

**“VOLUNTARY” AGREEMENTS
(PETER PROWS)**



WHAT ARE WE DOING HERE?

- Water Code 106: “It is hereby declared to be the established policy of this State that the use of water for **domestic purposes is the highest use of water and that the next highest use is for irrigation.**”

NARRATIVE STANDARDS: FOCUS ON PROMOTING FISH

- Narrative standards focus on ensuring that the actual conditions necessary to support fish and wildlife are met
- “All of the above” approach
- Supported by CDFW for the entire Bay-Delta watershed (12 Dec. 2018 “Framework Proposal”)
- Approach used in recent Sacramento River Basin VAs
- San Joaquin Basin water users have supported the approach

UNIMPAIRED FLOW STANDARDS: FOCUS ON THE WATER

- State Water Board ended negotiations with senior San Joaquin users over narrative-standards-based VAs
- State Board has sought to *require* senior San Joaquin users to implement unimpaired (30-50%) flow standard Bay-Delta Plan update (2018)
- Why?

FLOW≠FISH

- When State Board used DFW's model (SalSim, the best model available), unimpaired flow standard initially yielded only 1,100 more salmon (less than 0.25% total increase over 2016)
- Cf. hatcheries: release 40 million salmon per year in California
- State Board tried to juice the numbers by modeling fewer years, but results were still only 7,600 more salmon
- SalSim showed that increasing unimpaired flows actually *decreased* salmon
- State Board deputy director testified: “we didn't see any signal” for salmon with unimpaired flow standard of Bay-Delta Plan update

AT WHAT COST UNIMPAIRED FLOW?

- Agriculture is a bright spot in an economically disadvantaged region; in Stanislaus County, 1 in 5 live in poverty
- Bay-Delta Plan unimpaired flows estimated to cost 9,000 jobs, loss of hundreds of thousands of acres of productive farmland, and \$2 billion a year in certain critical dry years
- Uncertainty to water supplies for millions of people, including San Francisco
- All for 1,100 fish?

WHAT'S REALLY GOING ON
HERE?



WHAT'S REALLY GOING ON HERE?

- State Board's refusal to negotiate with senior San Joaquin users not about fish but about **WATER**
- Despite California's record budget surplus (~\$70B), the State wants to take senior San Joaquin water rights *without* paying for them
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