



COMMITTEE ALERT

DATE: June 28, 2010

TO: Honorable Chair and Members, Senate Committee on Natural Resources and Water

FROM: Jackson R. Gualco, Kendra Daijogo, Mark A. Theisen, Patrick D. Leathers, & Lisa C. Rodriguez

RE: **AB 2776 (Assembly Committee on Water, Parks, and Wildlife), as Proposed to be Amended as Indicated in the Committee Analysis**

POSITION: **OPPOSE**

CLIENTS: **Kern County Water Agency
Kings River Conservation District
Kings River Water Association
Modesto Irrigation District
San Luis & Delta-Mendota Water Authority
Zone 7 Water Agency, Eastern Alameda County**

On behalf of the above-listed clients, we write to urge your "NO" vote on AB 2776, as proposed to be significantly amended in committee tomorrow. This bill would prohibit the SWRCB or DWR from approving any transfer of surface water or water rights lasting 20 or more years from agricultural use to municipal use unless the water user provides to the board or the department a written evaluation of the economic, social, and environmental effects of the transfer upon the service area from which the water is to be transferred. The language is taken from AB 2049 which was defeated on the Assembly Floor by a vote of 45-26 on June 3, 2010.

Water transfers afford water users needed flexibility in the allocation and use of water in California. Water transfers alone will not solve the current water supply deficits that are recognized in both the CALFED Programmatic Record of Decision ("ROD") and DWR's California Water Plan. However, they are a component of the solution set to California's need for a long-term supply of reliable water that includes new supplies, conservation, groundwater cleanup, and reclamation programs. Moreover, State law already provides clear encouragement for willing seller-willing buyer water transfers as a component of comprehensive State water policy.

Since the signing of the CALFED ROD, the roles of the state and federal agencies in the water transfer process have evolved. The agencies have assumed added responsibilities designed to protect all parties to the contract in addition to the review conducted by local agencies. Water transfers, a key tool in managing supplies and meeting shortages, must not be hampered in any further way.

For these reasons, we must respectfully oppose AB 2776 and respectfully request your "NO" vote on this measure. Please do not hesitate to call Jackson R. Gualco, Kendra Daijogo, or Mark A. Theisen at 441-1392 with any questions or comments.

cc: Mr. Dennis O'Connor
Mr. Steve McCarthy
Mr. Kip Lipper
Ms. Tina Cannon Leahy
Mr. Douglas Haaland
Ms. Mary Kaems
Mr. Pete Price