



March 11, 2022

The Honorable Henry Stern, Chair
Senate Natural Resources and Water Committee
1021 O Street, Room 3220
Sacramento, CA 95814

RE: SB 1219 (Hurtado) – State Water Resources Control Board Dissolution: Blue Ribbon Commission: OPPOSE

Dear Chair Stern and Members of the Committee:

On behalf of the Natural Resources Defense Council, Sierra Club California, California Environmental Voters (Formerly CLCV), Defenders of Wildlife, Restore the Delta, Friends of the River, Golden State Salmon Association, Planning and Conservation League, South Yuba River Citizen’s League, California Coastkeeper Alliance, and Tuolumne River Trust, we are writing to express our opposition to SB 1219 by Senator Hurtado. This bill proposes to dissolve the State Water Resources Control Board (“State Water Board”) and transfer all of its authority, including management of water rights, water pollution, and safe drinking water, to the Department of Water Resources (“DWR”). However, SB 1219 would create inherent conflicts of interest over water management, undermine public participation in decisions over sustainable water management, and threaten progress on safe and affordable drinking water. While we agree that California needs to reform its water management system, including our state’s unsustainable and inequitable water rights system and its ongoing failure to protect the environment, the Blue Ribbon Commission established in SB 1219 is inappropriately limited, the elimination of the State Water Board prejudices the outcome of that process, and the bill would be a tremendous step backwards for California.

First, the bill’s proposal to eliminate the State Water Board and transfer authority to DWR creates an inherent conflict of interest over water rights and water management because DWR operates and holds water rights on behalf of the State Water Project. SB 1219 would therefore require DWR to regulate its own water rights, creating an inherent conflict of interest over regulation of the State Water Project. This would also create at the least perception of a conflict

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of interest for other water rights holders, for any decision that could potentially affect the operations of the State Water Project.

Second, SB 1219 could undermine the extensive processes that allow stakeholders and the public to provide input to the State Water Board before decisions are made. The State Water Board has five members appointed by the governor and confirmed by the Senate that are required to represent various stakeholder interests and expertise, and the State Water Board holds public meetings and workshops that provide opportunities for stakeholders and the public to provide input before any vote of the Board Members. In contrast, DWR lacks an appointed Board that manages the agency, with Board Members that represent the broad ranges of stakeholder interests and expertise that these issues deserve, and DWR lacks the extensive public engagement processes that the State Water Board employs before making decisions.

Finally, the Blue Ribbon Commission proposed in the bill would submit a report to the Governor and Legislature with “a strategic vision, proposed statutes, and recommendations for a modern 21st century set of water agencies for the state.” However, reform of California’s water system should not be limited to recommendations for how to structure water agencies, but needs to review and reform California’s deeply inequitable and unsustainable water rights system. Equally important, Sections 2 and 3 of the bill inappropriately prejudices the outcome of this process of recommending new water agencies by eliminating the State Water Board and transferring its authority to DWR.

For these reasons, we oppose SB 1219 and respectfully urge you vote **NO** when the bill is heard in committee.

Thank you for consideration of our views.

Sincerely,



Doug Obegi
Natural Resources Defense Council



Erin Woolley
Sierra Club California



Melissa Romero
California Environmental Voters (Formerly CLCV)



John McManus
Golden State Salmon Association

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Barbara Barrigan-Parrilla
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Jonas Minton
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Melinda Booth
South Yuba River Citizen's League



Peter Drekmeier
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