

Delta Counties Coalition

Contra Costa County · Sacramento County · San Joaquin County · Solano County · Yolo County

"Working together on water and Delta issues"

June 21, 2019

SENT VIA EMAIL

Wade Crowfoot, Secretary
Natural Resources Agency
1416 9th Street
Sacramento, CA 95814

RE: Collaboration with Delta Counties on Delta Matters: Local Permits

Dear Secretary Crowfoot:

The Delta Counties Coalition (DCC) truly appreciates your continued commitment to open and direct communication and to work collaboratively on issues affecting the Sacramento-San Joaquin Delta and its communities. We also appreciate Governor Newsom's directive and commitment to strengthen local government partnerships as outlined in Executive Order N-10-19 (Order). Thank you for making Delta Counties a priority in your outreach efforts; we did not receive this consideration with the previous Administration. We write to make you aware of actions taken by the Department of Water Resources (DWR) that are concerning and inconsistent with this Administration's commitment, and your desire, for transparency.

Karla Nemeth recently notified Delta County Supervisors that DWR intended, under court order, to enter certain properties to gather information through exploratory wells to support the development of alternatives for water conveyance facilities in the Delta. Ms. Nemeth committed to following up with additional information, but did not do so before this exploratory work began in Sacramento and San Joaquin Counties this week. Ms. Nemeth did not explain whether DWR had complied with CEQA or whether DWR was going to obtain required well permits from the Counties where the exploratory wells were being drilled. The work in Sacramento and San Joaquin Counties began without DWR obtaining required local permits. For this reason, on June 17, 2019, Sacramento County issued a stop work order to DWR and Greg Drilling, LLC, and on June 19, 2019, filed for a temporary restraining order.

The permit process allows a county to verify and document that borings are destroyed in accordance with the applicable well standards to ensure borings do not act as a conduit for pollution or contamination to migrate in the subsurface and impact groundwater. Without proper permitting, we cannot ensure the existence of undocumented wells that are not properly sealed and that can lead to contamination. State agencies, including DWR, have previously complied with these requirements. (See the attached letter from Caltrans.) Sacramento and San Joaquin Counties

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communicated these concerns to DWR and the response from the Department has been unsatisfactory to date.

We are highly concerned that these actions by DWR are inconsistent with our conversations and your commitment that the state will operate on the principle of “no surprises” and will work openly and collaboratively with local governments. We expect, and hope you agree, as part of open communication and collaboration, that local processes will be respected and adhered to.

This week, Ms. Nemeth and Delta Conveyance Design and Construction Authority (DCA) leaders met with some Delta counties to discuss ways to institutionalize Delta interests into the work of DCA and we understand that they will reach out to all five counties. We appreciate this effort and look forward to continued conversations on this and other Delta matters.

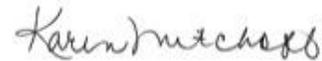
Sincerely,



Don Nottoli
Supervisor, Sacramento County



Skip Thomson
Supervisor, Solano County



Karen Mitchoff
Supervisor, Contra Costa County



Jim Provenza
Supervisor, Yolo County



Chuck Winn
Supervisor, San Joaquin County