

NORTH DELTA WATER AGENCY

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NOV 20 1995

*North Delta
Under San
Joaquin
Drainage*

November 15, 1995

Mr. Lester Snow, Manager
CAL-FED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

Re: DWR/NDWA Water Quality Contract

Dear Mr. Snow:

North Delta Water Agency comprises the northerly 300,000 acres of the Sacramento-San Joaquin Delta. It consists of all that portion of the Delta as defined in the Water Code, which is located within the counties of Sacramento, Yolo, Solano and a small portion of northern San Joaquin County.

The Agency was formed in 1973 for the purpose of negotiating one or more contracts with the State of California and/or the United States to provide water of adequate quality and quantity for reasonable and beneficial use within the Agency boundary. The Agency successfully negotiated such a contract dated January 28, 1981, with the State of California through the Department of Water Resources. Enclosed for your reference is a copy of that contract. Please note paragraph 8.(a) (ii) on page 3 which helps to define the State's obligations under the contract.

The contract is forwarded to you for your information relative to your efforts to achieve a long-term, coordinated solution for the Bay-Delta. We wish to have a copy of this contract included in the record and carefully considered in any deliberations you undertake in developing an integrated solution to managing the Bay-Delta system.

The North Delta Water Agency is contractually entitled to the quality protection and water quantity provided in the contract between the Agency and the State of California as a contractual obligation of the State to be carried out through the operation of the State Water Project. The Agency believes that the State's obligation under the contract is not modified by the actions of the State Water Resources Control Board in establishing water quality criteria for certain times, flows and locations within the Sacramento-San Joaquin Delta. If these criteria are at any point higher than the quality criteria called for in the North Delta Water Agency contract, then the Agency cannot of course, insist under its contract, upon the better quality being provided. On the other hand if at a given flow or location or time, the criteria established as a minimum by the State Water Resources Control Board should be below that which is set forth in the

North Delta Water Agency contract with the State of California, the Agency will look to the State of California through its State Water Project to carry out the obligation to provide the quality and quantity established in the contract.

The North Delta Water Agency contract is viewed by its landowners as a contractual right for which they are paying an annual amount to guarantee that the quality and quantity does not fall below that set forth in the contract. Any action which the CAL/FED Bay-Delta Program may take in regard to quality criteria in the Sacramento-San Joaquin Delta must not impair the protection provided by the enclosed contract.

Your cooperation is greatly appreciated.

Sincerely yours,

A handwritten signature in black ink, appearing to read "W. R. Darsie", with a long horizontal flourish extending to the right.

W. R. Darsie
President

Enclosure

cc: State Water Resources Control Board
Department of Water Resources