



Statement from Nicole Sandkulla, BAWSCA Chief Executive Officer, to the San Francisco Public Utilities Commission

January 26, 2021

BAWSCA is very near the 20th anniversary of its creation by the California Legislature in 2002 to represent the water interests of the 1.8 million residents, over 40,000 businesses and hundreds of community groups in Alameda, San Mateo, and Santa Clara counties served by the San Francisco Public Utilities Commission (SFPUC).

Therefore, today's meeting with you is a good time to consider and clarify the principal strategic and operational responsibilities of BAWSCA and the Commission going forward. This is particularly important in light of the challenges that both BAWSCA and the SFPUC face today, such as the State Board's update to its Water Quality Control Plan for the San Francisco Bay, Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan).

For BAWSCA, it is an immense challenge to protect the health, safety, and economic well-being of our water users by ensuring them a reliable supply of high-quality water at a fair price when and where they need it. Many of BAWSCA's obligations and responsibilities are spelled out by its enabling legislation, AB 2058.

San Francisco has a perpetual obligation to its wholesale customers in the three counties that BAWSCA represents to provide up to 184 million gallons of water per day from its San Francisco Regional (Hetch Hetchy) Water System (System) in accordance with the Water Supply Agreement, its operational policies, and California law.

San Francisco must complete the \$4.7 billion Water System Improvement Program (WSIP) within the time ordered by the Legislature. It also is the SFPUC's obligation to maintain the System properly to preserve the operational life expectancy of all the System's infrastructure.

And the SFPUC is required to identify new water sources annually by AB 1823, which says that the SFPUC "shall submit a report to the Legislature...each year describing the progress made...on securing supplemental sources of water to augment existing supplies during dry years."

In addition, the SFPUC is responsible for environmental expenditures related to its operations on the Tuolumne River and the watersheds that it relies on to provide the water supply for the System. The water customers that BAWSCA represents pay their fair share of these costs.

As owner of the System from which BAWSCA gets 85 percent of the water its constituents need, it is the SFPUC's responsibility to manage and safeguard the public resources under its control. On the Tuolumne River, BAWSCA understands that this responsibility is shared with the Modesto and Turlock Irrigation Districts (Districts).

In October 2006, the SFPUC adopted the Water Enterprise Environmental Stewardship Policy, and the SFPUC's 2020 Strategic Plan also identifies Environmental Stewardship as one of the six goals focused on achieving the SFPUC mission and vision. BAWSCA supports this policy and the SFPUC's efforts to implement it. BAWSCA's member agencies pay their fair share of the cost to implement these policies.

The SFPUC and the Districts have analyzed the serious impact of the Bay-Delta Plan on the System and the water customers BAWSCA represents. BAWSCA has thoroughly reviewed and agrees with this impact analysis. As a result, BAWSCA has serious concerns with the Bay-Delta Plan, its impacts on the water customers, and the environmental analysis performed by the State Board that supported the Plan's adoption.

The SFPUC and the Districts have proposed the science-based Tuolumne River Voluntary Agreement (TRVA) as an alternative to the Bay-Delta Plan that will increase the production of salmon in the River while providing reasonable protection for the water supply that is critically important for BAWSCA's member agencies. The TRVA forms the basis of the preferred alternative in the recent analysis by the Federal Energy Regulatory Commission (FERC).

The State Board is responsible for adopting and updating the Bay-Delta Plan, which establishes water quality control measures and flow requirements needed to provide reasonable protection of beneficial uses in the watershed.

The State Board has broad authority for California's water resources, including regulation of existing water rights to implement the Water Quality Control Plan.

Given this combination of authorities and responsibilities, BAWSCA believes the State Board should perform the required environmental evaluation of the TRVA as an alternative to the adopted Bay-Delta Plan. If improvements to the TRVA are needed, those should be proposed and analyzed.

By its enabling legislation, BAWSCA is authorized to represent the water users in Alameda, San Mateo, and Santa Clara counties on their regional water supply matters, securing additional supplemental water supply, water conservation and recycling, and ensuring maintenance and repair to the Regional Water System that they rely upon.

The SFPUC has the responsibility to ensure water supply operations meet the needs of the environment in accordance with its Stewardship Policy and other applicable State and Federal laws.

On February 5th, the SFPUC will host the second in a series of workshops on water supply planning issues. This workshop is the appropriate venue for the SFPUC to present the necessary scientific data to support the TRVA and the SFPUC's position. It is the SFPUC's obligation to defend the scientific basis for the TRVA. It is time for the SFPUC to take this critical step. BAWSCA looks forward to participating in this Workshop and will be carefully considering the information presented by the SFPUC.

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