range of 30 to 50 percent, is proposed as an appropriate balance for this plan update because it can improve conditions for fish and wildlife considerably without more challenging impacts on other water users.

The Board said currently, flows remaining in the rivers can run as low as 10 to 20 percent of unimpaired flow at critical times of the year and range from 21 to 40 percent on average for the three tributaries.

“The unimpaired flow requirement is not intended to be a rigid and fixed percent of flow. The proposal provides for and encourages collaboration to use the flows as a block of water or ‘water budget’ that can be allocated to “shape” or shift flows in time to better achieve ecological functions such as increased habitat, more optimal temperatures, or migration cues,” the Board said.

- The draft plan recognizes that other “non-flow” factors, such as habitat loss, predation and pollution, affect survival rates of fish and other species. The plan would allow reduced river flows if stakeholders step up to pursue non-flow measures to improve conditions for fish and wildlife. Negotiations for voluntary agreements are taking place between stakeholders and the California Natural Resources Agency and its departments.

- The draft final update also includes a revision of the salinity standard for the southern Delta. Maintaining an adequate amount of fresh water in the southern Delta is critical to protecting agriculture in the region. The year-round salinity standard in the draft final update increases slightly from the current seasonal standards, based on salinity tolerance studies of sensitive crops.

John McManus, president of the Golden Gate Salmon Association, welcomed the board’s release of the plan.

“No one can deny we’ve heavily damaged the natural function and benefits of the rivers by over-diversion. Salmon runs in the three major San Joaquin River tributaries have fallen from 70,000 in 1984 to 8,000 in 2014. This has hurt fishing families and coastal communities,” said McManus.

“Any proposal to increase water for fish is really a proposal to increase water for fishing families and communities downstream that rely on salmon,” he said. “Most Californians don’t want to see our state rivers dammed and diverted to the point where everyone else downstream is left high and dry and driven out of business. Basic fairness requires the upstream dam operators to share with others downstream that rely on the state’s natural resources historically provided by these rivers. The State Water Board has taken a historic first step to address this problem.”

Doug Obegi, lawyer for the Natural Resources Defense Council (NRDC), noted that the Board's recommendation that winter-spring Delta outflow should be 55% of unimpaired flow, is "significantly less than what the best available science shows is needed." Unimpaired flow is what would flow naturally in the absence of dams and diversions.

"The Board also recommends incorporating existing federal restrictions on the operations of the Central Valley Project and State Water Project, to ensure that fish and wildlife – and the thousands of fishing jobs that depend on them – are protected. These recommendations come just as the Trump Administration seeks to weaken those federal protections in the Delta," he stated.

Obegi also said this State Water Board framework "also has important implications for the California WaterFix, including the re-vote next week by the Board of Directors of the Metropolitan Water District of Southern California (MWD)."

"MWD staff have sold the tunnels as a way to maintain or increase water diversions from the estuary, despite the fact that WaterFix would worsen Delta outflows compared to today and worsens conditions for native fish and wildlife. However, by proposing significant increases in Delta outflow and reduced diversions from the estuary, the State Water Board's framework provides a clear signal that WaterFix will not maintain current levels of diversions, and MWD Board members should not be surprised when WaterFix yields significantly less water supply than MWD staff has claimed," said Obegi. For more information, go to: [www.nrdc.org/...](http://www.nrdc.org/)

The Farm Water Coalition responded to the board's decision by claiming that it "will leave thousands of acres of farmland with zero surface supply in certain water year types, stripping the Central Valley of over 6,500 jobs and \$1.6 billion in economic output."

"Despite dozens of meetings, testimony from experts representing public water agencies, cities, farms, school districts and more, as well as mounting scientific proof that their approach is wrong, the State Water Board has not budged an inch, said Mike Wade, executive director of the California Farm Water Coalition

"The State Water Board's unimpaired flow strategy does nothing to address major stressors in the system, such as the loss of habitat for native species and overwhelming predators that have gained a problematic foothold on the Delta. What is needed, instead, are functional flows, which can meet multiple needs from farming to habitat protection, recreation, and urban water supply needs," said Wade.

The draft text of the Proposed Final Amendments for the flow plan was modified after consideration of public input. Those revisions can be found in Appendix K of the Draft Final Substitute Environmental Document [here](#).

The State Water Board is accepting written comments on those changes until 12 p.m. (noon) on Friday, July 27, 2018. The hearing notice and instructions for submitting comments on the revisions can be found [here](#).

A summary of the modifications and discussion of the changes can also be found in Volume 3, Master Response 2.1, Amendments to the Water Quality Control Plan [here](#). Board consideration of the Bay-Delta Water Quality Control Plan Update for the Lower San Joaquin River and Southern Delta will begin in August.





## **State Water Board Proposes Increased Delta Outflow**

NRDC | July 06, 2018 | Doug Obegi

The State Water Resources Control Board today recommended potentially significant increases in Delta outflow, and reduced diversions throughout the Bay-Delta watershed, to protect water quality and our native fish and wildlife in this magnificent watershed and estuary. However, the Board's recommendation that winter-spring Delta outflow should be 55% of unimpaired flow (unimpaired flow is what would flow naturally in the absence of dams and diversions) is significantly less than what the best available science shows is needed. The Board also recommends incorporating existing federal restrictions on the operations of the Central Valley Project and State Water Project, to ensure that fish and wildlife—and the thousands of fishing jobs that depend on them—are protected. These recommendations come just as the Trump Administration seeks to weaken those federal protections in the Delta.

As the Board recognizes, the Delta is in ecological crisis. The Board's approach of requiring a percentage of unimpaired flows to remain in the river and Delta is scientifically sound and has repeatedly been peer reviewed, as discussed in more detail below. But the details of the proposal matter, and will determine whether California sustains its native fish and wildlife for future generations. NRDC and our partners will closely review these documents over the coming weeks and months, and we look forward to the State Water Board releasing its environmental review of these proposals and alternatives later this year.

In 2009, the Legislature established state policy to reduce reliance on the Delta and invest in local and regional water supplies (Cal. Water Code § 85021). The Board estimates that its proposal would result in an estimated 17% reduction in diversions from the watershed (with is only a 5% reduction in total water supplies, since water diversions from the Bay-Delta account for less than one third of total water supplies used by all of us who divert from the Bay-Delta). However, California has a huge Untapped Potential to create millions of acre feet of new, sustainable water supplies by improving water use efficiency on farms and in cities, increasing water recycling, and capturing more stormwater in urban areas. These and other sustainable water supplies can help California protect the environment and sustain our economy for generations to come.

This State Water Board framework also has important implications for the California WaterFix, including the re-vote next week by the Board of Directors of the Metropolitan Water District of Southern California (MWD). MWD staff have sold the tunnels as a way to maintain or increase water diversions from the estuary, despite the fact that WaterFix would worsen Delta outflows compared to today and worsens conditions for native fish and wildlife. However, by proposing significant increases in Delta outflow and reduced diversions from the estuary, the State Water Board's framework provides a clear signal that WaterFix will not maintain current levels of diversions, and MWD Board members should not be surprised when WaterFix yields significantly less water supply than MWD staff has claimed. Increased protections in the Delta will make local and regional water supplies even more cost-effective as compared to the tunnels, and today's announcement from the State Water Board shows the wisdom of leaders in Southern California like Mayor Garcetti who are planning for a future with less water from the Delta.

## **Background Information on the Bay Delta Water Quality Control Plan**

### New Standards to Protect the Estuary Are Long Overdue

As the Board's framework notes, the Bay-Delta is in ecological crisis, with salmon and other native fish species rapidly declining in abundance and heading towards extinction if the State doesn't act. The State Water Board last substantively updated these standards in 1995, despite the statutory requirement to review these standards every 3 years. The current review of these standards began in 2008, and it is likely to conclude in 2019.

### Increased Delta Outflows Are Scientifically Justified

For nearly a decade, the State Water Board and other state and federal agencies have been warning that current levels of water diversions are unsustainable, and that we must increase Delta outflow if we are going to restore and maintain a healthy San Francisco Bay and Bay-Delta estuary. For instance, in 2010 the Board completed its report on the flows needed to fully protect fisheries and Public Trust resources in the Bay-Delta, concluding that the best available science demonstrated that increased Delta outflow are necessary (it recommended that winter-spring Delta outflow would be 75% of unimpaired flow, with only 25% of unimpaired flow be diverted during these months). Similarly, in 2012, the National Research Council (part of the National Academies of Science) issued its report on Sustainable Water and Environmental Management in the California Bay-Delta that, concluded that:

Thus, it appears that if the goal is to sustain an ecosystem that resembles the one that appeared to be functional up to the 1986-93 drought, exports of all types will necessarily need to be limited in dry years, to some fraction of unimpaired flows that remains to be determined. Setting this level, as well as flow constraints for wetter years, is well beyond the charge of this committee and accordingly we suggest that this is best done by the SWRCB, which is charged with protecting both water rights holders and the public trust.

In 2017, the State Water Board released its peer reviewed report on the scientific basis for new water quality standards, which likewise concluded that the best available science demonstrated that significantly increased Delta outflow is needed to protect and restore the health of the estuary.

### What Are Unimpaired Flows, and What Has the State Water Board Proposed?

The State Water Board has proposed that Delta outflows during the winter and spring be increased to a range of 45-65% of the unimpaired flow, with a starting point of 55% of unimpaired flow. This means that during these months, the amount of water flowing into the Delta and out of the Delta into Suisun Bay and San Francisco Bay are at least a certain percentage of the flow that would occur if there were no dams and diversions (a percentage of unimpaired flows). This approach is scientifically sound and has been repeatedly peer reviewed.

The State Water Board estimates that current January to June Delta outflow are approximately 44% of unimpaired flow in an average year, so the Board's proposal would increase Delta outflows during most years (particularly drier years). However, the range of Delta outflows is significantly lower than was recommended in the State Water Board's 2010 report (75%).

This approach (using a percentage of unimpaired flows) can restore variability in the amount of river flows within years and between years, which is critically important to maintaining natural functions and sustaining native species, including salmon. Flows will be higher in wet years and lower in dry years, as people and the environment share the water. Requiring a higher percentage of unimpaired flows means that ecological functions and biologically-important flow thresholds are achieved more frequently. This approach also allows managers to have some flexibility to shape flows during the year to achieve specific ecological functions, while also allowing for natural variability in flows.

The Board's general approach provides ecological benefits both upstream and downstream. It would increase flows in the Sacramento River and other rivers, which has been shown to increase salmon survival throughout the River. Downstream, these increased flows will improve water quality in the Delta and increase the survival and abundance of native species in the Delta, like longfin smelt or green sturgeon. Higher flows result in increased floodplain inundation, expanded low salinity habitat in the estuary, and help achieve other important ecological functions.

# # #

*Doug Obegi is Director, California River Restoration, Water Division, Nature Program*



## **SF would face new limits under state water proposal**

San Francisco Chronicle | July 6, 2018 | Kurtis Alexander

California water officials announced an ambitious plan Friday to revive some of the state's biggest rivers, a move that seeks to stave off major devastation to wetlands and fish, but on the back of cities and farms.

San Francisco, as well as numerous urban and agricultural water suppliers, under the plan would face new limits on how much water it draws from the San Joaquin River and its tributaries in the Sierra Nevada.

While the restrictions would help move once free-flowing waterways closer to their natural states, providing a boon for the freshwater-starved Sacramento-San Joaquin River Delta and such threatened fish as coho salmon, the effort comes as cities and farms are already facing tighter water supplies because of changing climate and drought. Many fear they won't get the water they need or will have to pay a lot more for it going forward.

"We know this water grab will have devastating impacts to our region," said a joint statement from the Modesto and Turlock irrigation districts, two large providers of water to Central Valley farmers and ranchers.

Agriculture groups on Friday were already talking about having to pull thousands of acres of land out of production, resulting in fewer jobs and less economic output, even after repeated promises over the past year by the Trump administration to do all it can to bring more water to the fields.

San Francisco officials were still reviewing the plan, but they said they, too, were yet to find improvements from a proposal released last year.

"We commented really extensively and had great concerns about the original draft," said Steve Ritchie, assistant general manager of water for the San Francisco Public Utilities Commission. "It's really hard to say what's changed, if anything, in here."

The Public Utilities Commission had warned that the initial plan, if left unmodified, would force new water restrictions on city residents or raise customer rates in order to fund additional sources of water, like desalination.

The agency, which serves San Francisco and many Bay Area suburbs, has largely been free of regulation because of privileged water rights at Hetch Hetchy Reservoir in Yosemite. Hetch Hetchy, however, sits on the Tuolumne River, one of the rivers now targeted for higher flows.

The State Water Resources Control Board is calling for 30 to 50 percent of the water that naturally runs in the Tuolumne River as well as the San Joaquin, Stanislaus and Merced rivers to remain in the riverbeds.

Historically, as much as 80 percent of the water has been diverted for urban and agricultural use.

The rivers sometimes become only a muddy trickle, making it hard on fish and often leaving the delta, the largest estuary on the West Coast and a pillar of California's water supply, low on water or with too much salinity from seawater intrusion.

“The Bay-Delta estuary has great significance to much of California, whether you care about agriculture or fisheries, urban or rural communities, or the environment,” said Felicia Marcus, chair of the State Water Board. “But there is a serious problem, one that perhaps is not as visible as all those benefits: The ecosystem that the water supports is in crisis.”

Marcus acknowledged that the decline is the result of several factors, including pollution and the loss of floodplain habitat. But she said the overarching issue is inadequate flow from rivers.

Environmental groups and fishing interests have been supportive of the state’s push for more water.

“No one can deny we’ve heavily damaged the natural function and benefits of the rivers by over-diversion,” said John McManus, president of the Golden Gate Salmon Association, who praised the new plan. “This has hurt fishing families and coastal communities.”

The State Water Board is accepting public comment on the plan through July 27, after which it will vote on whether to move forward.

State water officials are also pursuing similar restoration efforts for the Sacramento River and the delta, both of which are expected to require water restrictions from additional cities and farms.

# # #

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## **Here's how to move beyond the water wars and save the Delta**

Sacramento Bee | July 6, 2018 | Felicia Marcus

The San Francisco Bay and the Sacramento-San Joaquin Delta estuary and watersheds improve the lives of nearly everyone in California, and many far beyond.

They put food on the table, put tens of thousands of people to work and deliver drinking water to more than 26 million Californians. These waters are a precious, shared resource. But there is a serious problem.

### Opinion

The ecosystem that the water supports is in crisis. Native fish, such as chinook salmon and steelhead, are on the brink of extinction. Populations of fall-run chinook returning to the San Joaquin River basin have plummeted 90 percent in the last 35 years. And the crisis is affecting other species that depend on fish for survival.

Simply put, these waters are no longer healthy and they need our help to survive. There are many reasons for the decline, including loss of floodplain habitat, pollution and predation from non-native species. But the key factor is inadequate flow remaining after farms and communities take their sips or gulps. Without adequate flow, floodplains don't flood, migrating fish can't avoid predators and pollution and salts don't get diluted and flushed through the ecosystem as efficiently. It's a cascading problem that is difficult to fix, particularly as climate change causes increasing extremes in precipitation.

Fortunately, we have the ability to restore some balance to this system through the Sacramento-San Joaquin Bay-Delta Plan. But this plan is now more than 20 years old and must be modernized for today's conditions.

The State Water Board staff has just released its final draft of the Lower San Joaquin and Southern Delta update for final public comment. It addresses flows on the three main tributaries of the lower San Joaquin River, and south Delta salinity standards to protect agriculture.

The staff also released an update on the Sacramento/Delta part of the plan to help the Sacramento River and its tributaries and the Delta and its tributaries, including the Calaveras, Cosumnes and Mokelumne rivers. Together, these plans detail the actions we must take to fix the problems in the Bay-Delta ecosystem.

Yes, leaving more water to flow into the Delta from both the San Joaquin and Sacramento watersheds will be challenging for water users, which is why the proposal sends more water but still less than what is optimal for fish and wildlife. Water users can adapt – by switching crops, becoming more efficient and storing more water in wet times. In contrast, species pushed to the brink of extinction have few options.

While the State Water Board has authority to address water flow and quality issues, it cannot order people to restore fish habitat or remove invasive species or take other actions that can help restore fish and wildlife with potentially less water.

But the board can reward such voluntary efforts through lower required flows, providing an olive branch to those who would leave water wars behind in favor of real action.

The public will have additional opportunities to comment on both plan updates. Meanwhile efforts are underway between stakeholders and other state agencies to design voluntary agreements.

Californians need, want and deserve a healthy environment, agriculture and communities. That happens best when people rise to the occasion together.

# # #



## **Plan would restore the Tuolumne**

San Francisco Chronicle | June 15, 2018 | Peter Drekmeier

To improve the quality of our water and the health of our rivers and the San Francisco Bay-Delta, the State Water Resources Control Board is updating the Bay Delta Water Quality Control Plan as required by the U.S. Environmental Protection Agency. The board is considering requiring higher in-stream flows between February and June, which are critical months for baby salmon growth and migration. For the Tuolumne River, this would increase flows from an anemic 21 percent to a modest 40 percent of unimpaired flow.

During the recent drought, Bay Area residents and businesses stepped up to the challenge of conserving water and dramatically reduced their water use. In the Hetch Hetchy Water and Power System service area, water use declined by 30 percent between 2006 and 2016. But the Tuolumne River, which fills Hetch Hetchy Reservoir, rarely saw any of the water we saved, and it shows. The river is much lower and warmer than it should be, and salmon populations are barely surviving. Where well more than 100,000 salmon used to spawn, the salmon population has plummeted to the low thousands or even hundreds.

Some 2.7 million people in San Francisco, San Mateo, Santa Clara and Alameda counties get most of their water from the Hetch Hetchy Water and Power System, which is managed by the San Francisco Public Utilities Commission. The commission opposes the state board's proposal to keep more water flowing in the Tuolumne River for three reasons:

Its policy and practice focus on human consumption, not environment or water quality. A 1995 agreement with the Modesto and Turlock irrigation districts — the senior water rights holders on the Tuolumne — that committed the commission to support the districts' political position on in-stream flow requirements for fish and wildlife, regardless of what the best available science tells us. Irrigation districts are notorious for opposing environmental safeguards, yet the commission gave up its right to think and act in accordance with the environmental values of its constituents.

It wants to maximize stored water in case of drought. This policy of hoarding compromises the future of salmon and the entire ecosystem they support. While it has been demonstrated that the commission could manage a repeat of the drought years even with the revised Bay Delta Plan in effect, it is planning for an extreme scenario that arbitrarily combines the two worst droughts from the latter part of the last century. In a worst-case scenario, the agency could purchase water from an agricultural water district for less than it currently charges its customers.

The Bay Area is projected to grow in the coming years. Plan Bay Area, a road map for growth prepared by Bay Area Metro, forecasts the addition of 1.3 million jobs between 2010 and 2040, attracting 2 million more people to the region. Between 2010 and 2015, half of those jobs were already added, far outpacing the creation of new housing. As a result, the housing crisis and traffic gridlock have worsened, while our environment continues to suffer.

During the recent drought, the Public Utilities Commission released only as much water from its dams as was required by a 20-year-old flow schedule. The rest was impounded for future use. At the height of the drought, the agency had enough water in storage to last three years.

Then came 2017 — the second-wettest year on record — and the dam operators on the Tuolumne had to dump massive amounts of water to prevent future flooding. The river flowed at capacity from early January through May, and stream flows remained high throughout the summer. Had more water been released into the river during the drought, fish and wildlife would have benefited, and the agency still would have had enough water to refill all of its reservoirs twice over.

Without safeguards in place to require more water to flow down our rivers, there's no assurance the water we conserve will benefit aquatic ecosystems. The Bay Delta Water Quality Control Plan is our best hope to restore a balance between human needs and those of the natural environment that makes our region so special.

# # #

*Peter Dreke is policy director for the Tuolumne River Trust.*

## **Restore Hetch Hetchy to Continue Legal Challenge Following Adverse Ruling from Appellate Court**

Sierra Sun Times | July 11, 2018

July 11, 2018 - BERKELEY, CALIF. (PRWEB) - Restore Hetch Hetchy announced yesterday that it will continue its legal campaign against San Francisco's continued use of Yosemite's Hetch Hetchy Reservoir, in spite of an adverse ruling from California's 5th District Court of Appeal.

On July 9, California's 5th District Court of Appeal ruled that Restore Hetch Hetchy has no right to a trial on its claim that San Francisco's Hetch Hetchy Reservoir violates the California Constitution as the federal Raker Act preempts State law. (Case No. CV 59426 – <http://bit.ly/29CQTkJ>).

Restore Hetch Hetchy's case alleges that the reservoir that is flooding the Hetch Hetchy Valley in Yosemite National Park, burying it under 300 feet of water, violates the California Constitution's mandate prohibiting any "unreasonable method of diversion." While the Raker Act, passed by Congress in 1913, allowed San Francisco to build a dam in Yosemite's Hetch Hetchy Valley, it did so with the explicit provision that all aspects of San Francisco's water system comply with California law. Restore Hetch Hetchy seeks a hearing in the California courts which would weigh the significant value of restoration against the cost of water system improvements necessary for San Francisco to retain its existing Tuolumne River supplies without the Hetch Hetchy Reservoir.

The appellate court ruled against Restore Hetch Hetchy in spite of the many amicus briefs filed in the case, including a brief submitted by the California Attorney General on behalf of the State Water Resources Control Board, which agreed San Francisco must comply with the California Constitution.

"While we are disappointed by the court's ruling, we are in this for the long term and will continue to fight for what is right through the courts ... and as far as we need to take it," said Spreck Rosekrans, Executive Director for Restore Hetch Hetchy. "We are convinced that the legal and technical merits of our case are well-founded and we plan to ask the California Supreme Court to review this ruling. We are hopeful that the highest court in the State will understand the important States' Rights issues that this case brings forward."

"San Francisco may be pleased by this ruling," added Rosekrans, "but the City shouldn't be proud of its continued evasion of State law."

"We are very disappointed in the court's ruling," said Michael Lozeau, lead counsel for Restore Hetch Hetchy. "The Court's decision fails to honor Congress' intent that California's water laws absolutely control the O'Shaughnessy Dam and reservoir even if State law conflicts with Congress' right-of-way grant."

Citizens who are interested in joining campaign to restore Yosemite's Hetch Hetchy Valley can find out more at <http://www.hetchhetchy.org>.

Restore Hetch Hetchy's mission is to return the Hetch Hetchy Valley in Yosemite National Park to its natural splendor while continuing to meet the water and power needs of all communities that depend on the Tuolumne River.

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## **Appeals court rejects effort to tear down Yosemite's Hetch Hetchy Reservoir**

San Francisco Chronicle | July 9, 2018 | Kurtis Alexander

The push to drain Yosemite's Hetch Hetchy Reservoir and restore the Sierra canyon to its natural state was rejected by the courts — again — Monday, though opponents of the dam said they plan to take their fight to the California Supreme Court.

In a legal case that has been a thorn in the side of the city of San Francisco, California's Fifth District Court of Appeal in Fresno ruled that a Tuolumne County judge was correct two years ago when he tossed a lawsuit seeking to raze the city-run reservoir.

Restore Hetch Hetchy, a Berkeley group, has argued that San Francisco should not have rooted its water supply in a national park because it overran a pristine valley and violated a provision of the state Constitution requiring reasonable water use. But the appeals court agreed with the lower court that the city had federal permission to build the reservoir and didn't need to meet the state standard.

"Congress specifically ordered the creation and operation of a dam, intending for the continued operation of this structure," wrote the three-judge appeals panel. "The trial court correctly concluded Restore Hetch Hetchy's claims are preempted under federal law."

The reservoir on the Tuolumne River has long faced opposition, even before it got off the ground in the early 1900s.

Renowned naturalist John Muir made the fight against the dam one of his defining causes, equating the canyon's beauty to the more popular Yosemite Valley and insisting that granite domes and towering waterfalls not be compromised for a municipal water supply.

However, San Francisco officials were desperate for more water at the turn of the century, especially when the 1906 earthquake and subsequent fires exposed the shortfalls of its reserves.

In 1913, President Woodrow Wilson signed the Raker Act, authorizing construction of the O'Shaughnessy Dam, which created the Hetch Hetchy Reservoir.

San Francisco officials have maintained that the legality of Hetch Hetchy has long been settled and that the water supply has become indispensable for the region.

Today, the reservoir anchors a sprawling waterworks that serves 2.7 million residents and businesses in more than a dozen Bay Area communities. It also generates hydroelectric power.

Restore Hetch Hetchy initiated the fight against the complex six years ago when it qualified an initiative for the San Francisco ballot that would have required the city to explore removing the dam. The measure was defeated. In 2015, the group filed a lawsuit.

On Monday, Spreck Rosekrans, executive director of Restore Hetch Hetchy, insisted that despite the latest setback, the reservoir remains in violation of state law.

"We are convinced that the legal and technical merits of our case are well-founded and we plan to ask the California Supreme Court to review this ruling," he wrote in an email to the Chronicle. "We are hopeful that the highest court in the state will understand the important states' rights issues that this case brings forward."

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## **Coalition Protests Delta Tunnels Tax as MWD Revotes on \$11 Billion to Finance WaterFix**

Daily KOS | July 9, 2018 | Dan Bacher

Before the Metropolitan Water District (MWD) of Southern California is forced to retake its vote on financing \$11 billion of Governor Jerry Brown's \$17 billion Delta Tunnels project on Tuesday, July 10, ratepayers, taxpayer advocates, faith leaders, union representatives and environmentalists will hold a press conference to protest the environmentally destructive project.

The press conference will take place at 11:00 a.m. prior to the MWD Board Workshop on the tunnels in the courtyard of the Metropolitan Water District Headquarters, 700 North Alameda Street, Los Angeles, CA 90012. The workshop will begin at 12 noon.

"Advocates will expose legal violations in the original vote that require board members to retake the decision, and outline next steps by the coalition to oppose the tunnel tax," said Brenna Norton of Food and Water Watch. "The vote comes days after the State Water Board announced a reduction the amount of water that can be pumped south, making local and regional water supplies more cost-effective compared to the tunnels."

The project, also called the California WaterFix, features two massive 35 mile long tunnels under the Delta that will divert Sacramento River from the North Delta to the state and federal water project pumps in the South Delta to be exported to corporate agribusiness interests, Southern California water agencies and oil companies conducting fracking and other extreme oil extraction operations.

Project opponents say the tunnels will raise water rates while not creating one drop of new water — and hastening the extinction of winter run and spring run Chinook salmon, Central Valley steelhead, Delta and long fin smelt, green sturgeon and other fish species, as well as imperiling the salmon and steelhead populations on the Trinity and Klamath rivers. Jerry Brown's "legacy project" threatens the very existence of the San Francisco Bay Delta and West Coast fisheries.

Norton said the revote comes [amid revelations that MWD & MWDOC officials worked directly with Representative Ken Calvert's office](#) to eliminate judicial review of the tunnels project, while keeping certain staff, some MWD Board Members and state water contractors in the dark.

Delta Tunnels opponents showing their opposition to the project at the press conference and hearing will include Los Angeles ratepayers, Food & Water Watch, Social-Economic-Justice Network (SEE), Consumer Watchdog, Los Angeles Ministers Forum, SEIU Local 721, Restore the Delta, Alliance of Californians for Community Empowerment (ACCE), Los Angeles Waterkeeper, Sierra Club and Los Angeles neighborhood council presidents. Public trust and ratepayer advocates will hold signs at hearing and press conference

"Public records show that tunnel supporters on the MWD board, with help from Governor Brown, engaged in back room wheeling and dealing to pressure MWD board members to finance tunnels project," said Norton. "This violates the Brown Act, which requires public officials to make such decisions transparently, with input from the public. Following a legal letter from Food & Water Watch and the First Amendment Coalition, MWD agreed to retake the vote."

"The two largest cities in the state, Los Angeles and San Diego, and the cities of Santa Monica San Fernando opposed the tunnels in April, citing legal, ratepayer, and environmental concerns," stated Norton.

The meeting will take place following the latest revelations of Restore the Delta's California Public Records Act (CPRA) request documents from the Metropolitan Water District of Southern California (MWD).

"These documents reveal that the Kern County Water Agency (KCWA) and MWD consulted Ken Calvert's Legislative Aide, Ian Foley, on the language of the Valadao Rider—a supplemental provision to the House Appropriations spending bill that would exempt the Central Valley Project and State Water Project from judicial review," according to Restore the Delta (RTD). "The Valadao rider was added to the Appropriations bill after the Calvert rider was approved by the Interior subcommittee, according to Restore the Delta (RTD)."

These latest findings supplement Restore the Delta's findings from the same CPRA request released last week.

On May 21, 2018, Ian Foley, emailed MWD Assistant General Manager Roger Patterson and KCWA Assistant General Manager Brent Walthall to "quietly share" some language from the House Appropriations spending bill and asked both Assistant General Managers for their thoughts. The shared language reads:

"None of the funds made available by this Act or any other Act of Congress shall be used by the Department of the Interior to modify or otherwise adjust the Reasonable and Prudent Alternative described in the Fish and Wildlife Service's December 15, 2008, biological opinion on the coordinated operations of the Central Valley Project and the State Water Project or the Department of Commerce to modify or otherwise adjust the Reasonable and Prudent Alternative described in the National Marine Fisheries Service's June 4, 2009, Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project in any manner that would further contain or limit the ability of the Central Valley Project or California State Water Project to provide, at the earliest possible date, the maximum quantity of water supplies to Central Valley Project agricultural, municipal, and industrial contractors, water service or repayment contractors, water rights settlement contracts, exchange contractors, refuge contractors, and State Water Project Contractors" (MWD-RTD\_000171.pdf).

Mr. Walthall (KCWA) responded that he thinks Kern County would support the language but anticipated that the Valadao rider would create more backlash from tunnels opponents

"The collective effort made by Representative Valadao, Congressman Calvert and his staff, Metropolitan, and Kern County Water Agency to strip due process rights from all residents, municipalities, and water districts who live in the Sacramento and San Joaquin River watersheds and in the Delta is Un-American and Anti-Californian," summed up Barbara Barrigan-Parrilla, Executive Director of Restore the Delta.

It is worth noting that Jerry Brown, who fancies himself as a "green governor" as he promotes the Delta Tunnels and oversees a massive expansion of offshore and onshore oil drilling in California, and Attorney General Xavier Becerra have remained silent about Calvert's rider, although both Senators Dianne Feinstein and Kamala Harris have both gone on record opposing the rider.

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## **Restore the Delta PRA Request Shows Kern County Water Agency and MWD Worked Together on Valadao Rider**

YubaNet.com | July 9, 2018 | Restore the Delta -

July 9, 2018 – Restore the Delta’s recent PRA request documents from the Metropolitan Water District of Southern California (MWD) reveal that Kern County Water Agency (KCWA) and MWD consulted Ken Calvert’s Legislative Aide, Ian Foley, on the language of the Valadao Rider—a supplemental provision to the House Appropriations spending bill that would exempt the Central Valley Project and State Water Project from judicial review. The Valadao rider was added to the Appropriations bill after the Calvert rider was approved by the Interior subcommittee.

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Mr. Walthall (KCWA) responded that he thinks Kern County would support the language but anticipated that the Valadao rider would create more backlash from tunnels opponents.

Executive Director of Restore the Delta, Barbara Barrigan-Parrilla said,

“The collective effort made by Representative Valadao, Congressman Calvert and his staff, Metropolitan, and Kern County Water Agency to strip due process rights from all residents, municipalities, water districts etc. who live in the Sacramento and San Joaquin River watersheds and the Delta is Un-American and Anti-Californian.

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