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October 22, 2014
**Commission on
State Mandates**

*To advance the economic, social and environmental sustainability of Northern California
by enhancing and preserving the water rights, supplies and water quality.*

October 22, 2014

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

Re: Test Claim Nos. 10-TC-12 and 12-TC-01

Dear Ms. Halsey:

The Northern California Water Association (NCWA) submits comments on the draft decision re Test Claim No. 10-TC-12 (Water Conservation) and No. 12-TC-01 (Agricultural Water Measurement) urging the Commission to act in accordance with both the spirit and express language in Article XIII B, section 6 and reimburse affected local agencies for the full costs of the State's newly mandated water conservation and agricultural measurement programs.

NCWA represents more than sixty water suppliers and local governments throughout the Sacramento Valley, including many of the water suppliers that have filed these test claims. For context, NCWA and water resources managers throughout the Sacramento Valley are committed to advance the economic, social, and environmental sustainability of the Sacramento Valley by enhancing and preserving its water rights, supplies, and water quality. These water resources managers are actively managing the region's precious water resources to support the rich mosaic of inter-dependent farmlands, refuges and managed wetlands, meandering rivers that support fisheries and wildlife, and the cities and rural communities sprinkled throughout the region. NCWA's and its members' overarching goal is to continually improve water management as a means of achieving regional sustainability with respect to water resources. Water resources management in the Sacramento Valley is well-known throughout the world for the progressive management underway to meet all of these beneficial purposes.

We are providing these comments to highlight and emphasize how onerous and expensive these new state mandates are in the Sacramento Valley. As the filings show, Glenn-Colusa Irrigation District has estimated \$46 million; South Feather \$9 million; Biggs West Gridley \$8 million; Richvale \$3 million; and Paradise \$1.7 to \$4 million to implement the mandates. These costs are extremely onerous in the rural Sacramento Valley. The legislation at issue in this proceeding touts the statewide benefits of water conservation by finding that "reduced water use through conservation provides significant energy and environmental benefits, and can help protect water

quality, improve streamflows, and reduce greenhouse gas emissions.” (Water Code § 10608.) These statewide benefits, achieved through implementation of incredibly expensive mandates, ought to be funded by the state and not borne exclusively by the impacted local agencies’ landowners. This also coincides with the purpose of state subvention--to preclude the State from shifting financial responsibility for carrying out governmental functions to local agencies that are ill equipped to assume greater financial responsibilities in light of Constitutional limitations on the ability to raise revenue.

The draft proposed decision, in an effort to circumvent the clear requirements to reimburse for these types of state mandates, has attempted to avoid reimbursement by exerting exclusions that are not appropriate for the facts before the Commission. These issues are raised in detail by the Claimants and will not be repeated here. In sum, there are not exemptions that apply to these test claims. The test claims are clear—the State has imposed a mandate on special districts through these programs. We urge the Commission to modify the draft proposed decision to reimburse these and other similarly affected water suppliers.

Thank you for your attention to these important issues for the Sacramento Valley.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David J. Guy". The signature is fluid and cursive, with a large loop at the end.

David J. Guy
President

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Yolo and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On October 24, 2014, I served the:

Northern California Water Association (NCWA) Comments

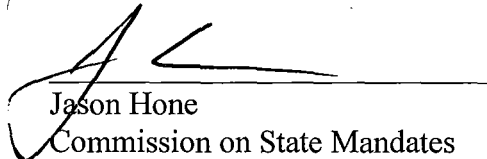
Water Conservation, 10-TC-12 and 12-TC-01

Water Conservation Act of 2009 et al.

South Feather Water and Power Agency, Paradise Irrigation District, Richvale Irrigation District, Biggs-West Gridley Water District, Oakdale Irrigation District, and Glenn-Colusa Irrigation District, Claimants

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 24, 2014 at Sacramento, California.



Jason Hone

Commission on State Mandates
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 10/24/14

Claim Number: 10-TC-12 and 12-TC-01

Matter: Water Conservation

Claimants: Glenn-Colusa Irrigation District
Oakdale Irrigation District
Paradise Irrigation District
South Feather Water and Power Agency

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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