

RESOLUTION NO. 2012-063

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY**

**Adopting a Position of Opposition to the Bay Delta Conservation Plan
to construct a major isolated water conveyance system in the Delta
and move additional Northern California water south of the Delta**

WHEREAS, in July 2012, Governor Brown, Interior Secretary Salazar, and NOAA Assistant Administrator Schwaab announced revisions to the Bay Delta Conservation Plan, hereafter referred to as "BDCP", which proposes to develop a habitat conservation plan for fish and wildlife species in the Sacramento-San Joaquin River Delta and construction of a diversion and conveyance system of two peripheral tunnels that would, among other things, facilitate increased water deliveries from the Sacramento River to Southern California; and

WHEREAS, the process whereby the BDCP is being developed is governmentally, economically, and scientifically flawed, notably because it does not provide clear, specific, and measureable objectives, lacks a cost benefit analysis, lacks a comprehensive socio-economic evaluation of the cumulative impact of the plan on all of California, and contains little analysis of public trust resource values, including fisheries, within the Trinity River watershed; and

WHEREAS, with no regard for Trinity County, the BDCP would allow water users to sell, transfer and convey so-called surplus Public Trust water for private profit; and

WHEREAS, Trinity County is a county of origin whose water is used secondarily for beneficial uses of water in the Delta, the Trinity River Division is the only trans-basin diversion within the US Bureau of Reclamation's (USBR) Central Valley Project (CVP), and the Trinity River is a Delta Tributary Watershed under California Water Code Section 78647.4(b), and yet Trinity County has not been consulted in regard to this revision of the BDCP; and

WHEREAS, approximately forty-eight percent (48%) of the annual Trinity Lake inflow is mandated to flow into the Trinity River per the 2000 Trinity River Main Stem Fishery Restoration Record of Decision (2000 ROD) for the recovery and maintenance of the Trinity River fish and wildlife populations; and

WHEREAS, the US Bureau of Reclamation opposes modification of existing State water permits to conform with 2000 ROD fishery flows and state/federal temperature standards for the Trinity River, which would limit the Bureau's ability to divert water from the Trinity River watershed; and

WHEREAS, the US Bureau of Reclamation has stated that it does not have 'hard and fast' minimum carryover storage objectives at Trinity Lake, which would limit their ability to divert water from the Trinity River watershed; and

WHEREAS, the combined Trinity and Klamath River watersheds are the third largest fisheries producer on the Pacific coast and have historically produced large runs of Chinook salmon, steelhead, Coho salmon, green sturgeon, eulachon, coastal cutthroat trout and Pacific lamprey; and,

WHEREAS, the Trinity River is the Klamath River's largest tributary and Trinity Lake is the single largest source of clean cold water and fishery flows in the Klamath-Trinity River watershed ; and,

WHEREAS, Trinity County is actively involved in efforts to improve fishery conditions for the Trinity River, and to restore and protect the commercial, tribal and recreational interests within the county; and

WHEREAS, research indicates that a minimum pool in Trinity Lake of 1.25 million acre feet is necessary to meet state and federal flow requirements and water quality objectives for the Trinity River during a multi-year drought ; and

WHEREAS, Trinity County is a First Preference customer with rights to twenty-five percent (25%) of the power generated by the Trinity River Division of the CVP. First Preference power is distributed to eighty-five percent (85%) of Trinity County residents and businesses by the Trinity Public Utilities District (TPUD); and

WHEREAS, TPUD customer electric rates are a reflection of the amount of power generated by Trinity Dam, other CVP generation, and the amount of power used by the CVP; and

WHEREAS, the BDCP and Administrative Draft EIR/EIS preferred alternative will increase total CVP energy use by 1.5GWh for each TAF of additional Delta exports¹; and

WHEREAS, the BDCP and Administrative Draft EIR/EIS preferred alternative's proposed increases in Delta water exports will result in lower annual Trinity Lake levels. This, in turn, will cause reduction in generator head pressure at the Trinity Dam and a seasonal shift of flows to the spring period (when electricity is much less valuable), thereby reducing the amount and value of generated power, by an estimated thirty percent (30%) on overall CVP generation and by fifty percent (50%) in the value of that generation, causing a dramatic increase in TPUD's cost of power; and

WHEREAS, Trinity County is an economically depressed county with a fifteen and one half percent (15.5%)² unemployment rate as of this date; and,

WHEREAS, the BDCP plans to deliver full contract amounts for CVP and State Water Project contractors would necessitate increased imports from the Trinity River watershed. The diversion of additional water from the Trinity River watershed will lower reservoir levels and make less water available for

- Beneficial use of the Trinity River by Trinity County, including the development of community water systems, individual water systems, agriculture, and biomass facilities, and

¹ BDCP Administrative Draft EIR/EIS 21.1.3.2

² Labor Market Information Division of the California Employment Development Department (EDD). August 11, 2012

- Cold water storage in Trinity Lake to provide suitable cold water flows in compliance with the 2000 ROD and to meet state and federal temperature objectives for the Trinity River during multi-year drought, and
- Recreation, which is Trinity County's largest industry sector for employment;

WHEREAS, because Trinity Lake presently has only a fifteen percent (15%) chance of refilling each year³, increased Trinity River diversions out of Trinity Lake would result in an increased frequency of "dead pool" occurrences at Trinity Lake. These prolonged reductions in storage will result in adverse conditions that could persist for decades, resulting in

- Loss of salmon and steelhead fisheries
- Loss of critical recreation businesses
- Loss of hydropower generation
- Loss of local water supplies
- A decline in property values
- Loss of jobs
- Loss of county population

WHEREAS, the current BDCP process does not provide measurable and predictable water management operation and ecosystem outcomes nor enforceable assurances and protections for Trinity County senior water rights including public trust interests, Trinity River fisheries and Trinity Lake;

WHEREAS, the current BDCP revisions and Administrative Draft EIS/EIR preferred alternative that are being considered all fail to protect the interests of Trinity County as an area and county of origin within the Trinity-Klamath watershed;

NOW, THEREFORE, BE IT RESOLVED that until such time as adequate assurances and protections for the public trust, riparian and county of origin rights, as well as protections for Trinity Lake, Trinity River fisheries, temperature compliance, Trinity County First Preference power rights, and Trinity County communities are provided to Trinity County, the Board of Supervisors of the County of Trinity opposes the BDCP and construction of the peripheral tunnels and requests that Trinity County's elected state and federal representatives actively oppose the proposed revisions to the BDCP.

BE IT FURTHER RESOLVED, that the Trinity County Board of Supervisors hereby directs the Clerk of the Board Supervisors to communicate Trinity County's opposition to Governor Edmund G. Brown, Jr.; Ken Salazar, Secretary, United States Department of the Interior; John Laird, Secretary, California Natural Resources Agency; Barbara Boxer, United States Senator; Dianne Feinstein, United States Senator; Wally Herger, United States Congressman, California District Two; Mike Thompson, United States Congressman, California District One; Wesley Chesbro, Assemblyman, California District One; and other interested parties.

³ USBR, Interim CVP-OCAP

BE IT FURTHER RESOLVED, that the Trinity County Board of Supervisors hereby demands status as a coordinating agency with regard to further revision and adoption of the BCDP.

DULY PASSED AND ADOPTED this 6th day of November, 2012 by the Board of Supervisors of the County of Trinity by motion, second (Morris/Pflueger), and the following vote:

AYES: Supervisors Pflueger, Morris, and Jaegel
NOES: None
ABSENT: Supervisors Chapman and Otto
ABSTAIN: None
RECUSE: None



ANTON R. JAEGEL, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

WENDY G. TYLER
Clerk of the Board of Supervisors

By: _____

Deputy

