0333(1)

VALLEY CENTER MUNICIPAL WATER DISTRICT

A Public Agency Organized July 12, 1954

29300 Valley Center Road • P.O. Box 67 • Valley Center, CA 92082
(760) 749-1600 • TDD (760) 749-2665 • FAX (760) 749-6478

AUG 2 3 1999

August 16, 1999

Mr. Rick Breitenbach
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, California 95814

Subject: *CALFED Bay-Delta Draft Programmatic EIS/EIR; Comments*

Dear Mr. Breitenbach:

Our agency would like to thank you for this opportunity to comment on the ***CALFED Bay-Delta Draft Programmatic EIS/EIR*** ("Draft EIS/EIR"). After review of summary information concerning the document, we would like to submit the following observations, concerns, and recommendations for inclusion in the Record of Decision for the CALFED Bay-Delta Program

OBSERVATION:

As set forth in the Draft EIS/EIR, investments in several program components, i.e., levy restoration, ecosystem restoration, and more stringent water use efficiency measures are certainties, actually prerequisites to additional future action; while others, i.e., additional surface water storage and a dual-delta conveyance, are "contingent."

CONCERN:

We are concerned that investments in additional surface storage and the dual conveyance, components critical to improved water quality, increased water supply reliability and establishment of secure long-term water transfer markets, hinge on geographically and politically diverse interests being able to reach a consensus in subsequent assessments and determinations of achieving water quality goals and water use efficiency standards.

OBSERVATION:

The Draft EIS/EIR provides that any permitting of new surface storage projects will be dependent on a statewide demonstration of efficient use by local water suppliers and irrigation districts.

BOARD OF DIRECTORS:

GARY A. BROOMELL President | GEORGE W. ARMSTRONG Vice President | ROBERT A. POLITO Director | PAUL G. FELD Director | MERLE J. ALESHIRE Director

Mr. Rick Breitenbach
CALFED Bay-Delta Program

August 16, 1999

CONCERN:

We are concerned that this key prerequisite for critical new surface storage facilities is proposed against the backdrop of the statewide disparities in the current levels of water use efficiency and the anticipation that motivations to reach a high level of water use efficiency will likely vary, based on regional perspective and interests.

OBSERVATION:

In sum, the Draft EIS/EIR leads to the very real potential for some components of CALFED to be completed, while the implementation of those components associated with water quality improvements and increased water supplies fall victim to future disagreements over definitions and performance assessments.

CONCERN:

In its final form, extreme care must be taken to ensure that CALFED meets the program mission statement and complies with all of its solution principles, including being equitable, in that solutions will focus on solving problems in all problem areas. Further, that improvements for some problems will not be made without corresponding improvements for other problems.

CONCLUSIONS and RECOMMENDATIONS:

In our view, these concerns can only be resolved through the development of carefully crafted performance measurements, definitions, linkages, assurance packages and program bundles. While developing these key implementation components, ***CALFED Bay-Delta Program Record of Decision*** must consider the following factors:

Once levy and ecosystem improvements and formally established water efficiency criteria have been implemented, there could be a reluctance from some interests to support additional surface storage facilities and the dual-delta conveyance facility, even if water supply and water quality parameters indicate the need for these facilities;

1. ***With this considered, we recommend the Record of Decision and subsequent implementing legislation contain narrowly and objectively triggering mechanisms for permitting additional surface storage and conveyance facilities. In a like manner, facility cost allocations should be defined, financing sources and mechanisms identified, and capital expenditures preauthorized to assure implementation of these triggered components.***

While most agree that increased water use efficiency is part of the overall Bay-Delta solution, it must also be recognized that the current levels of, and commitment to water use efficiency varies, often dramatically up and down the state.

2. ***When widespread water use efficiency is defined in the Record of Decision, the definition must recognize the regional variations in current levels of efficiency and factor these variations into a water use efficiency baseline against which regional advancements toward higher levels of efficiency are measured in the future. Alternatively, regions which have made significant investments in water use efficiency should be credited for those efforts and not be expected to achieve the same level of overall improvement as less water efficient regions.***

   Also, with respect to water use efficiency, the Record of Decision must recognize the difference in regional interests and perspective. Historically, Southern California has made the commitment to and investment in water use efficiency. One of the motivations has been to demonstrate to Northern California that we are making good, beneficial use of our imported water supplies. It is likely that this interest will motivate Southern California water interests to reach even higher levels of water use efficiency. Also, historically, some portions of Northern California have not been as advanced in water use efficiency and likewise less than interested in making it possible for Southern California to receive more water from the State Water Project.

3. ***In establishing the prerequisites for constructing additional surface water storage, Record of Decision must recognize that it might not be in the interest of some portions of the state to increase the levels of water use efficiency so as to enable other portions of the state to receive the water supply and quality benefits associated with additional facilities. This difference in interests, along with the variations in the current levels of water use efficiency, must somehow be factored into the evaluation of overall state and regional performance and its relationship to permitting new surface water storage facilities which will bring CALFED benefits to regions or portions of the state meeting water efficiency performance criteria.***

We are hopeful that these observations, stated concerns and recommendations will be of assistance as you and your staff move forward to finalize the Programmatic EIS/EIR and the definitions, performance measurements, linkages and assurance packages to be contained in the Record of Decision so critical to the overall success of the CALFED Bay-Delta Program.

0333(4)

Mr. Rick Breitenbach
CALFED Bay-Delta Program

August 16, 1999

Thank you for the opportunity to comment, and we look forward to your response. If you have any questions, comments or need clarification, please feel free to contact our offices at your earliest convenience.

Sincerely,

Gary T. Arant
General Manager
Valley Center Municipal
Water District

C:\MyFiles\WPFILES\CALFEDDRAFTEIREISComments.wpd