

Press Release:

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BUTTE ENVIRONMENTAL COUNCIL CHALLENGES BUTTE COUNTY PROJECT APPROVAL Local Ground Water Threatened Lawsuit filed October 27, 2008

Chico, CA – Butte Environmental Council (BEC) has challenged Butte County’s approval of the Negative Declaration (environmental review) for their *Proposition 50: Tuscan Aquifer Monitoring, Recharge, and Data Management Project* (Project). The proponents believe that the Project will “[b]etter quantify and qualify the Lower Tuscan’s recharge characteristics so this essential groundwater resource can be sustainably managed,” but they decline to define how it will be managed or what is the purpose for a new management effort. The environmental review also fails to describe the entire Project, explain the connection to other projects that seek to exploit area groundwater, portray the existing conditions of area groundwater, or provide ample evidence that the proposed Project will not have a significant impact on the environment, which are all violations of the California Environmental Quality Act (CEQA).

While Butte County seeks to pass off this “research” project as a tool to simply understand local hydrology, a paper trail illustrates the County’s continuing participation with the state and federal government to provide area water to users south of the Delta. Examples include the following statements from the Project description in the Butte County *Needs Assessment Work Plan; Tuscan Aquifer Monitoring, Recharge, and Data Management Project* (2007):

- ***There is increased interest in utilizing the Lower Tuscan aquifer system to augment the State’s overall water supply*** (emphasis added). *Because there has been somewhat limited regional utilization of this resource in the past, limited information is available about how the aquifer system may respond to increased utilization, and what impacts this increased utilization may have on other water users, recharge sources, recharge areas, and the environment.*

This project provides the needed technical background and develops the needed analytical investigative tools to help understand and assess the impacts to recharge sources resulting from increased utilization of the aquifer system. It also provides additional monitoring infrastructure needed to help assess impacts associated with proposed water management programs that plan to extract groundwater from the Lower Tuscan aquifer system. Finally, this program assists in providing public outreach, education, and coordination for projects that plan to utilize this groundwater resource.

- *Public outreach and education is a critical component to the overall success of the entire project, particularly in the northern Sacramento Valley. Increased utilization of the Lower Tuscan aquifer system and **potential groundwater transfers are politically charged issues** (emphasis added).*
- *Planning decisions made today by local government will help to shape the use of water within and outside of the region interested in identifying the potential yield and geological make-up of the Lower Tuscan Formation Aquifer System (Lower Tuscan Formation). **Access to a comprehensive database of aquifer information is invaluable for the above-mentioned local uses, as well as the potential for conjunctive water management programs that result in water being transferred outside the region** (emphasis added). (From original document approved by the Board of Supervisors, but removed in the final document).*

Additionally, the County approved the Sacramento Valley Integrated Regional Water Management Plan (SVIRWMP) in order to receive funding for this Project. The acceptance of the SVIRWMP directly aligns Butte County with the goal to use massive quantities of local groundwater to augment the state water supply. Conjunctive Water Management, which is the blending of surface and ground water without a clear distinction of the respective water rights that may be affected, is a dominant strategy within the SVIRWMP (53% of the activities fall under these sections). Sixty-one new production wells are the major focus of the SVIRWMP in order to “start pumping and in this way we can learn about the aquifer.”

“Butte County’s narrow examination of the Project and faulty conclusions fail to comply with the most essential review and disclosure requirements of CEQA, thereby depriving decision makers and the public of the ability to consider the relevant environmental issues in any meaningful way,” stated Barbara Vlamis, Executive Director of BEC. “The County’s participation in water marketing, no matter how early in the process the County deems its participation, serves to prop up a failing state policy and abrogates the responsibility of state and local governments to plan for the efficient use of land and water,” she continued. The lawsuit seeks an Environmental Impact Report for the project to disclose the significant and grave impacts to the environment, local economies, and land use.

WATER FACTS

- The vast majority (87%) of Butte County residents depend on ground water for their drinking water
- The California Department of Water Resources estimates that the Tuscan Formation aquifer, which underlies Butte, Glenn, and Tehama counties holds approximately 30 million acre feet (AF) of water (an acre foot is 325,900 gallons of water).
- Metropolitan Water District of southern California is looking for 300,000 AF from the Sacramento Valley by 2010 and 550,000 AF by 2020.
- Local irrigation districts have been funded by the California Department of Water Resources and the federal Bureau of Reclamation to explore using groundwater to facilitate water sales.
- In 1994, 105,000 acre-feet of water were sold from Butte County. Individual wells ran dry, one Durham community well was forced to close, hoses ran between neighbors' houses for water emergencies, people unwittingly drank polluted water before their wells dried up, and one family was forced to sell their farm.
- There is currently no real protection for Butte County's ground water except the environmental review process required under the California Environmental Quality Act.
- The San Joaquin River is already dewatered in its upper reaches from excess water consumption and a significant portion of the San Joaquin ground water basin has been subsiding.
- The amount of energy currently devoted to pumping water over the Tehachapi mountain range from northern to southern California is equal to one third of the entire household energy use of southern California