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March 7, 2017

Jeanine Townsend, Clerk to the Board
 State Water Resources Control Board
 1001 I Street, 24th Floor
 Sacramento, CA 95814-0100

Regarding: Comment Letter – 2016 Bay-Delta Plan Amendment & SED

Dear Ms. Townsend,

The State Water Resources Control Board (SWCRB) is developing regulations that will deprive northern Californian's of our water supplies. The SWRCB's proposed plan guarantees that Sierra water be dedicated to flow unimpaired to the Sacramento-San Joaquin Delta (Delta). This flawed approach will drain Sierra Nevada headwaters and reservoirs while dedicating that water to fill a bathtub with a hole in it – the Delta.



MCWRA advocates for the water interests of its members in all or a portion of 16 counties from the southern tip of Lassen County down to Fresno County.

The Mountain Counties Area is approximately 15,750 square miles, of which 60% is contained in eight National Forest units and three National Parks.

The Mountain Counties Area includes ten major watershed areas and accounts for about 25% of all natural runoff in California, over half of all snowmelt runoff in the State, and 40% of the state's developed water supply, more than from any other single source. This total increases to more than 60% of the state's developed water supply when combined with other waters from sources within the entire Sierra Nevada. The larger Sierra Nevada Region is the source of water for 23 million Californians.

Public Comment
 2016 Bay-Delta Plan Amendment & SED
 Deadline: 3/17/17 12:00 noon



Unimpaired flow, as interpreted by the SWRCB, "is the rate and volume of water flow that would be produced by the rain and snow accumulating in a watershed absent any diversion, storage, or use of water". Using this regime makes no sense.

The Sierra Nevada watershed is a highly-altered system with reservoirs, canals, diversions, and power generation facilities as is the Sacramento-San Joaquin Delta waterway highly altered by a maze of sloughs, miles of riprap, and deep and wide channels. Rather than trying to distort reality, the Mountain Counties Water Resources Association strongly encourages the SWRCB abandon their unimpaired flow concept.

Also, what is missing from the discussion is the science developed by the Delta Independent Science Board (Delta ISB). In August 2015, a review by the Delta ISB reported that "flow is but one factor affecting fishes and its effects are confounded by other drivers of fish production in the ecosystem". The report went on to say "that five major drivers are considered as agents of change in any given ecosystem. These are habitat alteration and loss, resource use and exploitation, invasive species, pollution, and climate. All of these drivers have played a role in the Delta and affected fishes."

The Delta ISB is a standing board of nationally and internationally prominent scientists with appropriate expertise to evaluate the broad range of scientific programs that support adaptive management of the Sacramento-San Joaquin Delta. Created by the Delta Reform Act of 2009 and appointed by the Delta Stewardship Council, the Delta ISB provides oversight of the scientific research, monitoring, and assessment programs that support adaptive management of the Delta through periodic reviews.

The report reads "it is almost impossible to assess how flows affected fishes historically in the Delta because the ecosystem has undergone and is still experiencing dramatic alterations in habitat, species composition and interactions, channel morphology, and water quality."

As noted in the report, much research in the Delta has been understandably focused on endangered or threatened species and some non-natives such as the Striped bass. The non-native species dominate fish biomass in much of the Delta and have disrupted historic food webs. Ecologically important species of fish are those that dominate the ecosystem and/or play key roles in the food web. As called out in the report, "Little is known about the impact of flows on many of these species and they likely have important food-web relationships to threatened or endangered species."

The State should concentrate on and fix the other multiple "drivers" in the Delta. Only then should it consider the amount and timing of flow necessary to create a robust fishery in the Delta. Until the drivers have been fixed in the Delta to provide food and cover for the endangered fish and water quality issues fixed upstream, more flow should be deemed a waste and unreasonable use of water, particularly when the science is not there.

The "unimpaired flow" regime is a "take" from the drought-stressed northern California tributaries to help the endangered species in the Delta with little or no regard to the impacts to the Sierra region's ecosystem, its endangered aquatic plant and animal species, including endemic and migrating species that are already stressed by forest fires and drought.

We recognize that the SWRCB members are faced with tough and complex decisions in this diverse state. The mountain counties region stands ready to work collaboratively with the SWRCB to develop a comprehensive plan that will enhance and protect natural resources in the Delta and in the Sierra while balancing other beneficial uses of water.

Sincerely,



John Kingsbury
Executive Director
Mountain Counties Water Resources Association

C: State Water Resources Control Board Members
Board of Directors, Mountain Counties Water Resources Association

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