



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

*Office of the General Manager*

December 3, 2020

Members of the State Water Resources Control Board  
c/o Ms. Jeanine Howard, Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-2000

Dear Chair Esquivel, Vice Chair D'Adamo and Board Members Doduc, Firestone and Maguire:

Comments – Limited Order for Yuba River Development Project Certification

Thank you for the opportunity to comment on the water quality certification for the Yuba River Development Project. Metropolitan is concerned that the certification presents uncertainty for Yuba County Water Agency that would impact the Yuba River Accord and participation in the Voluntary Agreement process.

Metropolitan Water District helped develop the nationally acclaimed Yuba River Accord, along with federal and state resource agencies, conservation groups and many other stakeholders. The Yuba River Accord water transfer program has become an invaluable source of supplemental water supplies for the environment, for Metropolitan, and other water suppliers throughout California. Metropolitan is concerned the certification would impair Yuba County Water Agency's ability to continue the Yuba River Accord transfer program. The certification would require changes to the operation of the Yuba Project that could significantly impact the Yuba River Accord water transfer program.

Metropolitan is also concerned the certification would impact Yuba County Water Agency's ability to participate in the Voluntary Agreement process. Metropolitan strongly supports Governor Newsom's Voluntary Agreement process to provide collaborative science, funding, new habitat and increased environmental flows for the Sacramento and San Joaquin River watersheds and Delta. We are pleased that the Board has expressed support for the Voluntary Agreement process. It is refreshing to be part of a process where so many stakeholders are choosing collaboration to address complex resource issues, rather than endless years of controversy and litigation.

However, the certification requirements introduce uncertainty to Yuba County Water Agency's operations that will likely impact Yuba County Water Agency's ability to commit to reservoir reoperation to provide increased flows, habitat enhancement and funding for its voluntary

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agreement commitments. This would be an unfortunate loss for the Voluntary Agreement process.

Metropolitan urges the State Water Board to withdraw and vacate the certification, and instead work collaboratively with the Yuba County Water Agency to address water quality issues that the Board feels are not adequately addressed in the pending FERC licensing process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey Kightlinger", written over a printed name and title.

Jeffrey Kightlinger  
General Manager