



**CHAIRMAN
BOARD OF SUPERVISORS
COUNTY OF SACRAMENTO**
700 H STREET, SUITE 2450 • SACRAMENTO, CA 95814

DON NOTTOLI
SUPERVISOR, FIFTH DISTRICT
Telephone (916) 874-5465
FAX (916) 874-7593
E-MAIL: nottolid@saccounty.net

February 23, 2012

The Honorable Doc Hastings
Chairman
Committee on Natural Resources
United States House of Representatives
Washington, D.C. 20515

The Honorable Edward J. Markley
Ranking Member
Committee on Natural Resources
United States House of Representatives
Washington, D.C. 20515

The Honorable Tom McClintock
Chairman, Subcommittee on Water and Power
Committee on Natural Resources
United States House of Representatives
Washington, D.C. 20515

The Honorable Grace Napolitano
Ranking Member, Subcommittee on Water and
Power
Committee on Natural Resources
United States House of Representatives
Washington, D.C. 20515

SUBJECT: OPPOSE H.R. 1837 (NUNES)

Dear Chairman Hastings, Ranking Member Markey, Chairman McClintock, and Ranking Member Napolitano:

The County of Sacramento (County) is writing to express its opposition to the proposed Sacramento-San Joaquin Valley Water Reliability Act (H.R. 1837). If passed H.R. 1837 would roll back environmental protections for the Delta, as provided for under the statutory provisions that established the Central Valley Project (CVP) and State Water Project (SWP), and reverse the San Joaquin River settlement. The resulting consequence would be the preemption of the long established State water rights priority system by providing a number of junior water right holders with a more reliable water supply, at the expense of senior water right holders. This runs contrary to many years of State and Federal water planning and administration. Moreover, Congress should not usurp a State's authority to manage and administer its water rights and environmental laws.

Further, the passage of H.R. 1837 would stall, and possibly de-rail, the efforts of various State and federal department/agencies to achieve their respective statutory mandates of: (1) reducing reliance on the Sacramento-San Joaquin Delta, (2) providing a high quality supply of water, and

SUBJECT: OPPOSE H.R. 1837 (NUNES)

February 23, 2012

Page 2

(3) restoring the Delta's ecosystem (e.g., the Bay Delta Conservation Plan (BDCP) and the forthcoming Delta Plan).

Sacramento County has the following additional concerns with the proposed bill:

- Local government input and feedback on the potential impacts of the bill has been nonexistent on a matter which has the potential to significantly alter and erode long-standing legal protections for the Delta;
- It creates significant uncertainty resulting from Congressional intervention into the established water rights priority system and is in direct conflict with policy positions adopted by the Sacramento County Board of Supervisors in November 2008;
- There will be adverse impacts to the Lower American River which has been the focus of significant local investment and regional consensus on how to protect and manage its aquatic resources, and
- The bill circumvents the environmental impact analysis provisions set forth in both the National Environmental Protection Act (NEPA) and California Environmental Quality Act (CEQA).

The Sacramento-San Joaquin Delta's water, land use, flood control, and ecosystem issues are complex. Enactment of the proposed legislation will significantly impede efforts to address and implement the 2009 Sacramento-San Joaquin Delta Reform Act's coequal goals of providing a reliable water supply and restoring the Delta's ecosystem. Congress should support policies and strategies which address and solve the full suite of Delta-related issues rather than dismantle long-standing environmental and water laws via H.R. 1837. Sacramento County has long advocated for federal assistance with implementation of reasonable and consensus-based solutions that are critical to protect, preserve, and enhance the water and land-based resources unique to the Delta and the entire State of California. H.R. 1837 is neither reasonable nor consensus-based and for the reasons stated above, the County of Sacramento opposes H.R. 1837.

Thank you for the opportunity to share our concerns. Should you have any follow-up questions, please contact Rob Leonard, Chief Deputy County Executive at (916) 874-7876 or Michael Peterson, Director, Sacramento County Department of Water Resources at (916) 874-8913.

Sincerely,



Don Nottoli, Chairman
Sacramento County
Board of Supervisors

cc: Congresswoman Doris Matsui