

TO: Brisbane City Council, staff, the Public
FROM: Dana Dillworth
RE: Consent Calendar items G and H
May 19, 2022

I ask that you take these items off the agenda to acknowledge that there are some issues with a BAWSCA lawsuit that seem contrary to our celebrated record of environmentalism. While I understand this isn't specifically agendaized, it needs to be addressed. Your omission of this detail, via consent calendar, could be interpreted that you are complicit with their lawsuit.

In particular, we should not be subjected to 25% higher rates because of their lawsuit, which is not in the environment's interest. If that can be expressed at this time, that the issue will be further agendaized, the Public would appreciate your review of the matter.

I would speak to this issue under Oral Communications, but I am currently medically unable.

Here is a statement from 29 environmental organizations with first-hand knowledge of the environmental impacts of reduced water flow.

Thank you for your consideration of this matter.



May 12, 2022

Chair Gustav Larsson, Vice Chair Tom Chambers and Board of Directors
 Bay Area Water Supply and Conservation Agency
 155 Bovet Road, #650
 San Mateo, CA 94402
 Via Email

Re: BAWSCA’s lawsuit over the Bay Delta Water Quality Control Plan.

Dear BAWSCA Directors:

We write to encourage you to drop BAWSCA’s lawsuit over the State Water Board’s Bay Delta Water Quality Control Plan.

The San Francisco Bay-Delta – the largest estuary on the west coast of the Americas – is on the brink of ecological collapse. Six fish species are listed as threatened or endangered, and once-bountiful wild salmon populations are on the verge of extinction. Toxic algae blooms caused by low freshwater flows threaten people and wildlife. The commercial salmon fishing industry is struggling to survive. Salmon runs that are central to tribal culture and spirituality are in danger of being lost forever. Action to restore the Bay-Delta and rivers that feed it is long overdue.

Your constituents strongly support environmental protections and restoration. In 2016, more than 70% of Bay Area voters supported Measure AA, agreeing to tax themselves to restore the Bay's wetlands. Public opinion surveys consistently demonstrate that Bay Area residents care deeply about the environment, and that providing environment benefits is the number one motivator for people to conserve water.

Your ratepayers do not want to fund anti-environmental lawsuits.

In 2010, the State Water Board released a flow criteria report that determined unimpaired flow on the San Joaquin River and its tributaries, including the Tuolumne, would need to increase to 60% to fully protect fish and other biological resources. The State Water Board compromised, and in 2018 adopted a 40% flow requirement. An honest assessment of the facts clearly demonstrates that the SFPUC could meet its obligation to instream flows without compromising water supply.

Yet BAWSCA does not support science-based flow improvements for the Tuolumne River and the Bay-Delta. BAWSCA is on record supporting the Tuolumne River Voluntary Agreement (TRVA). Not a single environmental or fishing organization supports this approach, simply because the lack of adequate flows would destine the TRVA to failure. A peer review commissioned by the National Marine Fisheries Service confirmed that the TRVA is not supported by credible science. The State Secretaries of the Environmental Protection Agency and Natural Resources Agency also confirmed this in a letter on October 20, 2021, and halted negotiations on the TRVA. Simply put, the TRVA has no scientific foundation. BAWSCA should abandon this anti-environmental, anti-science position.

It is also important to note that the Tuolumne River has among the worst environmental flows of any Central Valley river, particularly in dry years. It is not a surprise that over the past 30 years, mismanagement by the SFPUC and Modesto and Turlock Irrigation Districts have produced the worst salmon recovery record of any major river in the Central Valley.

We appreciate that BAWSCA is committed to ensuring a reliable water supply. We share that commitment. Many of our organizations have deep experience working in partnership with urban agencies on water supply issues. We are confident the BAWSCA agencies can maintain highly reliable water supplies while taking needed steps to protect the Tuolumne River and Bay-Delta. We believe a comprehensive water supply reliability strategy could include such tools as water use efficiency, alternative supplies, such as water transfers, Central Valley groundwater storage and water recycling, improved demand projections, adjusting the current design drought and other tailored drought strategies

Again, we strongly encourage you to drop your lawsuit over the Bay Delta Plan and support science-based, improved flow standards for the Tuolumne River and Bay-Delta.

We are confident that investments in proven water management tools can ensure a reliable water supply, while supporting a healthy Tuolumne River and Bay-Delta ecosystem.

Let's have the conversation.

Sincerely,



Molly Culton
Sierra Club California



Lauren Weston
Acterra



John McManus
Golden State Salmon Association



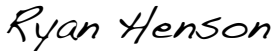
Ashley Overhouse
Friends of the River



Peter Drekmeier
Tuolumne River Trust



Barbara Barrigan-Parilla
Restore the Delta



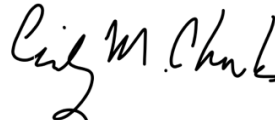
Ryan Henson
California Wilderness Coalition



Chris Shutes
California Sportfishing Protection Alliance



Regina Chichizola
Save California Salmon



Cindy Charles
Golden West Women Flyfishers



Shani Kleinhaus
Santa Clara Valley Audubon Society



Mike Conroy
Pacific Coast Federation of Fishermen's
Associations
Institute for Fisheries Research



Allison Boucher
Tuolumne River Conservancy



Konrad Fisher
Water Climate Trust




Bill Uyeki
Peninsula Fly Fishers



Elizabeth Dougherty
Wholly H2O



Larry Collins
San Francisco Crab Boat Owners
Association



John Hooper
Protect Our Water



Kristina Pappas
San Francisco League of Conservation
Voters



Jeff Miller
Alameda Creek Alliance



Bill Martin
Sierra Club Bay Chapter,
Water Committee



Conner Everts
Environmental Water Caucus



Greg Reis
The Bay Institute



Trish Mulvey
CLEAN South Bay



Laura Allen
Greywater Action



Stuart Gross
San Francisco Herring Association



Mark Rockwell
Northern California Council,
Fly Fishers International



Jonas Minton
Planning and Conservation League



Deirdre Des Jardin
California Water Research

Cc:

State Assembly Members Mullin, Berman, Quirk, Kalra, Low, Lee, Ting and Haney
State Senators Becker, Wieckowski and Wiener
City Council Members
County Supervisors