

CALIFORNIA DEPARTMENT OF WATER RESOURCES
POLICY STATEMENT
IN SUPPORT OF YUBA COUNTY WATER AGENCY CHANGE PETITION FOR
REVISED DECISION 1644
November 17, 2006

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.

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 2007 water purchase agreement between the Department 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 2007 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 and requests that the Board in any order it issues on the Petition be cognizant of the importance of maintaining the existing regulatory baseline to enable parties of the proposed Yuba Accord to gain experience and demonstrate the value of the transferability of water from the Yuba system.

In conclusion, the YCWA Petition will enable the Department and YCWA to proceed with the 2007 Yuba River Pilot Program, which is necessary for providing information and funding for the environmental analysis of the Lower Yuba River Accord. Many parties expect that the Yuba Accord will provide multiple benefits for California flood control and water use but environmental analysis must be completed before moving forward on the Accord. The Department urges the State Water Board to approve the YCWA Petition as a step forward in achieving this goal.