

ERIN HANNIGAN

District 1, (707) 553-5363

MONICA BROWN

District 2, Vice-Chair, (707) 784-3031

WANDA WILLIAMS

District 3, Chair Pro-Tem (707) 784-6136

JOHN M. VASQUEZ

District 4, Chair, (707) 784-6129

MITCH MASHBURN

District 5, (707) 784-6030

BOARD OF SUPERVISORS**SOLANO
COUNTY****BILL EMLIN**County Administrator
(707) 784-6100675 Texas Street, Suite 6500
Fairfield, CA 94533-6342
Fax (707) 784-6665www.solanocounty.com

April 26, 2023

The Honorable Dave Min
Chair, Senate Natural Resources and Water Committee
1021 O St., 6710
Sacramento, CA 95814**RE: OPPOSE, SB 389 (Allen) State Water Resources Control Board, Determination of Water Right**

Dear Chair Min,

On behalf of the Solano County Board of Supervisors, I write to inform you that we must respectfully oppose SB 389, which would authorize the State Water Resources Control Board to investigate the diversion and use of water from a stream system to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right, as specified.

Passage of SB 389 would be detrimental to Solano County as it would limit the local control and flexibility the county needs to manage its water resources. SB 389 would impede on various water purveyor's ability to continue to serve the counties, cities, and agricultural needs, and restricts the county's ability to develop programs and projects for water reuse, recharge, and conservation.

Moreover, the provision of the bill that would allow the State Water Board to conclude water rights have been forfeited in the absence of a conflicting claim would disrupt settled law, create uncertainty over property rights and discourage water conservation efforts. Solano County also opposes SB 389 because it would require compiling technical reports beyond simple diversion records, which would be incredibly time-consuming and costly for diverters and should not be required simply because the State Water Board is interested in the basis of one's right.

Specifically, Solano County is opposed to SB 389 because it goes against key provisions in the county's Legislative platform. These provisions are as follows: to protect the Sacramento-San Joaquin Delta, and the County's interests relative to agricultural resiliency, water supply, and water rights; Solano County is also opposed to SB 389 because it works against the promotion of programs to incentivize new developments to incorporate green infrastructure and water reuse conservation measures.

For these reasons, Solano County must respectfully oppose SB 389.

Sincerely,

A handwritten signature in blue ink, appearing to read "John M. Vasquez".

John M. Vasquez, Chair
Solano County Board of Supervisors

Honorable Dave Min

April 26, 2022

Page 2

CC:

The Honorable Bill Dodd, Senator

The Honorable Lori D. Wilson, Assemblymember

Members, Senate Natural Resources and Water Committee

The Honorable Solano County Board of Supervisors

Misty Kaltreider, Water and Natural Resources Program Manager

Karen Lange, SYASL Partners