

April 18, 2014

Felicia Marcus, Board Chair  
Members of the Board  
State Water Resources Control Board  
c/o Jeanine Townsend, Clerk to the Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814



Dear Board Chair Marcus and Members of the Board,

Subject: Board Workshop: Recommendations for Developing Instream Flow Criteria for Priority Tributaries (Phase 4)

Thank you for the opportunity to comment on *Recommendations for Determining Regional Instream Flow Criteria for Priority Tributaries to the Sacramento-San Joaquin Delta* (Delta Science Panel, February 2014). As our Executive Director, Tom Gohring, related in his verbal comments at your March 19, 2014 workshop, we read the DSP report with great interest. We note that the DSP approach is intended to facilitate the State Water Resources Control Board in making relatively rapid progress on developing landscape-scale flow criteria for Central Valley streams.

As demonstrated in the Water Forum's presentation at the Phase 4 Workshop, the DSP recommended hybrid approach is nearly identical to the method we have used to develop the flow standard for the lower American River. The most significant difference is that the flow standard for the American River is not based on an extrapolation of regional findings but rather, site-specific information. As the DSP acknowledges, site-specific flow setting approaches are more scientifically defensible.

We appreciate the Board's recognition that our lower American River program has been proactive and is advancing faster than the Phase 4 process. We intend to continue our coordination with your staff to ensure that our approach remains consistent with the general approach adopted for the Phase 4.

The DSP recommendations emphasize the importance of stakeholder involvement. We appreciated your comments at the workshop regarding the collaboration within the Water Forum. We have benefited from diverse stakeholder involvement in implementing the many programs of the Water Forum – including the development of the lower American River flow standard.

As you noted, processes involving diverse stakeholders are "messy." Our process has, and continues to be based on consensus. On April 2, Water Forum member Save the American River Association (SARA) filed a complaint with the Board concerning the lower American River's water temperatures. This complaint demonstrates that a healthy consensus process like ours has room for dissenting views. In fact, SARA continues to participate actively in the Water Forum.

Notwithstanding SARA's minority opinion, the other members of the Water Forum support the lower American River flow standard and are committed to the ongoing collaborative process to develop a

"carryover storage alternative" to existing Folsom Reservoir operations. The carryover storage alternative promises to provide drought resiliency for both water supplies and fishery conditions – including water temperatures – during dry years like this one.

As we move forward with our analyses and toward completion of our Environmental Impact Report (EIR), we appreciate the opportunity to continue to work with your staff. As with our previous flow-setting investigations, we strive to conduct technically rigorous work. This type of rigor takes time, and considerable resources. Our region has made, and is making, an intensive investment in the lower American River flow standard. This includes tailoring it to new information such as the lessons from this year's drought conditions. As such, we respectfully request that you defer taking any action based on SARA's complaint and instead allow the Water Forum to complete its EIR – expected by April 2015 – after which we presume the State Water Board will consider appropriate action regarding lower American River flows.

Sincerely,



Jim Peifer, City of Sacramento

On behalf of the Water Forum **Public Caucus**

- City of Sacramento
- County of Sacramento
- League of Women Voters of Sacramento County
- Sacramento Municipal Utility District



John Woodling, Regional Water Authority

On behalf of the Water Forum **Water Caucus**

- California-American Water Company
- Carmichael Water District
- Citrus Heights Water District
- City of Folsom
- City of Roseville
- Del Paso Manor Water District
- El Dorado County Water Agency
- Fair Oaks Water District
- Golden State Water Company
- Orange Vale Water Company
- Placer County Water Agency
- Rancho Murieta Community Service District
- Regional Water Authority
- Rio Linda/Elverta Community Water District
- Sacramento Suburban Water District
- San Juan Water District



Ronald Stork, Friends of the River

On behalf of the Water Forum **Environmental Caucus**

- Environmental Council of Sacramento
- Friends of the River
- Sierra Club Mother Lode Chapter



Jim Ray, McKay & Somps Civil Engineers, Inc.

On behalf of the Water Forum **Business Caucus**

- AKT Development
- Associated General Contractors
- North State Building Industry Association
- Sacramento Association of Realtors
- Sacramento Metropolitan Chamber of Commerce