

RECLAMATION DISTRICT NO. 2047

Situated in Colusa and Glenn Counties
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June 26, 1998

Mr. Lester Snow , Executive Director
CALFED Bay/Delta Program
1416 Ninth Street, Room 1155
Sacramento, CA 95814

RE: **Comments of Reclamation District No. 2047 on the 1998 CALFED Bay/Delta Draft Programmatic EIS/EIR**

Dear Mr. Snow:

The seven member Board of Trustees of Reclamation District No. 2047 (RD 2047) takes this opportunity to comment upon the CALFED Programmatic EIR/EIS as you have requested.

RD 2047 is supportive of CALFED's efforts to prepare a plan for the future water supply, water quality, environmental needs and improved flood control for California. We are hopeful that your efforts are successful and can provide a long term plan to meet the needs of all parts of California.

RD 2047 provides over 230,000 acres in the upper Colusa Basin with agricultural drainage facilities in conjunction with irrigation districts and mutual water companies situated within RD 2047 boundaries. Substantial portions of the Colusa Basin Drain were built by RD 2047 in the early 1920s for purposes of providing for irrigation runoff from agricultural fields irrigated by diversions from the Sacramento River and since then through increasing groundwater development. The Colusa Basin Drain has also become a source of water supply for many acres along its banks which receive their water by pumping.

One of the most important solution principles which the Board of Trustees at RD 2047 request that CALFED adopt is to insure there are no redirected impacts from one area in California to another area. For example, RD 2047 considers that the proposed CALFED plan's impacts on the Sacramento Valley would, by use of a water transfer "consensus" approach, require the Valley to give up a large portion of its water supply, take land out of agricultural production and pay new taxes on the use of water. Indeed, the CALFED documents appear to place great emphasis on a goal of encouraging and developing water transfers and/or other conjunctive use programs. This CALFED water transfer consensus effort is countered by the Bay-Delta hearings being conducted by the State Water Resources Control Board (SWRCB). The Bay-Delta hearings have as their goal a reallocation of water supplies which will establish mandatory reductions for all instream diverters to repair the "amorphous" problems in the Bay-Delta without considering causation. Actually, we believe this is simply an attempt to maintain and possibly increase current export levels. Nonetheless, while CALFED attempts its consensus building approach on water transfers, the SWRCB continues to argue they have the power to forcibly reallocate water from one level of use to another, from one priority of use to another, and from one purpose of use to another under this "public trust" concept.

Water transfers under a willing buyer/seller basis, are a reasonable use of markets. However, if the SWRCB continues to insist that those who engage in the transfer market have no significant marketable interest (or at least no interest that is not otherwise subject to take as a matter of administrative fiat under this broad "public trust" doctrine), how can CALFED legitimately encourage this consensus building process of "voluntary water transfers and conjunctive use programs." There must be recognition by both CALFED and the SWRCB that water rights are legitimate property rights and that engaging in any voluntary water transfers will not subject such rights to a taking, loss or "threatened reallocation" which is the subject of these Bay-Delta hearings.

Currently the area of the lower Colusa Basin suffers from land subsidence which has adversely impacted the drainage back into the Sacramento River and the Yolo Bypass. The subsidence situation is likely to become more acute if water is transferred out of the Valley.

Lands that are converted from agricultural uses to public uses reduce the local tax base. Every effort should be made to maintain lands in private ownership so that taxes are paid and the local economy is not damaged. It is also important to maintain or increase the assessable valuation so that tax revenues are equal or greater than they were before any change of use. Changing land use or ownership should not allow for any change in the maintenance of the water supply, drainage or other infrastructure that is detrimental to surrounding lands and their existing uses. For example, changes in land use should not be permitted to clog drainage or create a fire hazard for other landowners. Each of these would have significant impacts on the area and should be fully mitigated if permitted to proceed.

Certainly, any attempt to reduce water use in the Sacramento Valley through attempts to increase efficiency are not warranted due to historical agricultural and water practices in the Valley which only alter the timing of getting water to the Delta through providing return flow. Water conservation is recognized on the CALFED documents recently produced and certainly the potential for water efficient practices and conserving water does exist. RD 2047 agrees with the thrust of the CALFED statements in the water use efficiency component technical appendix "conservation is not

the solution" in the Sacramento Valley. RD 2047 also agrees however that conservation should be a goal and compensation for transfer of conserved water pursuant to Water Code section 1011 should be recognized by CALFED and the Department of Water Resources should be urged to comply with section 1011.

Some areas of the Sacramento Valley (westside of the Colusa Basin) are currently water supply deficient. We have already experienced severe water quality reduction and subsequent crop damage when water efficiency was increased during recent drought years. Only now are some lands recovering and water quality returning to more normal and productive levels for crop production.

By the year 2010, California will look at a total population exceeding 42 million people. It is mandatory that on-stream or off-stream storage facilities be not just studied and determined to be feasible, but actually constructed and operable. We reviewed the water storage projects both north and south of the Delta which appear in the Draft Programmatic EIS/EIR of March 1998. Water storage is a essential and CALFED must support selected sites whether on-stream or off-stream. Construction of new storage facilities must commence immediately. The Sacramento Valley is in need of improved flood control projects and the Valley does not support or desire the proposed "meander zone" which in many cases will destroy prime agricultural land and harm the local economy by reducing the county tax bases of Sacramento Valley counties. This "meander zone" or "return to nature" concept is simply unacceptable in the Sacramento Valley Basin.

While we believe Sites Reservoir is one water project which would increase California's water supplies, it offers little corresponding flood control benefit. CALFED's massive planning efforts for the future of California should analyze an additional potential for importing water supplies from the North Coast as huge quantities of fresh water are wasted to the ocean in just average years. Refusal to consider such harnessing of freshwater supplies to the benefit of California's water system brings discredit to the CALFED process and magnifies the burden on the Sacramento Valley.

We are also very disappointed Auburn Dam has not been included into the CALFED plan. Although it does not directly effect this area it indirectly relieves some of the water supply pressure form the Sacramento Valley. The Auburn Project would not only secure additional water for the State and the environment but would likely solve many flood control issues. Flexibility in the system is the key!

We conclude by expressing our concern for the future economy of the Sacramento Valley and question why the areas dependent on the export of water from the Delta are proposed to be allowed to maintain current export levels and even increase such levels and thereby gain in their ability to grow economically. In contrast, the Sacramento Valley will be forced to reduce its economic activity and be expected to "put on hold" it's opportunities for future economic growth.

We look forward to reviewing your revised CALFED draft documents this fall after you have addressed the forgoing concerns.

Sincerely,

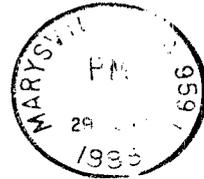


Donald Cecil
President

cc: Trustee
Congressman Vic Fazio
Congressman Wally Herger
Senator Maurice Johannessen
Assembly Member Tom Woods
California Central Valley Flood Control Association
Association of California Water Agencies

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