



**COUNTY OF PLACER**  
**Community Development/Resource Agency**

**PLANNING  
SERVICES DIVISION**

Michael J. Johnson, AICP  
Agency Director

**MEMORANDUM**

**TO:** Honorable Board of Supervisors  
**FROM:** Michael J. Johnson, AICP  
Agency Director  
By Brett Storey, Senior Management Analyst  
**DATE:** February 4, 2014

**SUBJECT: REGIONAL WATER POLICY STATEMENT AND FRAMEWORK DECLARATIONS**

**ACTION REQUESTED**

Approve the Regional Water Policy Framework and related Regional Water Policy Statement which provides cities, counties and water districts in the Sacramento region a water resources policy framework that clearly defines common areas of agreement that all participating agencies agree with.

There is no net County cost associated with this action.

**BACKGROUND**

County staff, with the participation of 15 agencies (cities, counties and water districts) undertook a highly focused facilitated series of sessions to develop the attached policy documents. The attached policy documents represent a significant effort by the region to clearly and concisely define a water policy body of work that at the end of the process all participating agency staff expressed support and commitment to adhering to. The final portion of the process was for participating agencies to request formal adoption of the attached policy by their governing bodies, such as councils or boards, to acknowledge the agency's acceptance of the policy documents.

Following wide adoption, participating agencies will work to outreach the attached policy documents and to seek other agencies and organizations to adopt the attached policy documents to create a wider, unified voice for the Sacramento region to assertively and expeditiously respond to the myriad of present and future water challenges that the Sacramento region faces. These declarations are part of the initial step in telling the story of the value of water in Placer County and the region. Staff anticipates that full support to the regional outreach approach that is to be managed with Valley Vision will be another valuable step. Placer County Board members are traveling to Washington DC and Sacramento for scheduled legislative visits which will align additional collaborative relationships that can advance the County's message. The County's review and comment positions for the Bay Delta Conservation Plan will be provided in April to declare the impacts and register potential mitigation proposals to protect the County's water, citizens and businesses.

Staff anticipates that these declarations can be used by the Board members and staff to generate a unified regional policy response in a variety of venues, such as policy comment letters from the region, creation of regional opinion pieces from elected officials; even to help define regional positions on legislation or regulations, as an example. Staff expects to bring more actions forward for the Board's

consideration. These declarations are consistent with your Board's approved legislative platform for 2014.

**FISCAL IMPACT**

There is no net County cost associated with this action.

Attached to this report for the Board's information/consideration are:

**ATTACHMENTS**

Attachment A: Regional Water Policy Framework

Attachment B: Regional Water Policy Statement

cc: Holly Heinzen, Chief Assistant CEO  
Gerald Carden, Chief County Counsel

## **Sacramento Regional Water Policy Framework**

**Statement of intent and use:** This document is intended to identify common areas of concern and propose a common set of solutions for pressing regional water-related policy issues. This document could be used to inform and respond to a variety of water-related policy issues within a variety of venues – from regional comment letters on policy to regional media events to op-eds that reflect a regional perspective. This can also be used to communicate the root concerns of the region to elected officials.

### **Statement of Challenges:**

**Delta Flow Regulations and Flood Control Response not keeping up with Climate Change** – Climate change from rising global air temperatures continues to create a myriad of challenges to California’s complex water system. The Delta Flow regulatory architecture and the Flood Control Response are not adapting to more extreme precipitation events (floods to droughts), shifting runoff patterns and the rising of the sea level and eastward movement of salinity into the Sacramento San Joaquin Delta. These challenges are showing added and growing strain to a system that was built within the climate confines of the mid-20<sup>th</sup> century.

**Tightening water supplies** – Coupled with the challenges of climate change, California’s water system is facing tighter overall water supplies largely due to population growth and increasing requirements for use of water to maintain and enhance the environment. In addition, the State of California has fallen behind in developing storage infrastructure that can effectively and adaptively capture water to meet increased needs. More investment is needed to increase water supplies, including, among others, investments in surface and groundwater storage, conjunctive use, groundwater cleanup, recycled water, and conservation.

**Threats to statewide economic growth** – An unreliable water system is bad for the entire state’s economy. The existing water constraints in the state’s water system coupled with the ever-present specter of increasing unreliability only serves to dampen California’s economic growth potential. Our region recognizes that neither the north state nor south state benefits when either regional economy fails due to a lack of water supply reliability.

**Uncertainty due to a lack of a Delta Infrastructure Operational Plan** – The proposed BDCP does not currently have an operational plan in place that demonstrates how the state’s water system will meet increasing future level of demands or identify a regulatory structure that will adapt to the effects of climate change. The absence of a definitive operational plan for proposed Delta infrastructure causes a tremendous amount of uncertainty for local governments and water purveyors in the region to ascertain the current and future impacts of CVP and SWP operations to local water supplies. The region needs a comprehensive

understanding of proposed operations of the BDCP and its related proposed infrastructure to ensure that they do no harm to the region.

**Threats to north state water assurances** – The BDCP is attempting to obtain regulatory certainty by obtaining a 50 year operating permit and decreasing the opportunities for regulatory agencies, including, but not limited to, the fishery agencies from imposing conditions on CVP and SWP export operations in the future. This effort may result in shifting the burden of providing environmental flows from the exporters to our region’s senior water rights and contract holders.

**Delta Operations Governance** – The proposed BDCP governance structure provides the exporters a large degree of control of the Delta restoration efforts and Delta operations. The exporters have a long history being unable to self-regulate to prevent the destructive over drafting of either local or external water sources required to meet growing local water demands. Meaningful northern California representation in governance is required. In addition, approvals of any Delta solution must ensure that exporters contribute appropriately to satisfying any future requirements intended to address Delta conditions.

**Financing** – The proposed BDCP will have difficulty obtaining the financing necessary to fully implement the plan. The Administration is projecting some of the BDCP improvements will be paid for with a water bond approved by the voters, and funding from Congress, both of which are uncertain. Alternative funding approaches such as user fees are often proposed as an alternative to Congressional appropriations or state funding. A problem with such financing schemes is they often are paid by everyone in the state but benefit a smaller portion of the population.

### **Proposed Solutions:**

**A Delta solution that protects the region’s water supply** – The region agrees that a Delta solution must clearly demonstrate that it will cause no harm to the region now and in the future. This protection can be demonstrated through: (a) clear water supply assurances, (b) a detailed Delta solution operational plan and (c) a regionally balanced Delta solution governance structure. These three components should prevent Delta solution “mission creep” that would further jeopardize our region’s water supplies. Specifically, these protections would help prevent the expansion of the Delta solution water exports beyond initially proposed levels and discourage disproportionate allocations on upstream water purveyors to meet regulatory compliance burdens in the Delta and its major tributaries (e.g. ESA and SWRCB’s WQCP update). These assurances must be consistent with existing water rights and adhere to the longstanding area of origin principles. These assurances can be cooperatively achieved through a suite of

possible mechanisms including – water rights proceeding(s), state and/or federal legislation, state and/or federal regulatory actions, and contracts.

**Commitment by the State and Federal Government to support the improvement of regional**

**water supply reliability** – The region needs a cooperative and comprehensive approach, supported by the State and Federal Government, that enables it to improve regional water supply reliability and work towards reasonable and practical removal of barriers that obstruct reliability. Specifically, this includes a commitment by the State and Federal Government to invest in local water infrastructure that can benefit the entire state and to provide regulatory flexibility for water transfers, groundwater banking, conjunctive use and other beneficial water management actions. This commitment will benefit all of California by increasing water supplies from groundwater, conjunctive use, conservation, etc. This approach will create flexibility in our water system that will improve the state’s overall water supply reliability and help address regional water supply reliability concerns.

**United regulatory approach to deal with climate change and tightening water supplies** – The

state’s current regulatory framework for protecting the Delta environment is through the establishment of various flow and water quality criteria. This framework is not keeping pace with the real and present threats of climate change – shifting hydrology and sea level rise. The region wants to work in a constructive manner with the state and the larger water community to develop comprehensive strategies to adaptively manage the effects of climate change in a manner that balances environmental flow and temperature objectives of the Delta and its tributaries with consumptive water needs.

**Beneficiary Pays Concept** – The infrastructure and operation cost of a Delta solution should be funded by its beneficiaries.

# Sacramento Regional Water Policy Statement

California needs a comprehensive, statewide water plan that includes:

- **An operational plan for the state's water systems**
- **Increased investment in regional storage and**
- **Water supply reliability assurances under existing water rights and contracts.**

Climate change, increased environmental regulations and a growing population are all putting stress on the state's current water systems. The state's proposed water plan is a start, but it's missing key water supply assurances. The Sacramento region supports a statewide plan that provides water supply reliability for the entire state while protecting the Delta environment. A plan must ensure our future water supplies aren't put in jeopardy.

We are calling on the state of California to collaborate with Sacramento regional water providers, local government agencies and stakeholders to further develop an innovative and comprehensive water plan that includes:

- **Define a Delta solution that protects the Sacramento region's water supply.** The state can accomplish this through specific water supply assurances, a detailed operational plan for the state's water plans and a governing structure that includes Sacramento area stakeholders.
- **Commitment by the state and federal government to support infrastructure improvements for water supply reliability.** The region's water providers are already working to identify solutions to changing water supplies. As a part of a statewide plan, state officials must invest in local water infrastructure projects that will increase supplies.
- **Identify a united regulatory approach to deal with climate change** that will benefit the entire state, not just exporters south of the Delta. Climate change will impact the amount of water supplies Northern California's reservoirs can provide to protect the environment of an increasingly salty Delta. The state must identify a solution that won't negatively impact upstream supplies.

1/16/2014

**ATTACHMENT B**