



March 16, 2017

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

Subject: Comment Letter – 2016 Bay Delta Plan Amendment & SED

Dear State Water Resources Control Board,

Thank you for your extensive work addressing the challenges of the Bay-Delta including your 2010 Flow Criteria Report and your latest Bay Delta Plan Amendment & SED. I have lived in California since 1966 with the last 30 years in Northern California. My high school science department in the early 1970's had a memorable focus on California's water supply, right around the time of the initial completion of the State Water Project. They would not be surprised by the challenges we are facing today.

Comments here are mostly in concert with my comments at the November 29<sup>th</sup>, 2016 hearing and are in priority order:

- 1) Thank you for your innovations in this SED. It is an exciting advance.
- 2) Please get this draft right such that you have confidence that we will accomplish our objectives for the protection of fish and wildlife with the SED. Not only have you and the State of California made extensive investments, but also so many other organizations have made investments relative to the use of this water. And it is likely that no matter what the final version of the SED is, unfortunately it looks like litigation is in its future. And most important of all, Californians will begin the process of adapting to the new regulations. If it turns out we got this wrong, meaning that the SED doesn't adequately protect fish and wildlife, then we will all go through this again, adding time and expense for everyone. There is significant value, likely to all parties, in getting the SED right today.
- 3) Find ways to finalize the SED this year. For example: While it appears from the 2010 Flow Report and various presentations at the hearings that the selected Alternative 3 (30%-50% flow) is unlikely to achieve the objective, switching the Alternative 4 is probably too big of a change to make to still get the SED done this year. However improving the specificity of the objective of protecting fish and wildlife with more detailed measurable criteria is a less substantive change and gives all parties a better understanding of where they stand relative to accomplishing the objective which in turn improves the chances of the objective being achieved and perhaps could be done without jeopardizing the current timeline. If improving the specificity of the objective/providing more detailed measurable criteria takes too much time to get the SED out this year, perhaps instead the SED could reference developing more specific criteria as a supplemental project.
- 4) We water users are great innovators and will be able to adapt to the SED: While I am less familiar with agricultural advances, it is remarkable what urban and suburban water agencies are already doing: Los Angeles setting a goal of reducing water imports from 85% to 50% of its needs (as you likely know the goal was set by Mayor Eric Garcetti, who was resoundingly re-elected); Santa Monica aiming for 100% local water; and Orange County drinking 100 to 130 mgd of recycled water, meeting possibly 20% of its needs. Perhaps good news: The SFPUC and BAWSCA who rely heavily on the Tuolumne have not yet taken significant action to reduce imports—a wealth of opportunities await us (I am a BAWSCA water user).

Thank you for leading California through this difficult challenge.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Warner".

Dave Warner  
Palo Alto, CA