

Delta 'fix' must preserve water rights

Dennis Diemer and Ed Harrington, San Francisco Chronicle, 10-6-09

Diemer is the general manager of the East Bay Municipal Utilities District. Harrington is general manager of the San Francisco Public Utilities Commission.

In California, there are few crises as urgent - or as complex - as reviving the Sacramento-San Joaquin River Delta ecosystem while ensuring that the 25 million Californians who depend on it continue to receive reliable drinking water.

In September, at the end of the legislative session, Sacramento lawmakers tried - but failed - to pass a hastily assembled "fix" for the delta, where fish populations are crashing as a result of too much water being taken. The San Francisco Public Utilities Commission and the East Bay Municipal Utility District strongly support finding a comprehensive solution for the delta environmental crisis. But we cannot support a legislative "fix" that unfairly jeopardizes our water rights, ignores decades of local ratepayer investments and threatens the reliability of our local water supplies. Let us explain.

Together, the SFPUC and EBMUD serve 3.8 million Bay Area customers in five Bay Area counties - 10 percent of the population of California - yet use only 1.4 percent of the water that is diverted from the delta watershed. We are proud that our customers have reduced their water consumption amid California's continuing drought and that our residential water use is among the lowest in the state (97 gallons per day for the Bay Area as compared with 155 gallons per capita per day for the state.) We completely agree that the water needs of the Central Valley and Southern California must be met - but not by taking water from those who already use less water than anyone else in the state.

Long before the delta was used to supply water to other parts of California, the SFPUC and EBMUD secured water rights upstream of the delta to guarantee supplies of high-quality drinking water to nourish our growing communities. We do value those water rights, but we are also willing to contribute water or funding toward repairing and protecting the delta. But fairness dictates that new requirements to provide additional water for the delta should be proportional to a water agency or community's contribution to the problem, based on scientific, factual findings and public hearings.

Over the years, EBMUD and SFPUC customers have invested billions of dollars from our ratepayers to build and operate water delivery systems, treatment plants and reservoirs. We have not looked to the state or federal budgets or money from fees paid by others who do not benefit from our systems.

One of the chief objectives of legislation to address the delta crisis is to advance a peripheral canal that will bring water to Central and Southern California without further degrading the delta.

We believe that accomplishing this must meet two requirements. First, that the recipients of the benefits should pay the costs - not the ratepayers of the SFPUC and EBMUD. Second, that building or operating such a canal must not deprive the SFPUC and EBMUD and others of their critical water supplies.

All Californians deserve a reliable water supply, and the delta crisis demands an enduring solution. We look forward to working closely with the Legislature to fix the delta and ensure that our local water supply quality and reliability are protected.