

DRAFT 2.

Sept. 19, 2007

Senator Jeff Bingaman  
Chairman  
Senate Energy and Natural Resources Committee  
304 Dirksen Senate Building  
Washington, DC 20510

RE: S.1472 North Bay Water Reuse Program Act of 2007  
Companion Bill, H.R.236

Dear Chairman Bingaman, and Members of the Senate Energy and Natural Resources Committee:

The Sonoma County Water Coalition (SCWC) includes 32 organizations representing more than 25,000 citizens in Sonoma County, California. The unifying momentum behind this coalition is a shared concern for the water resources of Sonoma County.

SCWC has steadfastly worked since 2004 to get public policies in place to protect and restore our beleaguered water resources. This includes both the Russian River and the Eel River, which each provide home to three threatened species of federally listed salmonids, as well as overdrafted and declining groundwater basins throughout the county. Our county's primary public water provider, the Sonoma County Water Agency (SCWA), has recently been subject to California State Water Resources Control Board (SWRCB) mandatory 15% cutbacks in withdrawals from the Russian River to protect Fall-run Chinook in the Russian River. SWRCB has also asked SCWA to come up with plans that involve no increases in demands for water pumped from the Russian River to supply future growth.

The necessity to plan for the long term future of reliable water supplies in our region, while protecting and restoring our natural public trust resources, has required a shift in public policy. We are working hard with public policy makers, agricultural interests, and commercial and residential ratepayers to reduce demands for potable water, to maximize water efficiencies and conservation (saving energy and greenhouse gas emissions, too), as well as supporting appropriate reuse of highly treated wastewater within the SCWA service areas to displace potable water demands, and eliminate exports of SCWA water to other regions.

We are now seeing water planning that incorporates some of the best thinking in the nation, allowing at least one city (Petaluma) to plan for its next 20 years' growth with a zero-increment in potable water demand. This example follows the lead of other municipal water suppliers in California (including Los Angeles, East Bay Municipal

Utility District and Marin Municipal Water District) which have proven that intelligent use of all water resources is not only feasible, but a requisite tool for the arid West's future.

Unfortunately, our review of the North Bay Water Reuse Program Act of 2007 (“Project”) S.1472 (Feinstein, Boxer) and H.R.236 (Thompson, Woolsey) brings us to strongly oppose this legislation.

The bill fails to set any priority that the recycled water be used to offset and reduce local potable water demands first. Instead, it provides for tens of thousands of acres of new and expanded agricultural irrigation using treated municipal wastewater derived from SCWA customers. While some of this wastewater is currently discharged into San Pablo Bay, reuse of the water to substantially reduce demands on the already overtaxed SCWA water supply system should come first.

The bill fails to set any limits on exporting water, or to mandate addressing the impacts of those withdrawals of water pumped from SCWA sources from the Russian and Eel Rivers and Sonoma county groundwater to regions outside the SCWA service area in both Sonoma and Napa counties, primarily in different watersheds.

The bill fails to provide limits on the quantities of water to be used for expanded agricultural irrigation and environmental restoration in the proposed Project areas.

The bill fails to provide limits on how far the pipelines and pumps may be built.

The bill fails to provide limits on future use of the pipelines, particularly the plumbing that would serve the Napa-Sonoma Marsh Restoration Project at the tail end of the Project pipeline.

The bill precedes any environmental evaluation, under NEPA or CEQA, of the Project and its impacts, benefits and deficiencies.

For instance, similar proposals (another SCWA-proposed Bureau of Reclamation project, the North Sonoma County Agricultural Reuse Project) for use of treated wastewater in the Dry Creek and Alexander Valleys regions of the Russian River for irrigation of premium vineyards has recently met with significant opposition by local ranchers who don't want treated wastewater used for application to their world-class grapes, soils or groundwater.

Since most all of the treated wastewater for the Project (except wastewater from the city of Napa) is derived from SCWA-supplied municipal contractors' treated wastewater, that water will not be available to offset new or existing potable water demands.

While these public wastewater plant operators and water contractors have shown interest in expanding the local reuse of recycled water, some have expressed concerns over the costs to independently finance the expansion of infrastructure that would be required to meet all of their current and projected needs. Rather than providing this assistance to these public agencies and their ratepayers to improve treatment and distribution within their service areas, this Project and Bill would take that water out of their service areas to supply a large expansion of agricultural users, primarily grape growers in Sonoma and Napa valleys, in areas that are currently water-scarce.

Indeed, even the current final Draft Sonoma County General Plan states:

“Any consideration to export additional water resources place primary priority upon the benefit of and need for the water resources in Sonoma County and shall assure that water resources needed by urban, rural and agricultural water users in Sonoma County will not be exported outside the county.” (Policy WR-5a)

SCWC supports this policy, and would add equivalent protections and priorities for water resources needed by the “dependent natural resources in Sonoma County” as well.

S.1472 and H.R.236 significantly violate this trust and important public policies, and is antithetical to our community’s hard work to come to grips with our intertwined water and resource and population futures.

We urge you to defeat this defective bill, and we offer our assistance in rewriting it in the next session to address these concerns.

Thank you very much.

Sincerely,

cc: Senator Feinstein, Senator Boxer, all members of the Senate Energy and Natural Resources Committee