

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

July 8, 2022

Correspondence and media coverage of interest between July 14, 2022 and July 20, 2022

Correspondence

From: Andy Gillis
Dan Feldman
Karen Kirschling
William Martin
Lorena Perez
To: BAWSCA Board of Directors
Date: July 14, 2022 – June 19, 2022
Subject: Bay Area Water Supply and Conservation Agency (BAWSCA), please drop your
Lawsuit blocking environmental protections for the Bay

Press Release

From: California Water Boards
Date: July 19, 2022
Press Release: Board begins CEQA Process for Bay-Delta Plan Update

Media Coverage

Drought:

Date: July 20, 2022
Source: Daily Journal
Article: Restrictions hit Peninsula as drought worsens

Date: July 18, 2022
Source: Mercury News
Article: Build more houses! Use less water! California, can you have it both ways?

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From: [Andy Gillis](#)
To: [BAWSCA2](#)
Subject: Bay Area Water Supply and Conservation Agency (BAWSCA), please drop your lawsuit blocking environmental protections for the Bay
Date: Tuesday, July 19, 2022 12:01:43 PM

Dear Bay Area Water Supply and Conservation Agency,

Dear BAWSCA Directors:

I am writing to ask you to drop your lawsuit against the State Water Board's Bay-Delta Water Quality Control Plan. The state is seeking to better balance water use in order to protect the Bay-Delta, the Central Valley rivers that flow into it, and the fish and wildlife that live there. Your ratepayers do not want to fund anti-environmental lawsuits. They strongly support environmental protections.

Ratepayers reject use of our money to pursue a doomed lawsuit aimed at preserving excessive diversions from the Tuolumne River, the source of our drinking water. The state notified you in October, 2021 that these excessive diversions are unacceptable, in light of the environmental damage they're causing. Rather than work with the state to restore the environment, you are suing.

The Tuolumne is one of the Sierra Nevada rivers that feeds the San Francisco Bay-Delta. This entire ecosystem is on the brink of ecological collapse. Six fish species are now listed as threatened or endangered, and once-bountiful wild salmon populations are on the verge of extinction. Toxic algae blooms that flourish in the stagnant cesspool left after excessive upstream diversions threaten people, pets, and wildlife. The salmon fishing industry, and coastal communities they support, are struggling to survive. Salmon runs that are central to tribal culture and spirituality are in danger of being lost forever.

The Tuolumne River has among the worst flows of any Central Valley salmon river, particularly in dry years. It is not a surprise that over the past 30 years, mismanagement by the SFPUC, which supplies water to BAWSCA, as well as the Modesto and Turlock irrigation districts that also syphon from the Tuolumne, have produced the worst salmon recovery record of any major Central Valley river.

Your constituents on the SF Peninsula strongly support the environment. In 2016, more than 70% of Bay Area voters supported Measure AA, agreeing to tax themselves to restore the Bay's wetlands.

A peer review of your faulty restoration plan, commissioned by the National Marine Fisheries Service, confirmed that the plan is not supported by credible science.

We appreciate that BAWSCA agencies are committed to ensuring reliable water supplies to residents. We want reliable water too. The evidence shows that BAWSCA can maintain highly reliable water supplies while taking needed steps to protect the Tuolumne River and the Bay-Delta. It is time for BAWSCA and the SFPUC to catch up with communities like Los Angeles and Orange County, which are far ahead when it comes to investing in alternative water supplies like water recycling.

Again, we strongly encourage you to drop your lawsuit over the Bay-Delta Plan and support real environmental protections. We are confident that investments in proven water

management tools, currently not being used, can ensure a reliable water supply, while supporting a healthy Tuolumne River and Bay-Delta.

Sincerely,
Andy Gillis
1002 1/2 Dolores Street
San Francisco, CA 94110

From: [Dan Feldman](#)
To: [BAWSCA2](#)
Subject: Bay Area Water Supply and Conservation Agency (BAWSCA), please drop your lawsuit blocking environmental protections for the Bay
Date: Friday, July 15, 2022 10:18:34 AM

Dear Bay Area Water Supply and Conservation Agency,

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Sincerely,
Dan Feldman
699 Rhode Island St
San Francisco, CA 94107

From: [Karen Kirschling](#)
To: [BAWSCA2](#)
Subject: Bay Area Water Supply and Conservation Agency (BAWSCA), please drop your lawsuit blocking environmental protections for the Bay
Date: Thursday, July 14, 2022 12:58:59 PM

Dear Bay Area Water Supply and Conservation Agency,

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Sincerely,
Karen Kirschling

From: [William L Martin](#)
To: [BAWSCA2](#)
Subject: Bay Area Water Supply and Conservation Agency (BAWSCA), please drop your lawsuit blocking environmental protections for the Bay
Date: Thursday, July 14, 2022 6:10:46 PM

Dear Bay Area Water Supply and Conservation Agency,

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Sincerely,
William L Martin
124 Persia Ave
San Francisco, CA 94112



Board begins CEQA Process for Bay-Delta Plan Update

July 19, 2022

Contact: [Ailene Voisin](#), Public Information Officer

SACRAMENTO – In its continuing effort to address the prolonged decline of native fish and the deteriorating ecosystem in the Lower San Joaquin River and Sacramento-San Joaquin Delta watershed, the State Water Resources Control Board [announced plans](#) Friday to develop a draft environmental impact report and hold a public scoping meeting on August 10 for a proposed regulation to implement the Bay-Delta Plan’s Lower San Joaquin River flow and southern Delta salinity objectives.

The board adopted an [updated Bay-Delta Plan](#) and an environmental review document in December 2018 that establish water quality standards and flow objectives for the Lower San Joaquin River and its three salmon bearing tributaries, the Stanislaus, Tuolumne, and Merced Rivers. The changes also included southern Delta salinity objectives for the reasonable protection of agriculture in the southern Delta. Worsening drought conditions and existing flow objectives (established in 1995) that are insufficient to protect fish and wildlife amplify the need to act as soon as possible.

The proposed regulation would implement the 2018 update by assigning responsibilities to water right holders. While the regulation is for the benefit of the environment, the California Environmental Quality Act (CEQA) requires the board to assess if the regulation could cause potentially significant adverse environmental impacts beyond what was identified in the 2018 environmental review.

At the August 10 public meeting, board staff will solicit input on the content and scope of this environmental assessment, as well as additional data and recommended alternatives. Written comments are being accepted until noon on August 12.

The environmental assessment is expected to take approximately one year from the start of the CEQA process. Timelines for components of the updated Bay-Delta Plan, such as compliance methods, were discussed at the public [board meeting](#) on December 28, 2021. The environmental assessment process is expected to take approximately one year. The board will continue to consider voluntary proposals if presented as a means of implementing the

objectives established in 2018 for the San Joaquin River and its three major tributaries.

More information about the Bay-Delta Plan is available on the board's [website](#).

Restrictions hit Peninsula as drought worsens

San Mateo County conservation beats out state average, Hetch Hetchy supply faces uncertainty
Daily Journal | July 20, 2022 | Corey Browning

Peninsula residents are again being asked to conserve water this dry season as the state sinks deeper into another drought, with most agencies responsible for local water delivery having already announced a slate of new restrictions.

Rules vary depending on where you live, but generally limit lawn watering to two days a week, ban runoff from irrigation and limit other nonessential uses like car washing and swimming pool filling.

State water regulators in May voted to require such policies be implemented around the state, citing an uptick in urban water use. The average Californian used more water during the first four months of this year than in 2020, according to state water board data, a trend bucked only slightly in May when use dropped by 7%.

But while San Mateo County residents also initially used more water this year, it dropped locally by 17% in May.

Residential water use that month, the most recent where data is available, was 66 gallons per person in the county every day, compared with 91 in the state.

“In general, our water use is some of the lowest in the state, certainly on a per capita basis,” said Nicole Sandkulla, CEO of the Bay Area Water Supply and Conservation Agency, which covers 26 water agencies in San Mateo, Santa Clara and Alameda County.

She explained, however, that because water use increases in the summer months as lawns require more irrigation, forthcoming figures will more accurately depict conservation efforts.

Indeed, San Mateo County residents used on average 90 gallons per person per day in June, July and August last year, up from 80 in 2020 in the span. And areas where homes typically have large yards used the most water. Hillsborough customers, for instance, used 317 gallons on average per person daily during those months last year.

Statewide water use on average is roughly 50% environmental (that which sustains natural rivers and wetlands), 40% agricultural and 10% urban, according to the public policy institute of California. Of the urban water use, roughly half goes to landscaping.

Supply

The Hetch Hetchy regional water system, which supplied water to 2.7 million people in San Francisco, Santa Clara, Alameda and San Mateo counties, is at 70% capacity, according to the San Francisco Public Utilities Commission, the agency that owns and operates the system.

Hetch Hetchy reservoir, the primary component of the system, is full and is expected to remain that way heading into the dry season next year. But Water Bank, also a key storage facility in the system, has been drawn down to just 40%.

“We’re seeing the impact of the drought right now in Water Bank, which is actually exactly how it’s planned to work,” Sandkulla said, who added that the SFPUC typically implements water conservation measures early when facing potential dry spells.

“We went into this drought with a lot of efficiency, customers were using a lot less water for a lot of reasons, COVID and other things, and they continued to keep their water use down, and were saving that supply at Hetchy,” she said.

She added that, in a best-case scenario, water use restriction could be lifted January next year — if rain returns. But conversely, if conditions worsen, pressure from the governor could spell more severe cutbacks.

Gov. Gavin Newsom last year called for a voluntary 15% water use reduction. This year, with an executive order, he called for rules be put in place to reduce use by up to 20% — those voted on by the water board.

Long-term challenges

The Hetch Hetchy supply, responsible for two-thirds of BAWSCA water, is also facing longer term threats that could necessitate more extreme conservation, Sandkulla said.

She pointed to the state water board’s 2018 decision to limit how much water can be diverted from the Tuolumne River. The river supplies 80% of the Hetch Hetchy system, and the move could require cutbacks of 40% to 50% during a drought like the one currently being experienced, she said.

Restrictions in that event could include household water budgets, in addition to bans on car washing, pool filling and other uses, according to the California Water Service.

Negotiations regarding the scope of the plans are ongoing, as water agencies clash with environmentalists. The plan would allow more water to make it to the Sacramento-San Joaquin River Delta, the West Coast’s largest estuary where salmon populations have collapsed in recent years, affecting the broader ecosystem.

Sandkulla said housing production, mandated by the state to ramp up in job rich areas, is expected to strain supply. State rules require 47,000 new homes be built in San Mateo County by 2031 to combat housing rising costs and displacement.

“That is a major concern that the water suppliers have, is how do we manage our supplies and our communities given, essentially, these competing regulatory actions,” she said.

She noted, however, that adding housing to dense areas near jobs, thereby reducing commute times was “better for the water balance” at a global level.

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Build more houses! Use less water! California, can you have it both ways?

Column: Officials say yes, but skeptics aren't so sure the two goals are compatible during a drought

Mercury News | July 18, 2022 | Teri Sforza



(File photo by Joshua Sudock)

Thousands of new apartments will be built in Irvine, and this create cognitive dissonance for Stan Jones.

The planned 24-acre lagoon at “Cotino, Storyliving by Disney” in Rancho Mirage, and the 17-acre Wavegarden Cove Pool and Resort in Palm Desert, do much the same for Paul Burt of San Pedro.

Larry Anderson shakes his head, too. He tracks construction within a 40-mile radius of Hemet and counts more than 7,000 new units planned or already rising, even as the governor implores Californians to dramatically cut water use to deal with historic drought and officials scold us for falling short.

“If the governor wants us to cut the use of water by 15%, why do he and the state legislature (who have plenty of their local water to drink and irrigate their gardens) force water-shortage

areas to build housing units that require more water?” Jones wondered. “Why aren’t there columns written critical of those that have plenty of water forcing us to have an even greater per household shortage of water?”



Homebuilding in Menifee, Calif., on May 18, 2021. (Jonathan Lansner/SCNG)

It might seem crazy on its face. But the water czars say those goals are not as incompatible as they appear.

More and less

First, officials point that California’s population is not growing, but actually declining. These new units won’t, at least theoretically, add people to the Golden State, but rather spread them around to (what they hope will be) more affordable and efficient digs.

Second, new construction and landscaping are far more water- and energy-efficient than even just a few years ago. These 21st-century developments use native plants and recycled water for landscaping, water-wise toilets and appliances and showerheads.

And third, there's still a whole lot of room for conservation. In 2000, Californians used about 231 gallons per person per day. Today, they use about 85 gallons per person per day. Dramatic as that is, there's still plenty of room for more, officials said.

"Interestingly, our drinking water use is down 10% despite a population increase of 13% since 2013," said Nicole Stanfield, spokesperson for the Santa Margarita Water District. "New homes and communities are more efficient than ever – with high-efficiency appliances, faucets have efficient flow devices, and landscapes use California-friendly plants rather than thirsty grass. Our new communities have many shared spaces and use recycled water to keep them green.

"We've always relied on imported drinking water in our region and have invested a lot of resources to reuse and store it locally. SMWD recently achieved its longtime strategic goal to recycle 100% of its wastewater. With the completion of OC's largest recycled water reservoir, Trampas Canyon, in 2020, we can now store all of our recycled water rather than send some to the ocean."

The long-term goal is to have 30% of the water supply be local by 2030. With limited access to groundwater – like much of Southern California – the South Orange County provider said recycling and desalination will be key to reaching the goal.

Edward Ortiz of the California Water Boards said there are still many things that Californians can do to save water both in the short and long term, including the embrace of drought-resistant plants, fixing leaks and only watering when and where it's really needed.

Damon Micalizzi, spokesperson for the Municipal Water District of Orange County (which imports the stuff), said that conservation alone will never be enough.

"Does anyone really expect the governor to put up a 'no vacancy' sign for California?" he said. "If we're ever going to get out of these perpetual cycles of conservation mandates and drought restrictions, it's going to be the result of building infrastructure to shore up our current supply.

"California has a storage and delivery problem. The water is there. Climate change is just making it more difficult to capture. We've been talking about building things for years, and we haven't broken ground."

Reservoirs are needed to store what gushes into the sea when we get big, heavy rains, he said. The Delta Conveyance Project would modernize the delivery from north to south. Desalination would provide an entirely new source. More recycling would boost supply. "But you just can't conserve your way out of the drought," he said.

More homes

California ranks 49th out of the 50 states on housing units per capita, and the state is pushing, shoving, cajoling and threatening cities and counties to finally fix that.

Last year, Southern California leaders voted to adopt a new housing plan that will triple future homebuilding goals.

The region's 191 cities, in six counties, plan to build more than 1.3 million new homes by the end of 2029 in response to state requirements that they quit dragging their NIMBY feet and build more, more, more.

Critics object that the 1.3 million-unit number is too big — like adding an entire Orange County and entire Ventura County to the region.

Our colleague Jonathan Lansner, who keeps his famous “trustly spreadsheet” and knows literally everything about real estate (and lots of other things, which he'll happily tell you about), scoffed.

California builders filed permits for 119,000 new units in the 12 months that ended in May, about the same building pace as the previous four years, he said. “So for all the state bureaucracy's homebuilding bluster ... zippos has changed!” said he.

With about 14.5 million existing housing units, the current building pace is not even close to 1% of current housing supply. With residential water use comprising about 20% of total water demand — agriculture and industry account for most of the rest — “new housing equals maybe a 1/10 of a percentage point of water demand ... an incredibly small puddle in the seas of purported water shortage.”

Not convinced

Skeptic Burt, retired from Northrop Grumman's B-2 Bomber Program, thinks the powers-that-be are shortsightedly seeing only what they want to see.

Desalination plants should have been built 60 years ago, he said. Low water levels shrink hydroelectric generation from the Glen Canyon to the Hoover Dam. Cities that sit atop groundwater aquifers that are plentiful now may be in for painful surprises, he said.

“First, dendrochronology (tree rings) tell us there have been two droughts in California; one lasting about 150 years, another 200 years,” he said by email. “Think about that.

“If the current drought cycle turns out to be one of these ‘big ones’ — in the big picture — none of these feculent ideas to curtail usage that might ‘sound good’ will be enough, period! End of story.”

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