



CALIFORNIA
NATURAL RESOURCES
AGENCY



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

February 6, 2013

To: Enclosed North State Water Alliance Distribution List

Thank you for your letter, dated December 20, 2012, in which you state that upstream water right holders should not be responsible for meeting the obligations of the State Water Project (SWP) and the Central Valley Project (CVP). We agree with this statement.

The State Water Resources Control Board (State Water Board) is responsible for two critical activities in the Delta watershed: 1) review of the Water Quality Control Plan for the Delta; and 2) considering amendments to water right permits for a change in the point of diversion and operation of the state and federal water projects to accommodate the new conveyance for the Bay Delta Conservation Plan (BDCP). You request that water rights priorities be recognized when changes in flow obligations are considered for the Delta, and that the SWP and CVP must not be exempted from contributing water when the needs of the entire Delta are evaluated. You further request that the State Water Board include language in any order approving a change in point of diversion for the SWP and CVP to ensure that the impacts of any such change and of the BDCP generally, will not result in any redirected impacts to upstream water users.

If the State Water Board decides to adopt new flow standards in the Water Quality Control Plan for the Delta, the State Water Board will implement the new standards through a water right decision. California law generally requires the board's decisions to adhere to the water rights priority system. Any interested persons, including water rights holders potentially affected by implementation of the flow standards, may participate in this hearing to ensure protection of their water rights priorities.

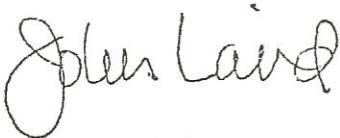
Regarding your request that BDCP not result in redirected impacts to upstream water users, the Water Code requires the State Water Board to determine that a proposed change in water rights, such as a change in point of diversion, will not injure any legal user of water. The State Water Board will evaluate this issue in any water rights hearing related to BDCP, and it will follow the no injury rule.

The policy of the California Natural Resources Agency is that BDCP:

- 1) will not result in any exemption for the CVP and SWP from contributing water when the needs of the entire Delta are evaluated in the Water Quality Control Plan,
- 2) will reflect in the EIR/S any impacts on upstream water rights holders. At this time, we believe that the EIR/S will not show any such impacts,
- 3) will not seek any change in the priority of water rights,
- 4) will not impact upstream water users, whether to meet water quality requirements, increased flows, or for other mitigation requirements,

We look forward to working with you and all stakeholders on both development and implementation of BDCP and review of the Water Quality Control Plan for the Delta.

Sincerely,



John Laird
Secretary
California Natural Resources Agency



Charles R. Hoppin
Chairman
State Water Resources Control Board

Enclosure: North State Water Alliance Distribution List

cc: See next page.

North State Water Alliance Distribution List

Donna Leatherman, District Manager
Calaveras Public Utility District
P.O. Box 666
San Andreas, CA 95249

Lynn Gentry, Interim General Manager
Calaveras County Water District
P.O. Box 846
San Andreas, CA 95249

Steven Nugent, General Manager
Carmichael Water District
7837 Fair Oaks Boulevard
Carmichael, CA 95608

Joseph P. Dion, President
Citrus Heights Water District
6230 Sylvan Road
Citrus Heights, CA 95610

Stephen E. Miklos, Mayor
City of Folsom
50 Natoma Street
Folsom, CA 95630

Ed Kriz, Interim Director,
Environmental Utilities
City of Roseville
311 Vernon Street
Roseville, CA 95678

John Shirey, City Manager
City of Sacramento
915 I Street, 5th Floor
Sacramento, CA 95814

William Kristoff, Councilmember
City of West Sacramento
1110 W. Capital Avenue
West Sacramento, CA 95691

Debra Sedwick, General Manager
Del Paso Manor Water District
4268 Lusk Drive
Sacramento, CA 95864

Alexander R. Coate, General Manager
East Bay Municipal Utility District
375 11th Street
Oakland, CA 94607

David Eggerton, General Manager
El Dorado County Water Agency
3932 Ponderosa Road, #200
Shingle Springs, CA 95682

Jim Abercrombie, General Manager
El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667

Mark Madison, General Manager
Elk Grove Water District
9257 Elk Grove Boulevard
Elk Grove, CA 95624

Randy Marx, President
Fair Oaks Water District
10317 Fair Oaks Boulevard
Fair Oaks, CA 95628

Thad Bettner, General Manager
Glenn-Colusa Irrigation District
P.O. Box 150
Willows, CA 95988

Tom Hoover, General Manager
Jackson Valley Irrigation District
6755 Lake Amador Drive
Ione, CA 95640

Allen Short, General Manager
Modest Irrigation District
P.O. Box 4060
Modesto, CA 95352

John Kingsbury, Executive Director
Mountain Counties Water Resources
Association
P.O. Box 251
Placerville, CA 95667

David Guy, Executive Director
Northern California Water Association
455 Capitol Mall
Sacramento, CA 95814

Steven Knell, General Manager
Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

David Breninger, General Manager
Placer County Water Agency
144 Ferguson Road
Auburn, CA 95603

Edward R. Crouse, General Manager
Rancho Murieta Community Services District
P.O. Box 1050
Rancho Murieta, CA 95683

John Woodling, Executive Director
Regional Water Authority
5620 Birdcage Street, Suite 180
Citrus Heights, CA 95610

Mary Henrici, General Manager
Rio Linda/Elverta Community Water District
730 L Street
Rio Linda, CA 95673

Kathy Mannion, Legislative Advocate
Regional Council of Rural Counties
1215 K Street, #1650
Sacramento, CA 95814

Mike McKeever, Chief Executive Officer
Sacramento Area Council of Governments
1415 L Street, #300
Sacramento, CA 95814

Michael Peterson, Director
Sacramento County Water Agency
827 7th Street, Room 301
Sacramento, CA 95814

Roger Niello, President and CEO
Sacramento Metro Chamber of Commerce
1 Capitol Mall, #300
Sacramento, CA 95814

Robert Roscoe, General Manger
Sacramento Suburban Water District
3701 Marconi Avenue, #100
Sacramento, CA 95821

Michael Carlin, Deputy General Manager
San Francisco Public Utilities Commission
525 Golden Gate Avenue (At Polk Street)
San Francisco, CA 94102

Allen Short, Executive Director
San Joaquin Tributaries Authority
1530 J Street, Suite 225
Sacramento, CA 95814

Shauna Lorange, General Manager
San Juan Water District
9935 Auburn Folsom Road
Granite Bay, CA 95746

Jeff Shields, General Manager
South San Joaquin Irrigation District
11011 California 120
Manteca, CA 95336

Kevin Kauffman, General Manager
Stockton East Water District
6767 East Main Street
Stockton, CA 95215

Casey Hashimoto, General Manager
Turlock Irrigation District
P.O. Box 949
Turlock, CA 95381

Andres Christensen, General Manager
Woodbridge Irrigation District
18777 North Lower Sacramento Road
North Woodridge, CA 95220

Dennis Diemer, General Manager
Woodland Davis Clean Water Agency
1717 Fifth Street
Davis, CA 95616

Curt Aikens, General Manager
Yuba County Water Agency
1220 F Street
Marysville, CA 95901

cc: Phil Isenberg
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Mark Cowin, Director
Department of Water Resources
1416 9th Street
Sacramento, CA 95814

Chuck Bonham, Director
Department of Fish and Wildlife
1416 9th Street, 12th Floor
Sacramento, CA 95814

David Murillo, Regional Director
U.S. Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Ren Lohofener, Regional Director
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2606
Sacramento, CA 95825

Thomas Howard, Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

William W. Stelle, Jr.
Regional Administrator
National Marine Fisheries Service
7600 Sand Point Way NE
Seattle, WA 98115

Frances Spivy-Weber, Vice-Chair
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

Tam M. Doduc, Board Member
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

Steven Moore, Board Member
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

Felicia Marcus, Board Member
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812