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# Assembly California Legislature



**HENRY T. PEREA**  
ASSEMBLYMEMBER, THIRTY-FIRST DISTRICT

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GOVERNMENTAL ORGANIZATION

March 11, 2014

The Honorable Edmund G. Brown Jr.  
Governor of California  
State Capitol, First Floor  
Sacramento, California 95814

## **RE: State Water Resources Control Board – Proposed Drought Order**

Dear Governor Brown:

We are all greatly challenged by the worst drought in State history and appreciate your Administration's efforts considering the emergency circumstances. We respectfully ask you to delay issuing the State Water Resources Control Board's (State Board) proposed order prioritizing water deliveries throughout the state until more analysis and dialogue has been conducted to better understand the impact this will have on Californians and the economy.

The Department of Water Resources (DWR) and the United States Bureau of Reclamation (USBR) have requested that the State Board adjust Delta outflow and permit the projects to operate the Delta cross channel gates in a more flexible manner. In response, the State Board Executive Officer issued an emergency order on January 31, 2014 (and subsequently amended on February 7), allowing adjustment of Delta outflow requirements and real-time operation of the Delta cross channel gates.

We appreciate the State Board's quick action, however the emergency order also attached conditions that go beyond the relief requested by DWR and USBR. Specifically, the order limited pumping from the Delta to undefined "public health and safety" purposes, appearing to limit intended uses of water to municipal, industrial, drinking water, fire safety and dust mitigation purposes. On Friday, February 28, 2014, the State Board extended the order through the month of March 2014. On March 3, 2014, the State Board amended its order and specified that it was discussing water operations with USBR and would issue further orders soon.

Throughout the month of February, the State Board and the USBR, which has the responsibility for operation and management of the Central Valley Project (CVP), have been discussing the possibility that the "public health and safety" condition imposed in the order will have the effect of prohibiting deliveries from the CVP for its permitted and authorized agricultural water uses.



This possibility is of great concern to the Central Valley. Cutting water deliveries to agriculture will devastate the social and economic fabric of the Central Valley for years, possibly decades. The Friant Water Authority (Friant) provides water for 15,000 farmers and 1 million acres. Over half of the Friant service area consists of permanent plantings. Those plants and the investments in them will be lost without sufficient water and it will take 5 years or more before they return to full production if replanted. Many in the Friant service territory cannot simply transition to groundwater in lieu of surface water because many communities and farms do not have access to groundwater.

In the San Joaquin Exchange Contractors' (Exchange Contractors) service territory, over 200,000 acres (or 85% of the farm land) could be fallowed resulting in a \$800 million loss to the region if no water is delivered for agricultural use. Approximately 46% of the total employment in the Exchange Contractors' service area is related to agriculture. For the communities of Mendota, Firebaugh, Dos Palos and Crows Landing, this number is closer to 84%. Over 4,000 jobs within the Exchange Contractors' service area and nearby communities could be lost.

Given the demands on the State Water Project and the CVP system, we understand there is not enough water in storage to meet contractors' full needs, meet existing in-stream and Delta fishery requirements and push salts out of the Delta as proposed by the State Board. During times of drought, flexibility in the system comes from moving water, not impounding it. This provides water operators and managers the flexibility to exchange water among various districts served by the system but exchanges cannot be completed if there is no water in the system south of the Delta.

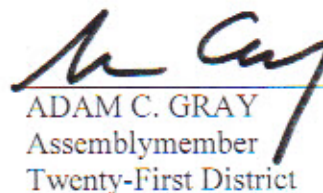
We want to assist in providing alternatives to manage the drought that is sensitive to public needs and our economy. We appreciate your attention to this serious issue and look forward to a continued dialogue that provides solutions. Should your Administration have any questions, please feel free to contact our office at (916) 319-2031.

Sincerely,



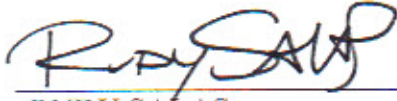
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HENRY T. PEREA  
Assemblymember,  
Thirty-First District




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ADAM C. GRAY  
Assemblymember  
Twenty-First District



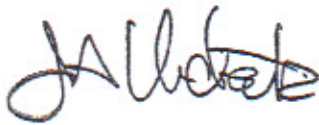
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RUDY SALAS  
Assemblymember  
Thirty-Second District



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FRANK BIGELOW  
Assemblymember  
Fifth District



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ANDY VIDAK  
Senator  
Sixteenth District

HTP/jc

Cc:

Felicia Marcus, Chair, State Water Resources Control Board  
John Laird, Secretary, California Natural Resources Agency  
Karen Ross, Secretary, California Department of Food and Agriculture  
Mark Ghilarducci, Director, California Office of Emergency Services  
Mark W. Cowin, Director, California Department of Water Resources