



Board of Directors

Joseph L. Campbell
President

Lisa M. Borba
Vice President

Bette Boatman

John A. Burgh

Constance Holdaway

General Manager

Jerry Brown

October 14, 2015

The Honorable Joseph Byrne, Chair
California Water Commission
P.O. Box 942836
Sacramento, CA 94236-0001

Subject: Comments on Stakeholder Advisory Committee Materials

Dear Chair Byrne:

Contra Costa Water District (CCWD) would like to commend California Water Commission staff for all of their hard work in developing the draft regulation and facilitating the Stakeholder Advisory Committee (SAC). As you know, the last SAC meeting was held October 5th and we thank you for including CCWD as part of the process. The tremendous amount of thoughtful work by the staff and stakeholders is evident in the draft regulation. The following suggestions are provided for your consideration.

Climate Change

The draft regulations should not include overly specific technical requirements. Section 6004. The Quantification of Benefits subsection (8) of the draft regulations regarding climate change is overly specific and based on the best available science right now. The best available science will change over the course of the funding process given that the regulations may not be finalized until 2016, and projects may not receive funding for many years. It would be more appropriate to include any climate change specifications in a technical appendix to the application. The regulations could require applicants to describe and demonstrate how the public benefits would vary under climate change scenarios that include sea level rise and shifts in hydrology consistent with the best available science. Applicants should quantify potential changes in public benefits under various uncertain future conditions, including a changed climate, yet the regulation should be flexible enough to allow for scientific advances and to allow applicants to determine what the most appropriate data and analyses are for their specific project.

Management and Monitoring of Public Benefits

Before funds are allocated, each project applicant must enter into a contract with the Department of Fish and Wildlife, the Department of Water Resources, and the State Water Resources Control Board to ensure that the public contribution of funds achieves the public benefits identified (§79755 (3)). There were several discussions among stakeholders at the October 5th SAC meeting seeking assurances that public benefits would be sustained after projects are completed and accountability in the event that the public benefits are not realized. Every effort should be made to begin developing the template language for these contracts as soon as possible. The Commission and the other responsible state agencies should begin a public process to address stakeholder concerns in the near term rather than delay until the contracts are needed. An open discussion in the near term may reduce the number of obstacles facing projects funded by the Commission in the future.

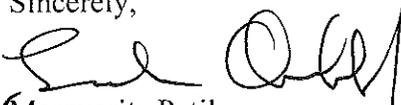
California Water Commission

October 14, 2015

Page 2

Your consideration of our comments is greatly appreciated. If you would like to discuss our comments or have any questions, please do not hesitate to call me at (925) 688-8018 or Maureen Martin at (925) 688-8323.

Sincerely,


Marguerite Patil
Special Assistant to the General Manager

MP/MM/dmh

cc: Vice-Chair Joe Del Bosque
Commissioner Andrew Ball
Commissioner Daniel Curtin
Commissioner Paula Daniels
Commissioner Maria Herrera
Commissioner David Orth
Commissioner Armando Quintero
Paula Landis, Executive Officer
Rachel Ballanti, Assistant Executive Officer
Jennifer Marr, Supervising Engineer