BAY AREA WATER SUPPLY AND CONSERVATION AGENCY
BOARD OF DIRECTORS MEETING

September 10, 2021

Correspondence and media coverage of interest between August 30, 2021 and September 8, 2021

Media Coverage

Drought/Water Supply Conditions:

Date: September 8, 2021
Source: The Mercury News
Article: California drought: Santa Clara County residents failing to meet water conservation goals

Date: September 7, 2021
Source: San Francisco Chronicle
Article: San Francisco, agriculture suppliers want their water, sue state over drought restrictions

Date: September 3, 2021
Source: KQED
Article: 12 Important Things to Know About California's Drought

Date: September 2, 2021
Source: Cupertino Today
Article: San Jose submits plans for mandatory household water rationing

Date: September 1, 2021
Source: KPIX 5
Article: Drought Emergency: More South Bay Residents Turn To Graywater Systems To Save Water And Their Plants

Date: September 1, 2021
Source: Modesto Bee
Article: State halts diversions from the Tuolumne River. What that means for MID, TID water users

Date: September 1, 2021
Source: Palo Alto Weekly
Article: Running dry: Reservoirs serving Valley Water reach historic lows

Date: August 30, 2021
Source: Natural Resources Defense Council
Article: Are SF and SoCal Prepared for Droughts and Climate Change?

Water Policy:

Date: September 3, 2021
Source: MyMotheLode.com
Article: State Water Curtailment Order Prompts Lawsuit

Date: September 3, 2021
Source: Turlock Journal
Article: State Water Board order could impede 2022 irrigation season, groundwater recharging

Date: September 1, 2021
Source: Los Altos Town Crier
Article: Water board won't intervene in debate over housing mandates

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California drought: Santa Clara County residents failing to meet water conservation goals

In July, water use countywide fell 6%, well short of 15% emergency goal set three months ago

The Mercury News | September 8, 2021 | Paul Rogers

CUPERTINO, CALIFORNIA – SEPTEMBER 7: People fish at Stevens Creek Reservoir, which is just 12% full, in Cupertino, Calif., on Tuesday, Sept. 7, 2021. (Nhat V. Meyer | Bay Area News Group)

On June 9, as California's historic drought deepened, the largest water agency in Santa Clara County declared a drought emergency and asked the county's 2 million residents to cut water use by 15% from 2019 levels to preserve dwindling supplies.

"We can't afford to wait to act," said Tony Estremera, chairman of the Santa Clara Valley Water District, at the time. "Our water supplies are being threatened locally and across California. We are in an emergency."

But three months later, the public isn't heeding the call. New water use numbers show that overall, Santa Clara County residents reduced water use by just 6% in July, compared with July 2019 — well short of the 15% target.

The biggest water savers were Stanford University and the city of Palo Alto, which cut water use 15% and 13%. The biggest laggards: Purissima Hills Water District in Los Altos Hills, which saw its use increase 5% and the cities of Santa Clara and Mountain View, whose residents each reduced use by only 2%.

Estremera and other officials at the Santa Clara Valley Water District, a public agency based in San Jose, note that the countywide 6% savings is an improvement from June, when water use was the same as in June 2019.

“We’re heading in the right direction,” he said. “But more people have to do more.”

Northern California is experiencing the driest two years in a row since 1976-77, with no guarantee that this upcoming winter will bring significant rainfall to break the drought. The 10 reservoirs in Santa Clara County on Tuesday were just 12% full.

And although there are significant water supplies in underground aquifers in the county, the water district’s engineers say that if groundwater is pumped heavily next year, it could cause water tables to drop so fast that the ground could sink in some areas, a phenomenon known as subsidence which can lead to cracked roads, gas lines, water pipes and other damage.

“Next year is really what we are worried about,” Estremera said. “If it’s dry again, we’re in serious trouble.”

Conservation experts say the 13 cities and private water companies around Santa Clara County — many of which buy water from the water district, and provide it to homeowners and businesses — should be doing more.

“People are not getting the message,” said Newsha Ajami, a civil engineer and director of Stanford University’s Urban Water Policy Program. “6% is better than 0%. But having said that, the reality is that we might have a very dry year next year too. And if we don’t start saving, things can go dire. Every drop of water we save today is a drop of water that will be available in our future.”

Complicating conservation efforts: Cities and private water companies across Santa Clara County have differing rules.

Los Gatos allows lawn watering three days a week. But the adjacent city, Saratoga, allows it just twice a week. Mountain View, Santa Clara and Sunnyvale allow watering three days a week, while Gilroy and Morgan Hill allow it only two days a week.

San Jose Water Company, which serves 1 million people in and around San Jose, prohibits its customers from washing their cars at home. But washing cars at home is allowed in neighboring Milpitas.

In addition, there is almost no enforcement of water wasting rules anywhere in the county. The Santa Clara Valley Water District has no legal powers to require any of the cities or water companies to impose uniform rules, or even to meet its conservation targets.

“We do understand it can be a little bit confusing,” said Aaron Baker, chief operating officer of the Santa Clara Valley Water District’s water utility enterprise. “We are encouraging the cities to implement their water shortage contingency plans as they are, but to unify the messaging.”

Baker said the water district would like all 13 cities and water companies that buy water from it to limit landscape watering to no more than twice a week. The agencies meet monthly.

Ajami said people should remember that this drought could go on for many more years.

“A lot of these agencies seem to be just hoping and praying for rain. They think maybe they’ll get lucky,” she said. “Our reservoirs are 12% full. Why are we watering lawns three days a week?”

This past year, San Jose experienced its driest year in 128 years of record-keeping, receiving only 5.33 inches of rain from July 1 to June 30. San Francisco had its third-driest year since the Gold Rush in 1849.

Meanwhile, major reservoirs around the state are at dangerously low levels. Shasta, the largest, on Tuesday was just 26% full. Oroville, the second largest, was 22% full. Santa Clara County relies on both for parts of its water supply.

Amid the shortage, the water district, as the county’s wholesale water provider, has been buying water at high prices from other agencies, like the Glenn-Colusa Irrigation District in the Sacramento Valley, whose farmers have senior water rights and more abundant supplies than other areas.

And although the drought has hit much of California severely, Santa Clara County is in worse shape than many other counties. That’s because its largest reservoir, Anderson, near Morgan Hill, was ordered drained last year by federal officials to rebuild the dam to improve earthquake safety.

A key decision coming up this month is whether San Jose Water Company, the largest retail water provider in Santa Clara County, will decide to impose a system of water budgets for its customers, with surcharges for those who use more than their monthly allotment. Last month, the company submitted such a plan to the California Public Utilities Commission, which approved it Sept. 3.

The company, whose customers cut water use by 6% in July compared to July 2019, put a similar water budget plan in place in 2015 and 2016 during California’s last drought. It is waiting to see August conservation numbers before deciding whether to put such rules in place again.

“We are going to make a decision very soon,” said John Tang, San Jose Water’s vice president for regulatory affairs.

CUPERTINO, CALIFORNIA – SEPTEMBER 7: Looking north from the southern section of Stevens Creek Reservoir at Stevens Creek County Park in Cupertino, Calif., on Tuesday, Sept. 7, 2021. (Nhat V. Meyer | Bay Area News Group)

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San Francisco, agriculture suppliers want their water, sue state over drought restrictions
San Francisco Chronicle | September 7, 2021 | Kurtis Alexander

Sacramento-San Joaquin Delta outside Discovery Bay. Senior water rights holders have sued the state over curtailments. (Carlos Avila Gonzalez | The Chronicle)

In this aerial photo is an abandoned almond orchard in Newman in July. Some farmers are abandoning crops that need a lot of water because of the drought. (Terry Chea | Associated Press)

San Francisco, along with a handful of Central Valley irrigation districts, is suing the state for enacting drought restrictions that are keeping thousands of landowners and suppliers from drawing water from rivers and creeks.

The lawsuit, filed late last week in Fresno County Superior Court, claims that the State Water Resources Control Board — drought or no drought — does not have the authority to suspend the draws of those with the most senior claims to California's water.

These water-rights holders include farms and many of their suppliers, as well as San Francisco. The city holds water rights on the Tuolumne River that date from between 1901 and 1911, allowing it to collect mountain runoff in reservoirs at and around Yosemite National Park and pipe it 160 miles to the Bay Area.

The orders to halt water draws came last month when state officials, after two years of punishing drought, determined that the Sacramento-San Joaquin River basin doesn't have enough water to go around. The move, which curtails 4,500 farms, businesses, public agencies and others that divert water between Fresno and the Oregon border, represents the most drastic cuts ever under California's water-rights system.

The lawsuit, in turn, represents a major threat to the state's ability to manage dwindling water supplies.

Many of those hit with the curtailment orders have backup water sources or storage that's not affected by the crackdown, including San Francisco. But some don't, and others that have plenty of water want to preserve their ability to draw from rivers — for if and when their supplies run out.

"We've got a decent amount of water, certainly by comparison to other people," said Steve Ritchie, an assistant general manager for the San Francisco Public Utilities Commission, the city's water department. But "this drought has come upon us faster and deeper than the most recent droughts. So with curtailments, if we have a very dry year next year ... we'll start to get a lot more nervous."

The SFPUC provides water not only to city residents and businesses but to several other communities in the Bay Area.

The thrust of the legal challenge is that the state water board, which began regulating water draws in 1914, doesn't have authority over water rights that predate its powers. Those with water rights dating before 1914, considered "senior" rights holders, claim that only the courts have jurisdiction.

"As a pre-1914 water-rights holder, there are legal questions about what they can and can't do with us," Ritchie said.

The suit also argues that the state water board hasn't established a clear need to make cuts, nor have the cuts been implemented in a fair and legal way. The litigants say the state doesn't have the tools to adequately measure water use, and therefore, can't ration water appropriately.

The lawsuit was filed by the San Joaquin Tributaries Authority, which represents water suppliers that tap the rivers flowing to the San Joaquin River. The suppliers include Modesto Irrigation District, Oakdale Irrigation District, South San Joaquin Irrigation District, Turlock Irrigation District and San Francisco.

Officials with the state water board declined to discuss the suit. In an email Tuesday, agency spokesperson Jackie Carpenter commented only on the August curtailment orders, calling them necessary to address "extreme water shortages."

The past two years have been among California's driest. They've left many of the rivers and creeks in the vast Sacramento-San Joaquin River basin at record lows. The basin covers about 40% of the state.

California's priority-rights system, which dates to the Gold Rush when miners made claims on the state's waterways, is based largely on who first staked out the water. Under the system, when water supplies are low, those with more junior rights have to defer to those with senior claims. Surface water from rivers and creeks makes up the bulk of California's water supply. This year, though, many suppliers are having to turn to groundwater, recycled water or desalination.

While the state water board occasionally makes cuts down the hierarchy of surface water rights, rarely have pre-1914 rights holders been curtailed. One occasion was last decade's drought, which resulted in lawsuits similar to this year's challenge.

In those cases, the courts partially favored senior water-rights holders, though the opinions took issue more with how the state implemented the cuts and not their merit. The issue is yet to be

settled. This year, the state water board has taken a slower, more deliberate approach to curtailments, providing more notice and public hearings for water users, cognizant of past suits and hoping for a different outcome.

Water attorney and consultant Felicia Marcus, now a visiting fellow at Stanford University and a former chair of the state water board, said the state stands a good chance of prevailing this time around. She added that the stakes are high because the state needs to retain the ability to regulate water use during extraordinary droughts like the current one.

“Senior water-rights holders control roughly half of the water, and on some water courses, nearly all of the water,” Marcus said. “So, without that authority there is no there there.”

In total, 10,300 water rights, held by 4,500 parties, are being curtailed by the state.

In the Sacramento River watershed, which covers rivers and creeks north of Sacramento, water users with rights gained after the mid-1890s are being cut off. In the San Joaquin River watershed, which covers waterways south of Sacramento, all water-rights holders are being restricted. Those with land next to a waterway, with so-called riparian rights, are not being curtailed.

The extent of the cuts seeks to leave enough water in rivers and creeks for fish and other wildlife as well as for water-rights holders at the very top of the pecking order.

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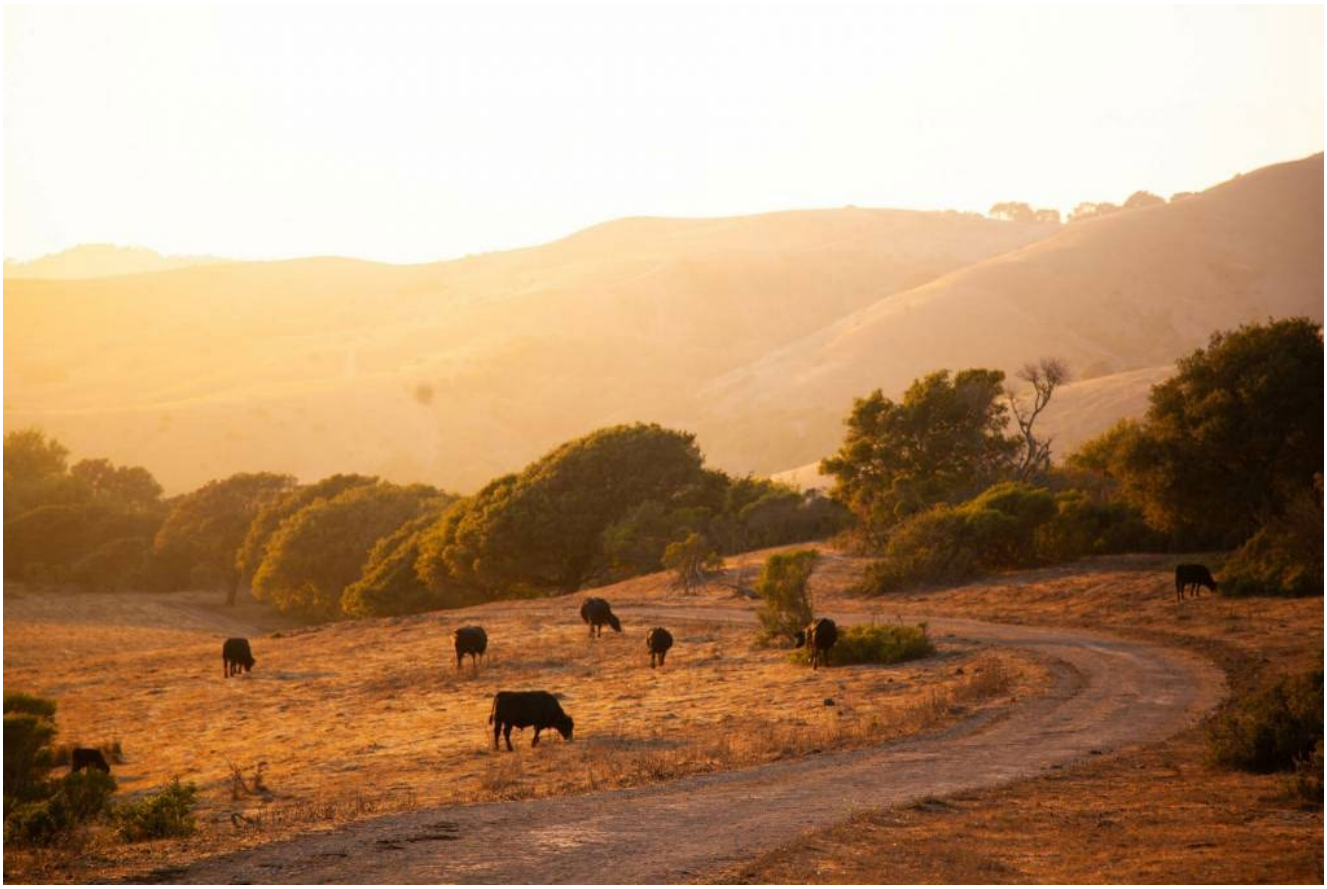
12 Important Things to Know About California's Drought
KQED | September 3, 2021 | Katrina Schwartz



Cattle grazing on the yellowing and dried-out hillsides of Wildcat Canyon Regional Park in Richmond, Calif., at sunset on Tuesday, July 27, 2021. The wildlife in the canyon and throughout the state are threatened with dwindling water reserves because of the severe drought conditions that have hit the San Francisco Bay Area this year. (Joyce Tsai/KQED)

California is in a second year of drought. Gov. Gavin Newsom has asked residents to voluntarily cut water use by 15% across the state to try to shore up our reserves in case of another dry winter. In the meantime, fires are raging around California as bone-dry forests go up like tinderboxes. How did we get here?

As climate change scrambles weather patterns and adds more variability to our lives, it’s time to take stock of what we know about our state’s frequent hot, dry periods so that we can begin planning for a future with less consistent water supplies.

Bay Curious PodcastBay Curious is a podcast that answers your questions about the Bay Area. Subscribe on Apple Podcasts, NPR One or your favorite podcast platform.

Bay Curious just finished up a six-part State of Drought series examining the issues. Here’s what we learned.

We are experiencing megadrought conditions
Californians are no strangers to droughts, but we tend to think of them as limited periods of abnormal dryness.

While "drought" refers to one season or one year's conditions, climate scientists use the term "megadrought" when arid conditions last for decades. A megadrought might be punctuated by a wet year here or there, but overall the conditions are dry.

"In the southwest, it's been overall drier since the late 1990s. So we're talking about a 20-year dry period here now," said Richard Seager, a climate scientist at the Lamont Doherty Earth Observatory at Columbia University, "and using the term megadrought is justifiable because it stacks up in terms of the severity and the length with the ones that we've inferred from tree ring data back in the medieval period."

Last year, a study published in the journal Science described how tree rings allowed researchers to conclude that the last time the West experienced sustained arid conditions over decades was a 28-year dry spell that ended in the year 1603.

The study looked at California, eight other states and Northern Mexico and corroborates what scientists have long feared and warned policymakers: Extreme warming will exacerbate any dry spell, making it longer, more severe and more widespread, and this will bake states in the Western U.S. and areas of Mexico with a punishingly long drought.

California was developed during an abnormally wet time
The 20th century saw California grow to become the most populous state in the nation, says Scott Stine, professor emeritus of geography and environmental studies at Cal State East Bay, and that coincided with an especially wet century.

"We built this phenomenal infrastructure, second to none in the world, here in California and in other parts of the West," he said, "all of it based on the diversion of water and all of it based on the assumption that the 20th century was normal. And the 20th century is not normal."

We're feeling the drought more because we use a lot of water
Climate scientists say a megadrought was in the cards for California and the West because of climate cycles, but our large population and dependence on agriculture make the dryness feel more painful. Forty million people living and working in the state, along with so many of the country's fruits, vegetables and nuts being grown here, mean water levels going into this megadrought may be lower than they were in previous eras.

"The problem of the present day and the coming droughts is that we are set up to need far more water than we should expect at any time in the coming decades and centuries, particularly with the higher temperatures," Stine said. "We've created a monster that we have to continue to feed with water, and the water is just not going to be there."

California has enough water, but we have to conserve

The idea of prolonged drought is a scary one, but water management experts say we will have enough water if we conserve what we have, using every drop wisely. That's going to take sacrifice from all Californians, whether they live in cities or farm in the state's rural areas. All of us are guilty of wastefulness when it comes to water.

"There's a lot of inefficiencies in our current system that can be fixed," says Newsha Ajami, director of urban water policy at Stanford University. "We definitely can do a lot more just to make sure we use every drop of water properly. And if we do all the right things, we can survive. But if we don't, we can actually have a serious breakdown in the system. So we have to be able to adapt to this new reality, which means that we have to rethink how we're using the water in different ways and reduce waste."

We need to change how we manage our reservoirs

Aerial view of a lake. The dam is visible and a dry shoreline peeks out above the water.
An aerial view of the Shasta Dam and Reservoir in 1976, with low water levels due to drought. Shasta Dam is located about nine miles northwest of Redding on the Sacramento River. (U.S. Bureau of Reclamation)

California's water infrastructure was designed under the assumption that about 30% of our water would naturally be stored in the form of snow in the mountains. Each spring, as the snow melts, it flows into the streams and rivers and is collected in reservoirs and lakes for use during drier periods. But that infrastructure is increasingly ill-suited to our weather patterns, due to climate change.

In the past, water was let out of the reservoir whether or not storms were in the forecast to make room for rainwater. That's because dams both collect water in reservoirs and protect downstream communities from flooding. Increasingly, California's rainy season is more concentrated and its dry season prolonged, a result of climate change. The state now relies on big, soaking atmospheric rivers for much of its precipitation.

Several reservoirs around the state, including Lake Mendocino, are piloting what's called Forecast-Informed Reservoir Operations. Basically, water managers are waiting to let water out of the reservoirs until they see a big storm coming. That way they can preserve every drop.

There are some big things agriculture can do to manage water better

Agriculture uses 40% of the state's water, urban areas use 10% and 50% goes back into the environment to support natural ecosystems. Because the farming industry's water footprint is so large, it's going to have to cut usage to survive a megadrought, according to Jay Lund, a professor of civil and environmental engineering at UC Davis. That's because some irrigated land is much more productive than other land.

"We can have a tremendous amount of reduction in irrigated acreage," he said. "If you take it out of the less productive crops on the least productive land, you're going to have much less of an economic impact than if you took it out of almonds."

He says farmers make 90% of their revenue from the crops grown on only 50% of the land. That means we can cut back on irrigating that other half — where we grow the lower-value crops that use a lot of water.

"I think we're probably going to see on the order of 20% of the irrigated agriculture go out of production in order to keep water for other, more productive economic purposes," Lund says.

That might mean growing fewer of some crops California has become known for: processed tomatoes, vegetables, melons, onions and garlic.

We have to manage our groundwater better

We often talk about farmers pumping groundwater, but many urban areas rely on groundwater as well. In the Bay Area, Santa Clara County — and its biggest city, San José — depend on groundwater for a portion of its drinking water. It's important to protect our groundwater from pollution and to replenish the aquifers during wet years.

Changes are coming to how the state manages its groundwater. Farmers have long used groundwater stored in underground aquifers during dry years when they receive less water from reservoirs. In fact, some land in the Central Valley is sinking because of overpumping. That's one reason the state legislature passed a law seven years ago intended to restore balance to the state's aquifers. The Sustainable Groundwater Management Act requires water districts to limit the water they pump.

If users in a water district pump a lot of water during dry years to water their crops, they'll have to refrain from growing some crops during wet years to allow the aquifers to refill with rainwater. This new way to manage groundwater will likely have farmers change what they grow over the next two decades.

How we use water in our homes matters, too

Despite a larger population, Californians statewide are using 16% less water than during the last drought, which ended in 2017. That's because some of the water conservation habits that took off then have stuck around. Low-flow appliances like toilets, dishwashers, washing machines and showerheads are making a difference.

Still, there are more ways urban water users can conserve. One is to install gray water systems that reuse water from activities like laundry or showering for outdoor watering. Many cities and water agencies offer rebates to help cover the costs of such conversions.

And, since half of all urban water use goes to landscaping, homeowners can see big water savings by converting their yards to drought-tolerant landscaping that features native plants

adapted to our region’s climate patterns. As a bonus, native plants provide habitat for helpful butterflies and insects.

Maybe it's time to rethink our lawns

A yard of dried grass sits next door to a lawn of green grass on July 21, 2021, in the Cambrian neighborhood of San Jose, where water restrictions limit the length of watering and the timing. (Beth LaBerge/KQED)

“Lawns should be banned,” said Newsha Ajami of Stanford. “Every drop of water that's used to maintain that lawn can be a drop of water that we can leave in the reservoir if this drought ends up being a 10-year drought.”

Lush lawns require consistent, deep watering to stay nice. Water experts say it’s time to accept the climate we live in and landscape our yards accordingly. Basically: This isn’t the East Coast, people.

“We can have lawns at the parks, places that the public as a whole can benefit from,” says Ajami. “But if you have a personal lawn that you use once a week, during the weekend, then that's wrong. You shouldn't have it.”

Local water agencies are considering ways to boost supply

The mission of our local water agencies is to provide customers with safe, affordable water. As we continue to experience dry weather, that’s getting harder in some areas. Sonoma, Marin and

Santa Clara counties are in tough spots right now. That's led water managers and community members to wonder about bigger solutions to ensure a resilient supply of water long term.

One idea that comes up often is desalination. With the ocean so close, it's tempting to think that pumping water out and stripping it of salt would be an easy way to ensure we always have water. But desalination is controversial for several reasons.

First, it's energy intensive and expensive: Desalination plants cost a lot to build and run. And by some estimates, the water they produce costs consumers twice as much. That's led water agency leaders to think twice about investing in desalination plants that must be run all the time, even in wet years. Desalination might make more sense when a community's water is brackish, but not as salty as ocean water. That's the case in Antioch and Newark where desalination plants are part of the local mix.

The other reason many experts don't think desalination should be our go-to fix is it can harm sea life. The briny byproduct of desalination is twice as salty as ocean water and often dumped back into the sea. Many marine species cannot survive in water with such high salinity. And, sucking in millions of gallons of ocean water means the small organisms that form the building blocks of the food chain are removed.

Recycling our wastewater to potable standards would be a less expensive way to boost our supply. It's still more expensive than conserving, but many experts think we'll see more of it in the future. Other dry parts of the world already do this.

We are disconnected from the complicated system that brings us our water
No matter where you live in California, you are benefiting from a massive, complex infrastructure that moves water from water-rich areas of the state to dryer areas, both for agricultural purposes and to sustain urban centers and industry. Very few places in California naturally have enough water to sustain their activities and population.

But this complex system acts in the background, and many of us go about our lives using water without thought. We turn on the tap and the water flows. We don't often think about how far our water has traveled to reach us.

To make it even more complex, California has a long history of water rights that means some people have better access to water than others. We now have a complicated water market, where people with better water rights can sell their water to junior rights holders and get rich in the process. Several Bay Area water districts depend on buying water to ensure they can meet demand.

If everyone knew where their water came from, and the tentativeness of the supply, it could help with conservation efforts.

The environment is suffering

Two people and a tree are backlit by the bright orange flare of a wildfire.
Firefighters battle flames from the Thomas Fire as they advance on homes atop Shepard Mesa Road in Carpinteria on Dec. 10, 2017. (Santa Barbara County Fire Department via Twitter)

Our State of Drought series focused on how humans can survive on more limited water supplies in a hotter, drier, more variable future. But humans use only half of the state's water. The other half goes (theoretically) to the environment, to sustain wildlife and ecosystems crucial to California's identity as a state. But our environment is suffering under climate change, ecosystem mismanagement and too many claims on limited water. Here are just some of the things our natural world grapples with.

- The Sacramento-San Joaquin River Delta looks nothing like the vibrant marshland of the past, but it's still the largest freshwater estuary on the West Coast. It's also California's most crucial water source, supplying two-thirds of the state's cities and millions of acres of farmland with drinking and irrigation water. But the human engineering that harnessed the delta's bounty for cities and farms has contributed to its current fragility and challenges.
- Drought has taken a toll on our forests, too. Prolonged dry periods have dried out the trees and soil, weakening their defenses against fire. Bone-dry forests are prone to hotter and more destructive wildfires.

- Scientists aren’t yet sure of the long-term impacts on the environment of smoke and ash from wildfires. But they do know the Caldor Fire that is burning near Lake Tahoe will likely affect the lake’s renowned clear waters for years to come.
- Poor water conditions and increasing heat threaten to destroy salmon populations. Blistering heat waves and extended drought in the western U.S. are raising water temperatures and imperiling fish from Idaho to California.

# # #

San Jose submits plans for mandatory household water rationing
Cupertino Today | September 2, 2021 |

In theme with the extreme weather being experienced nationwide, California is once again facing a familiar environmental obstacle: severe drought.

As the low rainfall continues to dry out much of California, Santa Clara County is in worse shape than many other parts of the state. The Anderson reservoir, the county's largest, was drained last year in order to rebuild the dam for improved earthquake safety. At the end of August, the 10 reservoirs in the county were collectively just 13% full.

Earlier this summer, the Santa Clara Valley Water District declared a water shortage emergency and told its 13 retailers, including their largest retailer the San Jose Water Company, to cut water use 15% from 2019 levels, the most recent non-drought year. The average monthly water usage in 2019 was 10.75 units.

The San Jose Water Company, which provides water to 1 million people in and around San Jose, asked residents to voluntarily reduce water consumption by 15 percent from 2019 levels. The company has since submitted a plan to the California Public Utilities Commission that would require each of its residential customers to officially cut monthly water use by 15% from their 2019 levels, or face fines of $7.13 in surcharges for every additional unit of water used.

The move could make San Jose the first major California city with water allotments and drought penalties.

According to experts, this plan is a possible indication that similar limits are soon to follow in other communities across the state. Reps from Marin Municipal Water District and the City of Santa Cruz have both said they are likely to impose similar monthly water budgets and surcharges to help curb the droughts impacts in their respective areas as well.

Sometime in early September, San Jose Water will reassess the water numbers from July and August and make a decision on whether to put the new plan in place, said John Tang, the company's vice president for regulatory affairs. The company is also required by state law to hold a public hearing first, which has yet to be scheduled.

"If a water system is worried about running out of water, you have to have mandatory rationing with penalties for people who don't conserve," said Jay Lund, director of the UC Davis Center for Watershed Sciences. "Otherwise it's a free-rider problem and some people will say, 'I don't need to conserve water because all my neighbors are,' which undermines the whole effort."

An additional obstacle for the San Jose Water Company and the county to take into consideration is that due to the pandemic, the increase in working from home has resulted in more water usage than prior to COVID-19.

Many people are still working from home, and the county anticipated that there will be an increase in permanent work from home employees going forward to take into consideration with increased water usage.

# # #

Drought Emergency: More South Bay Residents Turn To Graywater Systems To Save Water And Their Plants

KPIX 5 | September 1, 2021 | Kiet Do

CUPERTINO (KPIX 5) – As South Bay water officials ask everyone to cut back 15% because of the drought, more are turning to graywater to save water and their plants at the same time.

According to the most recent data from the Santa Clara Valley Water District, the South Bay has steadily decreased water usage since the start of summer.

The steady decline likely coincides with increased media coverage of worsening drought, according to SCVWD spokesperson Matt Keller.

In June, the district imposed a mandatory 15% reduction of 2019 usage for all customers. According to Keller, the early data shows an encouraging trend.

“People have responded really well during the last drought,” said Keller. “This drought will eventually come to an end. We don’t want to go back to the old ways of using water. We want to be saving water and conserving water and make that a way of life here in Santa Clara County.”

The district still has ample funding for conservation programs, including its Graywater Rebate, which refunds up to $400 to homeowners who install qualifying systems.

So-called “Laundry to Landscape” systems have gained in popularity in recent years, with its relatively simple design that can typically be installed in a weekend by DIY-minded homeowners, with no permit required.

Sherri Stein recently installed the system in her Cupertino home, which features 1-inch diameter purple pipes, and a valve to divert the waste water from the washing machine from flowing into sewer system, and instead into the front yard. Special sodium-free soap must be used.

The graywater flows into multiple black PVC boxes nestled into the ground, spaced several feet apart. The water is captured by mulch and dispersed across the area. A tour of Stein’s fruit trees showed a promising crop of lemons and plums.

“It’s really good because my trees are healthy, and they’re producing beautifully. I don’t have to figure out how to water them, so it’s just happening. I mean I’m doing two things at the same time. That’s pretty cool. It’s a no brainer,” Stein told KPIX 5.

Outdoor water use makes up the majority of consumption, according to Keller. Even more graywater can be saved with professionally installed systems connected to showers and bathroom sinks, but they are more costly and also require permits.

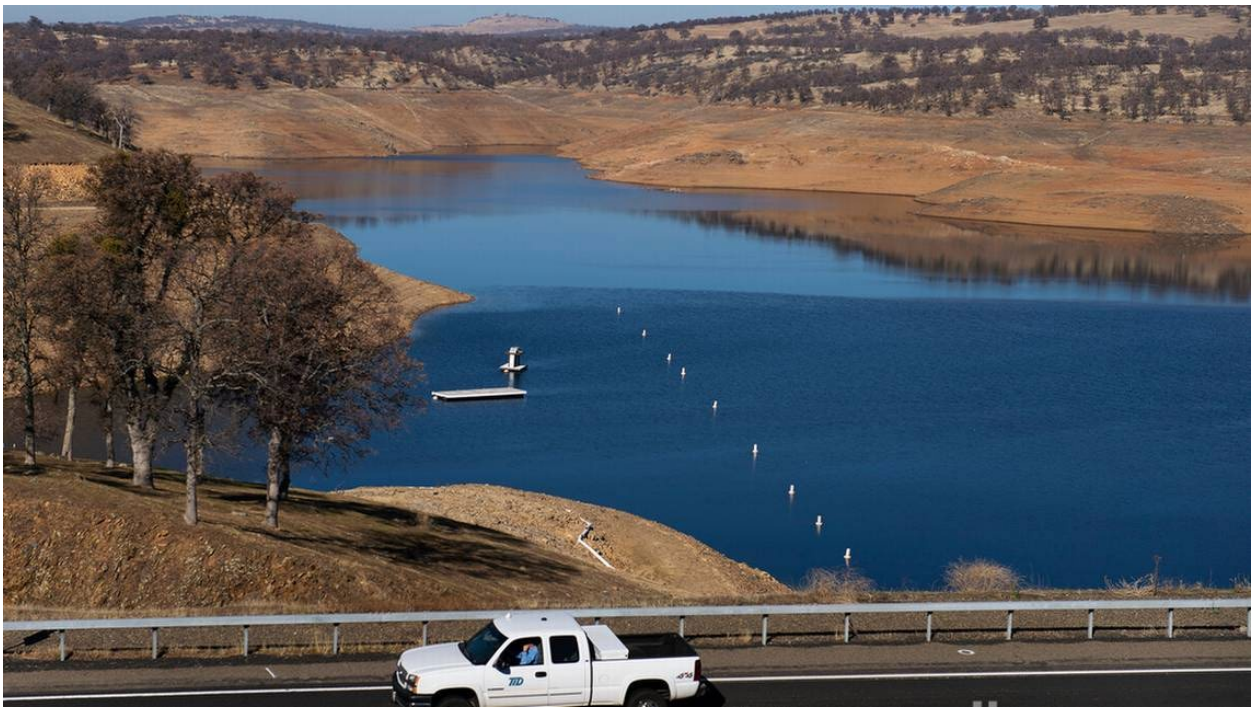
The average laundry-to-landscape home system can save 4,600 to 15,000 gallons per year.

“That is a lot of water! We live in a climate where every drop of water saved is so essential, not only to your own home, but also to the community itself,” said Justin Burks, Senior Water Conservation Specialist.

# # #

State halts diversions from the Tuolumne River. What that means for MID, TID water users

Modesto Bee | September 1, 2021 | Ken Carlson



Lake levels at Don Pedro Lake are low due to the lack of water the last two winters. The dam road photographed from the visitors center on Wednesday January 15, 2014. AALFARO@MODBEE.COM

The Turlock and Modesto irrigation districts are among water right holders ordered by the state to stop diversions on the Tuolumne River and other streams that flow to the Sacramento-San Joaquin River delta.

“All of the water that flows off the mountains has to remain in the river and can’t be diverted for storage or irrigation purposes,” said Michael Cooke, director of regulatory affairs for TID, who explained the state drought orders Tuesday to Stanislaus County supervisors.

The State Water Resources Control Board issued the emergency “curtailments” Aug. 20 to 4,500 water right holders as the drought has drastically reduced California’s water supplies.

The Oakdale and South San Joaquin irrigation districts also received curtailment orders from the state board, stopping diversion of Stanislaus River water to storage until further notice.

Cooke made sure to point out the state orders do not affect water already set aside in Don Pedro Reservoir for water users and environmental purposes. The TID and MID can still deliver water for late season irrigation and other needs.

The big question is when, or if, the state board will lift the emergency order this fall so Don Pedro's operators can begin filling the reservoir again for water users in 2022 including farms, fish and Modesto-area families.

"Our main concern is the order will not be lifted before the winter rains come," Cooke said.

If a large storm is on the horizon, the districts want to know if they can start storing water in Don Pedro.

The reservoir 45 miles east of Modesto is better off than other depleted storage reservoirs in California. It is half full with about 1 million acre feet of water behind the dam.

The SWRCB said in a news release the curtailment orders are necessary after drought conditions reduced water levels in the Sacramento-San Joaquin River delta to alarming lows. The state board said the curtailments are needed to protect drinking water for cities, keep salt water from building up in the delta and minimize impacts to fisheries.

"Curtailing water rights has an impact on livelihoods and economies but it is painfully necessary as severe drought conditions this year and next could threaten health, safety and the environment," said Erik Ekdahl, deputy director of the division of water rights.

The regulatory board said the number of water right holders affected could change in the fall based on water supply fluctuations and weather conditions.

The state board has said it has a legal justification for curtailing diversions because right holders are taking water they're not entitled to when levels are extremely low.

The TID and MID are challenging the state action.

The orders are not expected to affect water deliveries the remainder of this year but could significantly reduce the amount of surface water available in 2022 and beyond, the irrigation districts said.

Cooke said the state board attempted to curtail water rights during the severe dry spell, six years ago, but lost a court battle. He said there are flaws in the analysis behind the state declaration that water is unavailable to senior right holders.

In addition, the state board's process for ending curtailment orders is ambiguous, according to the irrigation districts.

"We will take all legal steps necessary to challenge the State Water Board's regulation authorizing the issuance of curtailment orders and the individual curtailment orders themselves," the TID and MID said in a statement Tuesday.

At an Aug. 3 meeting, the state board said the agency by Oct. 1 will consider whether to allow river diversions to resume. Storms or increased river flows could trigger a decision to start diverting water again to refill a reservoir.

County Supervisor Terry Withrow said he's afraid a state declaration of emergency is a way to circumvent the water rights of local irrigation districts. The TID and MID have battled the state board over a plan to increase Tuolumne River flows for salmon migration and are trying to negotiate a settlement agreement with Gov. Gavin Newsom's administration.

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Running dry: Reservoirs serving Valley Water reach historic lows
Exceptional drought conditions are growing worse
Palo Alto Weekly | September 1, 2021 | Sue Dremann

A comparison of water capacity at eight reservoirs in Santa Clara County between April 2017 and August 2021.

Extreme drought conditions have caused the Santa Clara Valley Water District's reservoirs to drop to just 12.5% of capacity, the water district said in an Aug. 25 statement.

The seriousness of the drought is evident in photos the district has taken comparing water levels in April 2017 and last month. In 2017, water levels in the district's 10 reservoirs were at more than 85% of capacity.

The district provides water to parts of Mountain View as well as the south bay. It instituted a 15% mandatory reduction in water use among its customers on June 9 due to state and federal cutbacks, dwindling Sierra snowpack and the Anderson Reservoir shutdown.

Valley Water supplies face additional challenges. The Federal Energy Regulatory Commission ordered Anderson Reservoir, the district's largest source of water, to be drained due to seismic concerns. The reservoir won't be used to store water for the next 10 years while the Anderson Dam Tunnel project and seismic retrofit project are under construction, the district said.

Statewide, other reservoirs are also at critically low levels. Oroville Reservoir in Butte County is at 23% of capacity and San Luis Reservoir in Merced County is at 15%, the district noted.

"These low conditions resulted in drastic reductions to the amount of imported water Valley Water will receive this year from each reservoir," the district said.

The district offers multiple incentives for people to reduce their water use.

"Valley Water offers robust conservation programs that can help our communities save water and money, including our Landscape Rebate Program. Every drop saved today is one we can use in the future. If this drought lasts into 2022 and beyond, stricter water restrictions are likely," the district said.

Valley Water offers rebate programs, conservation tips and how to get free water-saving tools at valleywater.org/water-conservation-programs.

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Are SF and SoCal Prepared for Droughts and Climate Change?
Natural Resources Defense Council | August 30, 2021 | Doug Obegi and Ashley Cooper

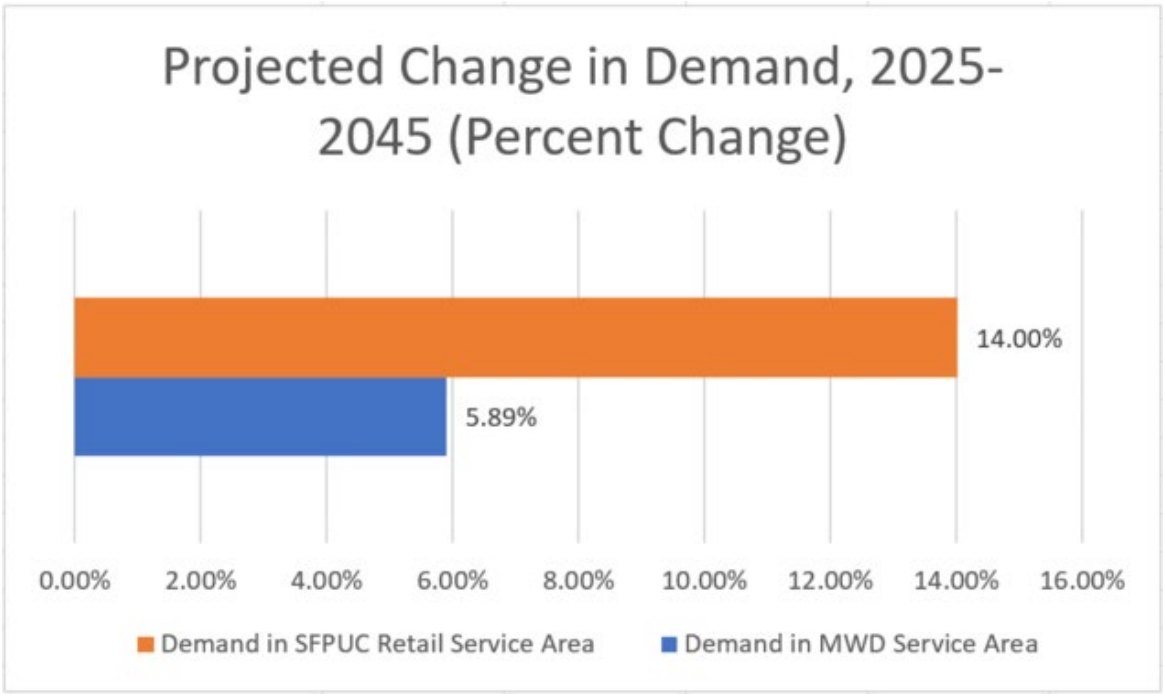
Scientists and conservation groups including NRDC have been warning for years that farms and cities in California need to plan to divert less water from the Bay-Delta watershed, and the 2009 enactment of the Delta Reform Act established that it is State policy to reduce reliance on water supplies from the Bay-Delta through investments in local and regional water supplies like water recycling (Cal. Water Code § 85021). The current drought is an unwelcome reminder that we are not prepared for drought, leading to the State Water Board ordering curtailments of some water diversions, ongoing violations of water quality standards in the Delta, DWR shutting down hydropower generation at California's second largest reservoir because water levels are so low, and reservoir operations likely to kill nearly all of California's endangered Chinook salmon in the Sacramento River this summer.

2021 also happens to be the year when urban water suppliers in California are required to prepare and submit their Urban Water Management Plans ("Plans"), which project the agencies' respective water supplies and demands over the course of the next 25 years (the Plans must be updated every five years). The Plans prepared by the Metropolitan Water District ("MWD") and the San Francisco Public Utilities Commission ("SFPUC") affect water supply for millions of Californians, in addition to affecting how much water is left in California's rivers for salmon and the state's embattled ecosystems. MWD is the largest water agency in California, as the wholesaler supplying water to over 19 million people across the greater Los Angeles, Orange County, and San Diego regions. SFPUC, for its part, supplies water to nearly 900,000 retail customers (mostly in the City and County of San Francisco) and to over 1.86 million wholesale customers in the San Francisco Bay Area. Both MWD and SFPUC import water from the Bay Delta watershed, so their water diversions affect the health of the Central Valley's beleaguered salmon runs and other native fish and wildlife; SFPUC diverts unsustainable amounts of water from the Tuolumne River, while MWD is the largest State Water Project contractor, which exports water from the Delta (and also imports water from the Colorado River).

NRDC compared MWD and SFPUC's Urban Water Management Plans to understand how each agency is planning for the future. We analyzed demand projections (both overall demand and net demand on water agencies), projected diversions from the Bay-Delta, recycled water supplies, local supplies, and whether the agencies project they will have adequate water supplies to meet demand in the coming decades.

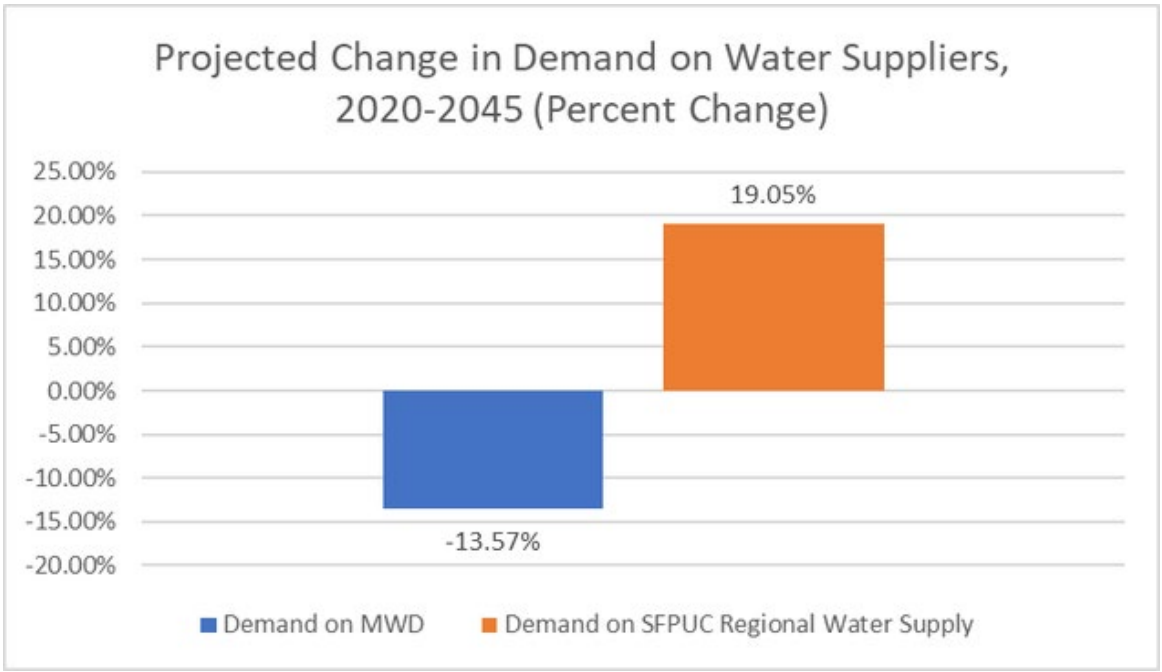
While there may still be folks who believe the myth that Southern California wastes water, it's clear from this analysis that SFPUC consistently lags behind MWD in almost every metric. NRDC provided comments on the draft Plans for both agencies, and our comments were critical of some of the assumptions and estimates in both agencies' Plans (see NRDC's comments on MWD's draft Plan here and our comments on SFPUC's draft Plan here). We believe that both agencies have more to do to secure a sustainable water future, but Southern California appears to be a generation ahead of Northern California when it comes to progressive water management. Our results are summarized below.

Growth in Demand for Water*



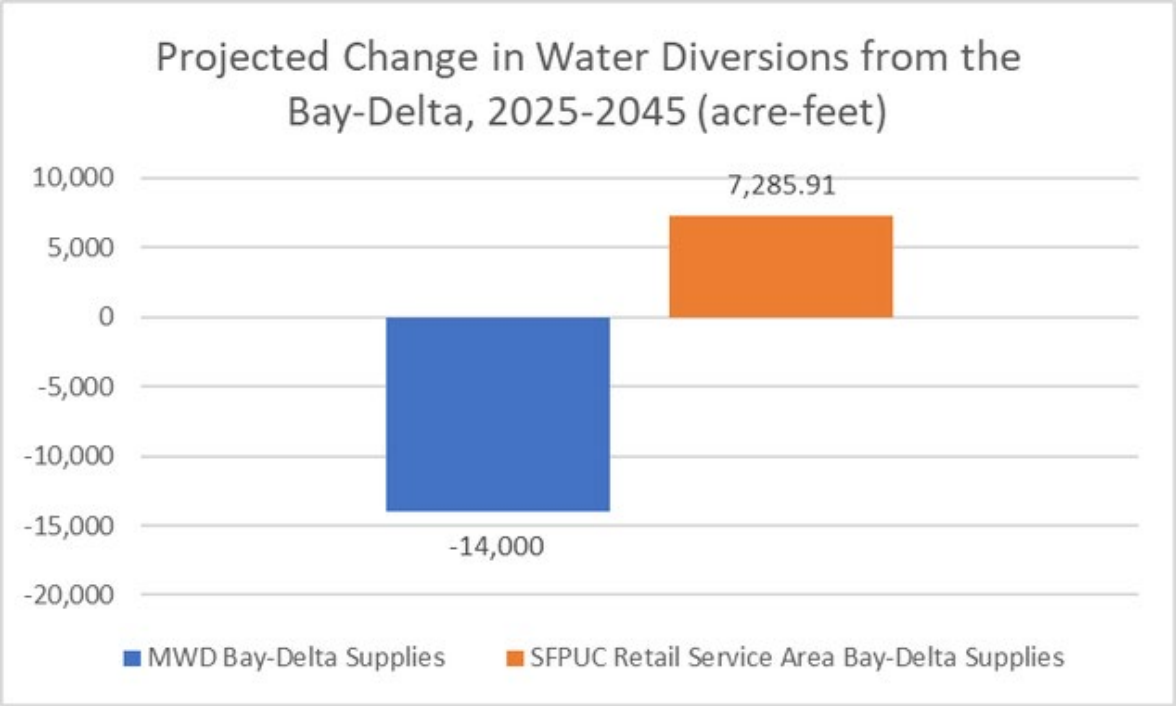
Both agencies anticipate increased demand for water, but the Bay Area anticipates much higher rates of growth, which could worsen the imbalance between water supply and demand. Demand in MWD's service area is projected to increase 5.89% between 2025 and 2045, from 3,767,000 acre-feet to 3,989,000 acre-feet. SFPUC's retail area demand during that timeframe is projected to increase nearly three times as much—14%—from 79,248.31 acre-feet to 90,345.32 acre-feet.

Demand on MWD vs. Demand on SFPUC



Both agencies also serve as wholesale water agencies, and SFPUC and MWD are not the only source of water supply for the retail water agencies that directly serve residents. However, while agencies in Southern California are planning to reduce demand for water that is purchased from MWD, water agencies in Northern California are planning to increase water purchases from SFPUC. Between 2020 and 2045, the demand on MWD is projected to decrease by 13.57%, from 1,442,781 acre-feet to 1,247,000 acre-feet. This means that Southern California plans to meet more of their demand for water through increased water use efficiency, local water supplies and other sources. SFPUC, on the other hand, projects that there will be a 19.05% increase in demand on the water agency, from 222,612.65 acre-feet in 2020 to 264,846.47 acre-feet in 2045.

Diversions from the Bay-Delta*



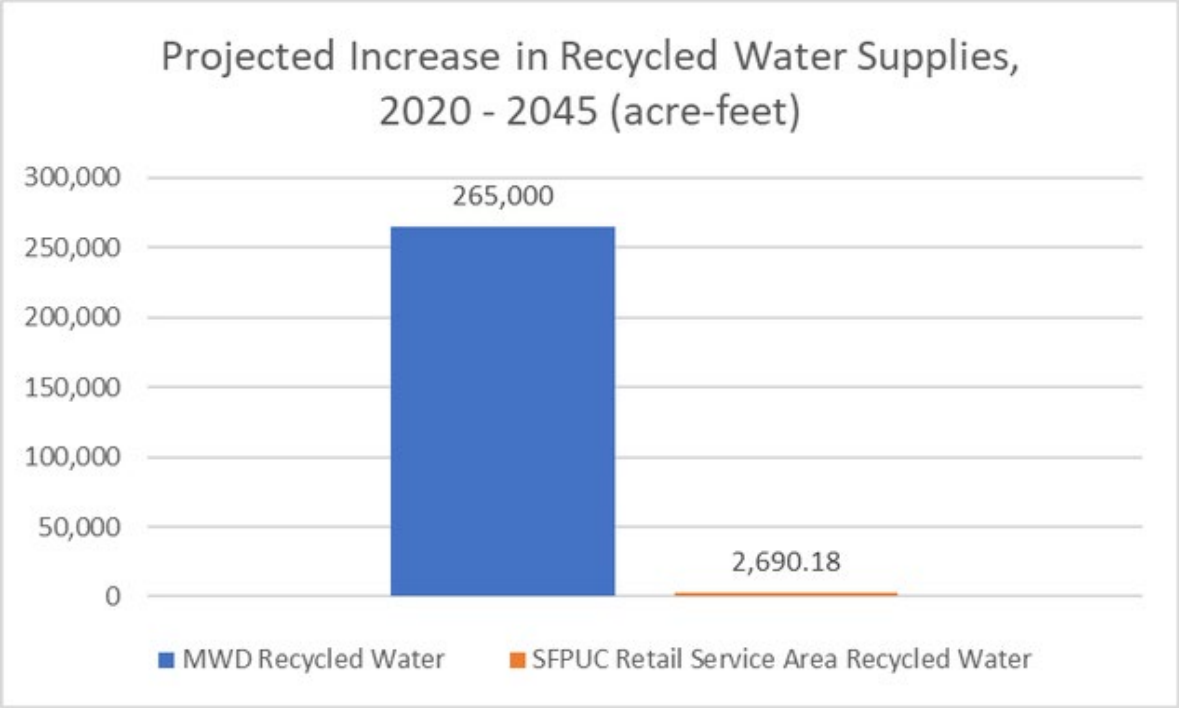
For the first time that we're aware of, MWD is planning for slightly less imported water from the Bay-Delta; their Plan projects that MWD's reliance on Bay-Delta diversions will decrease to 633,000 acre-feet (22.96% of total water supply sources) in 2045, a net reduction of 14,000 acre-feet.

In contrast, SFPUC plans for increased water diversions from the Tuolumne River; in 2025, SFPUC's Regional Water Supply (i.e., water from the Tuolumne River) is projected to supply 95.05% of total retail water supply (75,325.13 acre-feet). In 2045, the Regional Water Supply is projected to supply 91.44% of water for the retail area (82,611.04 acre-feet). While reliance on the Regional Water Supply as a percent of total retail water supply decreases, the actual volume of water supplied by the Tuolumne River is projected to increase by 7,285.91 acre-feet between 2025 and 2045.

In reality, both SFPUC and MWD will need to plan for far less water from the Bay-Delta watershed than what is assumed in their Plans. Recent modeling by MWD indicates that much of the region can adapt to significantly greater reductions in water supplies from the Bay-Delta,

whereas SFPUC doesn't seem to have a plan for complying with the reduced water diversions required under the 2018 Bay-Delta Water Quality Control Plan.

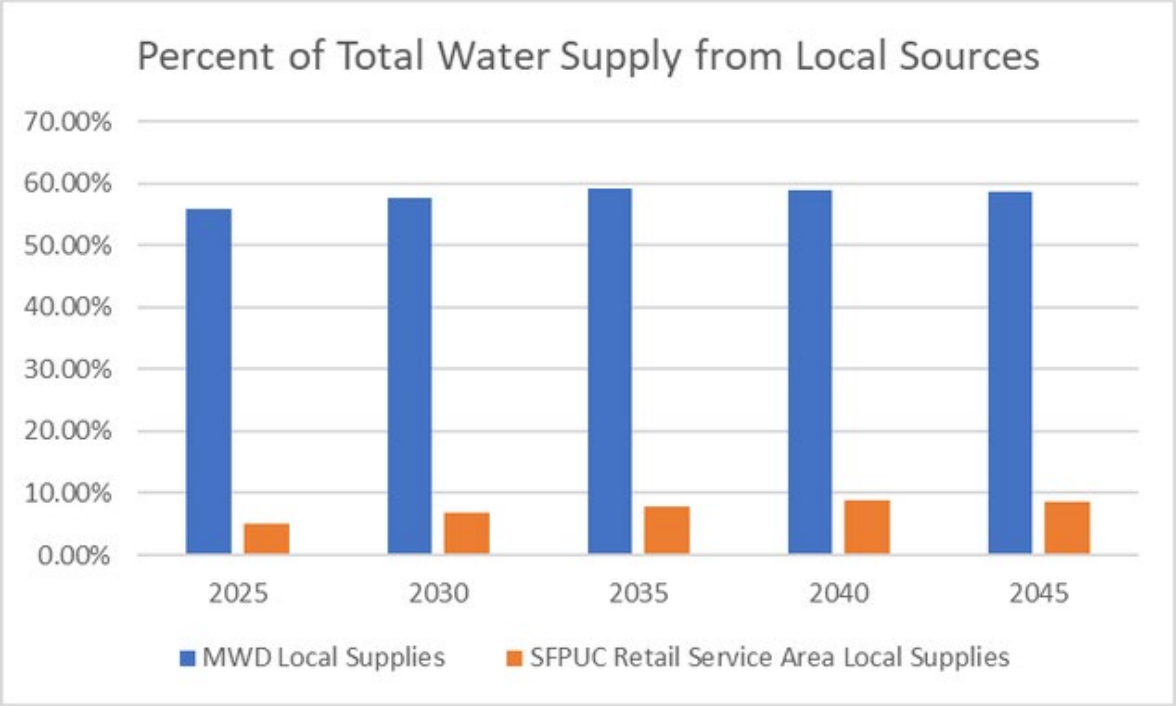
Recycled Water*



Water recycling provides a drought-resistant source of new water supplies, as well as creating good paying local jobs in the community. In Southern California, MWD estimates that water recycling will increase 265,000 acre-feet between 2020 and 2045, from 441,000 acre-feet to 706,000 acre-feet. And as we noted in our comments on MWD's draft Plan, additional water recycling projects could increase supplies by several hundred thousand acre-feet per year.

In contrast, in Northern California SFPUC's retail recycled water supplies are projected to increase by a mere 2,690.18 acre-feet, from 112.09 acre-feet in 2020 to 2,802.27 acre-feet in 2045. Because SFPUC's Plan did not provide information on water recycling in the larger geographic area where they are a water wholesaler, this graphic only shows water recycling in the retail service area. But while there are other efforts to increase water recycling in the wholesale service area, including Valley Water's Countywide Water Reuse Master Plan (which anticipates increasing potable water recycling to 24,000 acre-feet per year by 2040 and a total of 33,000 acre-feet per year of nonpotable water recycling), these efforts also seem to lag hundreds of thousands of acre-feet behind Southern California's plans.

Local Water Supplies*



Southern California has invested in local and regional water supply projects for many years, and is planning for increased investments in water recycling, stormwater capture, and similar projects moving forward. Local water supplies are expected to make up 55.88% of MWD's total supplies in 2025 (2,105,000 acre-feet). The percent of total MWD supplies from local sources is projected to increase to 58.77% by 2045 (2,345,000 acre-feet).

In 2025, SFPUC is projected to source 3,923.18 acre-feet of local water supplies, accounting for 4.95% of the total retail water supply. Local supplies are expected to make up 8.56% of SFPUC's total retail supply (7,734.28 acre-feet) by 2045.

Water Supplies vs. Demand

MWD projects that they will maintain a surplus of water supplies between 2025 and 2045 (i.e., they will have more than enough supplies to meet projected demand). MWD's surplus ranges between a minimum of 1,228,000 acre-feet of water (2025) and a maximum of 1,287,000 acre-feet of water (2035).

In contrast, if the updated Bay-Delta Water Quality Control Plan is implemented (the State Water Board adopted updated standards in 2018 that require increased instream flows in the Tuolumne River to protect salmon and other fish and wildlife), SFPUC projects annual shortages of water supplies, increasing in volume 48.04% from 71,626.1 acre-feet in 2025 to 106,038.1 acre-feet in 2045.

Conclusion

MWD and SFPUC are two of the State's largest water agencies, and their Plans show that the Bay Area water agency has fallen behind its counterpart in Southern California when it comes to sustainable water planning and reducing reliance on the Bay-Delta. Over the next 25 years, MWD has identified significant investments in local and regional sustainable water projects like

water recycling, while SFPUC plans to increase their diversions from the fragile Bay-Delta ecosystem with very minimal increases in local and regional water supplies. Nevertheless, both agencies have opportunities expand local and regional supplies, increase water use efficiency, and reduce demand for imported water. Moreover, both agencies are hiring or have hired new general managers, which presents new opportunities for change.

Water agencies across California need to realize and plan for the reality of significantly reduced water diversions from the Bay-Delta. SFPUC's and MWD's Plans show that there's more work to be done by two of the state's largest urban agencies, and that Northern California has a lot of work to catch up to Southern California. As the current drought demonstrates, there's no time—or water—to waste.

**Wholesale breakdown not available for SFPUC*

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State Water Curtailment Order Prompts Lawsuit
MyMotheLode.com | September 3, 2021 | Tracey Petersen

Sonora, CA — An emergency drought order issued by the State Water Resources Control Board last month to curtail water diversions has triggered a lawsuit.

On Thursday, the Oakdale (OID) and South San Joaquin Irrigation Districts (SSJID) joined the San Joaquin Tributaries Association (SJTA), which includes Turlock and Modesto Irrigation Districts and the City and County of San Francisco, in filing a lawsuit against the board in Fresno Superior Court.

At issue is whether the board has the authority to prevent the water agencies from diverting and storing water. For OID and SSJID that impacts Stanislaus River runoff into the Donnells, Beardsley, New Melones, and Tulloch Reservoirs. Both Districts relay they have the ability to use water previously stored behind those reservoirs and anticipate no immediate impacts to their agricultural and municipal customers.

The water curtailments are necessary, according to the board, to keep saltwater from building up in the Delta, protect fish, and maintain drinking water supplies for cities. Water agencies say the problem is that the order has no specific end date for when irrigation districts can once again divert and store water. The lawsuit contends that violates the districts' due process rights.

"Concerns about next year's water are developing now; we want to make sure we're in a good position," said Peter Rietkerk, SSJID's general manager. "No one knows – and the state won't say – how and when the decision will be made to lift the order."

As California suffering from a second straight year of drought that is affecting water supplies across the state, OID and SSJID argue there is no telling what may happen next year if rain and snowfall are well below average for the third year in a row.

"It's really about next irrigation season," said Steve Knell, OID's general manager. "We want to put ourselves in the best position so that whatever rain comes, we can capture it, store it and make it available. It all comes down to how much rain and snow. If we're looking at another dry year, similar to this year, there may have to be cutbacks."

Knell added that runoff in the Stanislaus River watershed this year was about 350,000 acre-feet – well below the historic average of about 1 million acre-feet into New Melones Reservoir, making 2021 the third-driest year on record going back nearly 100 years ago.

New Melones, managed by the federal Bureau of Reclamation and the state's fourth-largest reservoir with a capacity of 2.4 million acre-feet as of yesterday held about 899,000 acre-feet. That is about 37% of total capacity and only 65% of what it typically has in early September, detail district officials.

“This year, the Stanislaus River has been a lifeline to the rest of the state,” Rietkerk said. “But for an already oversubscribed river system, how can the Stanislaus sustain our Districts, the communities we serve, and the needs of the rest of the state? Our Districts and our partners in the SJTA often have no other recourse other than to file these lawsuits and fight for our communities.”

Water agency officials maintain that they are “gravely concerned” over the way the Bureau has managed New Melones water this summer. Reporting that from late June through mid-August, the Bureau increased flows in the Stanislaus River from 350 cubic feet per second to 1,500 cfs. With the extra water ending up in the Delta and then the ocean. They add that was intended to make up for what was not being released at Shasta and Oroville Reservoirs because state and federal water officials wanted to retain cold water in those two lakes to release this fall to help protect spawning salmon on the Sacramento River and its tributaries.

# # #

State Water Board order could impede 2022 irrigation season, groundwater recharging
Turlock Journal | September 3, 2021 | Pawan Naidu

The curtailment order instructs local agencies to immediately stop diverting flows to rivers. - photo by Photo Contributed

The California State Water Resources Board issued curtailment orders to 45 water rights holders in the Sacramento and San Joaquin Delta, including the Turlock Irrigation District. These orders could cause water shortages in the coming years if they stay in place for an extended period of time.

The curtailment order instructs local agencies to immediately stop diverting flows to rivers. The Turlock Irrigation District, along with the Modesto Irrigation District, owns and operates Don Pedro Reservoir that is a collection site from the Tuolumne River and main source of irrigation water.

The current water year will be coming to a close on Oct. 1, and there is enough water stored for the rest of the year, according to TID. Also on Oct. 1, the state water board will rereview the curtailment and determine whether to lift it or not.

“There’s not really much water coming down anymore, so what’s going to be stored from this really dry year is already stored. So, while they’re calling for a seizure of diversions, at least for TID, it really doesn’t impact us this year. We will be able to meet all of the demands of our farmers this year,” said TID Communications Specialist Brandon McMillan, “However, this could have a significant impact in 2022 and beyond if the curtailments aren't lifted.”

These are the first curtailment orders Turlock has faced. The State Water Board issued these same orders during the last drought in 2015. Those orders were challenged legally and the state lost those curtailment orders. According to McMillan, TID is potentially going to file a petition for reconsideration to the State Water Board regarding these orders and “have not ruled out seeking an injunctive relief.” TID is also looking to file a legal challenge with other agencies as a joint powers group called the San Joaquin Tributaries Authority.

The State Water Board has stated its goals for the curtailment are to: Protect drinking water supplies, prevent salinity intrusion in the Delta, and to minimize impacts on the fisheries and the environment.

“TID’s position is that the Tuolumne River doesn’t need these curtailment orders because TID is meeting these goals based on our operations,” said McMillan.

According to McMillan, TID believes that local entities are best equipped to manage water related issues pertaining to their own communities.

“We are locally owned; we have a five-member board who are locally elected officials. We have local control here. Because we have that local control, we were able to make good, smart and proactive decisions. The board was essentially able to save water and help us get through a multiyear drought. Within that we are still meeting our requirements, or going beyond them, for instream environmental flows. We’re still making all the releases we’re required to for the environment and we already set the water aside to make the releases for next year,” he said.

Don Pedro is currently at a low level right now and water, rain and snow is needed to refill the reservoir.

“So much of the economy in our area is based on agriculture. Whether it’s the farmers or the food processor, like Blue Diamond, therefore so much of the area revolves on TID having ag and revolves around TID having water. We need to be able to refill Don Pedro, to refill Don Pedro we need to be able to store water and we can’t store water if the curtailment orders aren’t allowing water to run.” said McMillian. “If we go into a third year of the drought, where the first two years have already been drier than the last drought, that puts us in a really tough spot to help our farmers.”

The curtailment could also have an effect on the area’s groundwater resources, which is the only source of drinking water for Turlock residents.

“TID is the biggest recharger for groundwater in the area. Even bigger than rain is irrigation, so when farmers flood irrigated fields, that flood irrigation soaks down the aquifer and recharges it. If we can’t use that to recharge the sub basin and recharge the groundwater, then that could be a really big issue for the City of Turlock,” said McMillan.

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Water board won't intervene in debate over housing mandates
Los Altos Town Crier | September 1, 2021 |Megan V. Winslow

Images taken four years apart provide a stark contrast in water availability at Anderson Reservoir. (Valley Water)

The belief that higher residential density will compound drought conditions, a common mantra of Bay Area residents opposed to housing mandates, is a fallacy, Valley Water reps said last week.

"There's this idea that a certain increase in percentage of housing is going to yield a corresponding increase in water demand, and our history has not shown that," said Barbara Keegan, a Valley Water director.

Due to conservation efforts, water consumption in Santa Clara County has remained relatively constant since 1992, when the population was just over 1.5 million, through 2020, when the population was 1.94 million, according to a Valley Water monitoring and assessment program report for fiscal year 2020-2021. Since the 2012-2016 drought, residential, municipal, industrial and agricultural use has amounted to approximately 300,000 acre-feet annually.

Keegan's comments, and similar ones made by her fellow directors, preceded the board's Aug. 24 dismissal of a recommendation by representatives of local jurisdictions to formally voice concerns about Regional Housing Needs Allocation (RHNA) requirements. Members of the Santa Clara Valley Water Commission, a board advisory committee, voted 8-7 to suggest board members send letters to the state, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission asking the agencies to revisit housing mandates while water resources are severely limited.

California law requires all local governments to plan for the creation of housing for residents from all income levels, and the state Housing and Community Development Department, in conjunction with regional councils of government, determines future needs. ABAG oversees

housing allocations for nine Bay Area counties, including Santa Clara County, and its draft RHNA report distributes 441,176 units in the next eight-year housing cycle, including 1,958 to Los Altos, 489 to Los Altos Hills and 11,135 to Mountain View. Formal appeals for reductions from Los Altos and Los Altos Hills were among 28 ABAG received by the July deadline; Mountain View reps sent a letter protesting the allocation methodology. The final allotments are expected late this year.

Intervening with RHNA would be imprudent because Valley Water is not a land-use agency, director Keegan and her colleagues agreed.

Nevertheless, dense urban in-fill development is more water efficient than single-family residential development because it doesn't require nearly as much landscape irrigation, said director Linda LeZotte, a confirmation of comments made during the meeting by members of the public, including Sunnyvale resident Richard Mehlinger.

"This is special pleading from some of the worst actors in the state on housing," Mehlinger said. "They are desperately seeking an excuse to avoid doing their fair share. These communities have benefited tremendously from the shortage of housing, their property values have skyrocketed as a direct result of their irresponsible behavior, as a direct result of their decision to push the housing demand that they have created onto their neighboring cities."

'Not a good situation'

Los Altos City Councilmember Lynette Lee Eng, who serves as vice chair of the water commission, expressed her personal disappointment in the board's decision after last week's meeting. In an email sent to the Town Crier, she referenced the Anderson Dam, which will soon undergo a 10-year seismic retrofitting requiring draining of the Anderson Reservoir in Morgan Hill. With an 89,073 acre-foot capacity, the reservoir is the district's largest.

"Despite good intentions, the Water District is unable to meet current demands evidenced by impending mandated cutbacks," Lee Eng wrote in part. "Surely the Water Board appreciates that the addition of the mandated RHNA housing units will only exacerbate the serious shortage of water that we are already experiencing and will no doubt continue to experience for many years to come."

On June 9, the Valley Water board declared a water shortage emergency and called for use reductions of 15% compared to 2019, considered the most recent year of "normal precipitation." But data reviewed at the board's Aug. 10 meeting revealed the county consumed just as much water this June as it did in June 2019, and directors instructed legal staff to look into whether the district can implement and enforce mandatory water restrictions.

At both the Aug. 19 Los Altos Hills City Council meeting and the Aug. 24 Los Altos City Council meeting, Valley Water director Gary Kremen outlined the "grim" future the county is facing.

"Our county is in really challenging times," Kremen said during the Hills meeting. "We're in extreme drought, and where we get our water from is in exceptional drought."

Approximately 50% of the county's water comes from the Sacramento-San Joaquin River Delta, which is fed in part by the Sierra Nevada snowpack. On June 1, the snowpack was just 5% of its normal level, according to the latest Department of Water Resources data.

Groundwater and surface water are other significant local sources, but they require replenishment. A district “water tracker” bulletin from July reported San Jose’s annual rainfall total, calculated between July 1 and June 30, at 5.79 inches, or 41% of average.

Valley Water is attempting to secure emergency water supplies, but there is very limited availability and what is available is expensive, Kremen said. He referenced historical Nasdaq California Water Index futures, which show the price of water per acre-foot jumped from $528.46 on Aug. 25, 2020, to $936.22 on Aug. 25, 2021.

“I’m here to answer questions or just cry too, because this is not a good situation,” Kremen said, concluding his presentation.

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