

## Some Facts on BEC's Challenge Over Butte County's Project Approval

Butte County committed this year to acquire Proposition 50 bond money to manage the *Tuscan Aquifer Monitoring, Recharge, and Data Management Project*. The project was originally slated to drill six new wells, but will use current wells instead to pump an unspecified amount of water.

Butte County's project is part of a much larger, multi-county project, the Sacramento Valley Integrated Regional Water Management Plan (SVIRWMP). The SVIRWMP was created by the Northern California Water Association (NCWA) in consultation with 32 attorneys and 38 representatives from engineering and consulting firms working for water sellers.

What is the purpose of SVIRWMP? On its face, the plan commits to improving water quality, flood protection, and protecting the ecosystem, which are all admirable goals. A closer look at the current plan, and earlier plan discussions, reveals that it lays the groundwork to facilitate water transfers to the south. Early [SVIRWMP discussions](#) stated that the plan would “create incentives for water transfers and exchanges and could... meet a variety of needs... [including] export needs.” Although that language has been softened a bit in the current plan, the plan's [Appendix A](#) Table A-2 is fairly explicit to those who are familiar with water issues and lingo.

Table A-2 describes “Conjunctive Water Management Projects” throughout the Sacramento River watershed, including Butte County's project *Tuscan Aquifer Monitoring, Recharge, and Data Management Project*. If you're not familiar with the term “conjunctive water management,” it refers to the coordinated use of surface and groundwater supplies. In this region, conjunctive use often means shipping surface water from rivers and lakes to water buyers in the south, then replacing that surface water with groundwater pumped from underground aquifers.

Further evidence of the plan's intent to export Butte County water can be found in an earlier County *Needs Assessment* document, which stated that there is “increased interest in utilizing the Lower Tuscan aquifer system to augment the State's overall water supply.” It also stated that “access to a comprehensive database of aquifer information is invaluable ... for conjunctive water management programs that result in water being transferred outside the region.”

It should be obvious from the language in past and present documents that the motivation of this project is to provide scientific cover for water exports.

BEC has challenged Butte County's project because the County's environmental review, in the form of a [Negative Declaration](#), fails to describe the entire project. Under the [California Environmental Quality Act](#) (CEQA), Butte County is prohibited from isolating its project from the larger SVIRWMP plan. Such a tactic is called “piece-mealing” and it's illegal under CEQA. The County has also not fully described the existing groundwater conditions, nor has it provided ample evidence that its project will have no environmental impact, both of which are also violations of CEQA.

Although Butte County has a history of protecting the County's Lake Oroville water rights, the County has a dismal record of protecting groundwater. In 1994, surface water was exported by local water districts, and groundwater – for the first time – was pumped to replace the surface water. This “conjunctive use” damaged water supplies for many local farmers and municipalities. Two years later, after the groundwater-protection initiative Measure F garnered 16,000 signatures to get it on the November ballot, a water-seller-sponsored initiative, Measure G, was placed on the ballot by the Board of Supervisors. Through a well-financed and deceitful campaign, Measure G won.

One of the outcomes of Measure G is that there is weak monitoring and enforcement of over-pumping groundwater. Over the past two years, declining groundwater levels have caused problems for some local wells, meaning owners have had to deepen bore holes and lower pumps. The lowered groundwater table means that some creek flows are now simply replenishing the groundwater and are running dry on the surface. This has severe implications for wildlife as well as native oaks and other trees. If Butte County is truly committed to protecting groundwater, it never would have bulldozed through the passage of Measure G, and would have undertaken serious groundwater monitoring and protection after the detrimental impacts to groundwater in 1994.

Given the County's checkered past of groundwater protection, and its inadequate environmental review of its groundwater monitoring project, BEC felt it had no choice but to legally challenge the project. BEC is committed to protecting the groundwater for the northstate unless it can be demonstrated that there is excess water that is not needed by the environment and the economy here. Unfortunately, Butte County is participating in a program that will allow unfettered access to the region's groundwater.