

CALIFORNIA DEPARTMENT OF WATER RESOURCES  
POLICY STATEMENT IN SUPPORT OF YUBA COUNTY WATER AGENCY  
CHANGE PETITION FOR REVISED DECISION 1644

The Department of Water Resources supports the Yuba County Water Agency Petition to change the effective date for implementing instream flows under State Water Resources Control Board Revised Decision 1644. The Department and the State Water Board are responsible for implementing State water policy that provides for reasonable, beneficial and non-wasteful use of water. Together we must support actions that have an ultimate effect of improving environmental conditions and flood protection in the Yuba River watershed while providing an opportunity to increase State water supply.

The Department and State Water Board must analyze the YCWA Petition in light of the future needs of the State as envisioned by the Governor in his recent State of the State Address. The Governor is calling upon the Department and the Water Board to prepare for an increased State population of over 43 million by 2020. The Department and State Water Board must consider programs, such as the Lower Yuba River Accord that addresses environmental, local, and State water needs, with a broad view of meeting future State needs.

*regulatory* Approval of the YCWA petition will enable YCWA to continue operating under existing conditions and implement a Pilot Program for the Lower Yuba River Accord through a 2006 water purchase agreement between DWR and YCWA. The Department or other legal users of water will not be injured by the change in the effective date. As in past water purchase agreements, provisions of the 2006 water purchase agreement protect State Water Project and Central Valley Project operations from potential impacts from the transfer. The Department and U.S. Bureau of Reclamation must maintain Delta water quality conditions under their Delta water right permits which protect beneficial uses and legal users of water during such transfers. The Department supports the approval of the YCWA's Petition as it would keep the regulatory baseline consistent with what is has been for the past several years; thereby allowing the 2006 transfers as described under our agreement. The Department requests that the Board in any order it issues on the Petition be cognizant of the importance of maintaining the existing regulatory baseline because of the effect it can have on the transferability of water from the Yuba system.

In conclusion, the YCWA Petition will enable the Department and YCWA to proceed with the 2006 Yuba River Pilot Program, which is necessary for providing information and funding for the environmental analysis of the proposed Lower Yuba River Accord. Many interested parties support the proposed Accord for the benefits it would provide for California flood control and water use. However, YCWA must first complete its environmental analysis before moving forward on the Accord. Therefore, the Department urges the State Board to approve the YCWA Petition as a step forward in achieving the State's long-term infrastructure and water supply needs as envisioned by the Governor.