

POLICY STATEMENT

of the United States Bureau of Reclamation
before the California State Water Resources Control Board
at the December 5, 2007 Water Right Hearing
on Yuba County Water Agency's Petition to Modify Water Right
Permits 15026, 15027, and 15030

and

Petition for Long-Term Transfer of up to 200,000 Acre-Feet of Water from Yuba
County Water Agency to the Department of Water Resources and the United
States Bureau of Reclamation under Permit 15026

The Yuba County Water Agency (Petitioner) requests that the State Water Resources Control Board (Board) modify the conditions on Permits 15026, 15027, and 15030 by making specific changes to Revised Decision 1644 (RD-1644). The Petitioner also requests approval of a long-term transfer of water under Permit 15026. These petitions are necessary to implement the proposed Yuba Accord, which provides for new instream flows in the lower Yuba River for purposes of increased fisheries protection compared to that which would be provided by the long-term instream flow requirements in RD-1644.

The proposed Yuba Accord has been developed through discussions among the Petitioner and numerous irrigation, environmental, and fisheries interests and State and Federal agencies.

The proposed Yuba Accord, when in effect, would result in improved water supply reliability for Reclamation, as well as for the California Department of Water Resources (DWR), including a firm commitment of 60,000 acre-feet of water per year for the Environmental Water Account (EWA), and up to an additional 140,000 acre-feet of water in dry years for State Water Project (SWP) and the Central Valley Project (CVP) uses, including for fish and wildlife purposes.

Following completion of its Record of Decision (ROD) regarding the proposed Yuba Accord, Reclamation will be able to consider joining the Petitioner and the DWR in their Water Purchase Agreement, one of three separate agreements referred to in the proposed Yuba Accord, for the purchase of water from the Petitioner. Water acquired under the Water Purchase Agreement will improve water supply reliability for the projects, including for fish and wildlife purposes, and will contribute toward a long-term EWA or equivalent program for protection of Delta fisheries. Reclamation will not be able to complete the ROD until its consultations under the Endangered Species Act are completed for the CVP Operational Criteria and Plan. However, Reclamation does recommend that the Board approve the petitions at this time in order to expedite the implementation of the Yuba Accord.

CONCLUSION

The proposed Yuba Accord is a collaborative effort designed to benefit fisheries populations in the Lower Yuba River while making available for purchase 60,000 acre-feet of water per year for multiple years for the EWA as well as supplemental water supplies for the CVP and the SWP.

Reclamation supports the Petitioner's requested changes to RD-1644 and the requested long-term transfer in order to implement the proposed Yuba Accord.