

# SOUTH DELTA WATER AGENCY

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Via E-mail [rsatkowski@waterboards.ca.gov](mailto:rsatkowski@waterboards.ca.gov)

Mr. Richard Satkowski  
State Water Resources Control Board  
Division of Water Rights  
P. O. Box 2000  
Sacramento, CA 95812

Re: Comments to Draft Guidance for Compliance with Statements of Water Diversion

Dear Richard:

On behalf of the South Delta Water Agency, I would like to submit the following comments to the draft Guidance the SWRCB staff provided regarding reporting requirements for *Statements of Water Diversion* under the 2009 Water bills.

The proposed form is helpful and we believe allows the diverters to more easily report the needed information. Our main comment is to suggest that any reporting using the crop evapotranspiration method must also include some sort of factor which estimates that additional amount (above and beyond crop use) actually diverted. If not, then the SWRCB will have two sets of data; one of actual measurements of that which was diverted, and one which is only the net amount lost to the system. Currently most in-Delta reporting from within the SDWA and CDWA areas already includes such a factor. The SWRCB should consider and decide if the current calculation is acceptable.

At the next workshop, we will again cover the issues underlying the reporting requirements and what information is actually needed and is beneficial. We believe it is necessary to review this because the reporting information is for the most part needed to operate the Delta. As you know the factors which go into calculating the net loss of water to the system resulting from in-delta agriculture were considered in the development of the Delta Island Consumptive Use ("DICU") model. That model uses previously developed data for diversions,

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drainage, crop acreage, evapo-transpiration, etc to estimate the net consumptive use loss in the system. With those model outputs, the projects operate the Delta on a near realtime program which determines outflow, channel net flows, and exports. It is interesting to note that the DICU includes estimations of how more water is drained from an island than is diverted onto it in some months, again highlighting the complicated interconnection of the waters.

Diversion reporting, even on a monthly basis can and will have no effect on daily or monthly operations of the projects and the Delta as a whole. At best, information reported in *Statements and Reports of Licensees* can be used to calibrate DICU. Clearly, DWR modelers are not interested in the amount of water in-Delta diversions "removed," they are only interested in determining if the DICU predicted net losses (with an acceptable margin of error) to the system are accurate or useable.

We believe that in many instances measuring devices will not be "locally cost effective." In order to lessen the burden on the numerous in-Delta diverters, we suggest further consideration be given to defining what is cost effective. Per the documents submitted by the CDWA, measuring devices can be cost prohibitive, even when amortized over a reasonable period. However, we agree that a diverter should be able to reasonably assert a device is not cost effective, the "proof" only being required if the SWRCB has reason to believe otherwise. Personal and private business information regarding farming operations is not appropriately kept or demanded by the SWRCB.

We look forward to resolving these issues in the short term so that local diverters can take the appropriate actions so that their reporting is both acceptable and useful. Please feel free to Contact me if you have any questions.

Very truly yours,



JOHN HERRICK