

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 EMLER

County Administrator
(707) 784-6100

675 Texas Street, Suite 6500
Fairfield, CA 94533-6342
Fax (707) 784-6665

www.solanocounty.com

April 26, 2023

The Honorable Rebecca Bauer-Kahan
Chairwoman, Assembly Water, Parks and Wildlife Committee
1021 O St., 6320
Sacramento, CA 95814

RE: OPPOSE, AB 460 (Bauer-Kahan) State Water Resources Control Board, Interim Relief

Dear Chairwoman Bauer-Kahan,

On behalf of the Solano County Board of Supervisors, I write to inform you that we must respectfully oppose AB 460, which would authorize the State Water Resources Control Board to issue, on its own motion or upon the petition of an interested party, an interim relief order in appropriate circumstances to implement or enforce these and related provisions of law. The bill would provide that a person or entity that violates any interim relief order issued by the board would be liable to the board for a civil penalty in an amount not to exceed the sum of \$10,000 for each day in which a violation occurs and \$5,000 for each acre-foot of water diverted in violation of the interim relief order. The bill would require these funds to be deposited in the Water Rights Fund.

Passage of AB 460 would be detrimental to Solano County as it would limit the local control and flexibility the county needs to manage its water resources. AB 460 is problematic because it gives the State Water Board authority to issue interim relief orders on exceedingly short notice and with very little defined oversight. Therefore, passing AB 460 would bring uncertainty to dam owners and water service providers in California, because at any moment, and on extremely short notice, the State Water Board could issue an interim relief order effectively commandeering an agency's reservoir and/or curtailing its diversions; the costs to defend against alleged violations under an interim relief order would be overly burdensome, particularly when added to the proposed fines and penalties.

AB 460 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. Specifically, Solano County is opposed to AB 460 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 AB 460 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 AB 460.

Sincerely,

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

John M. Vasquez, Chair
Solano County Board of Supervisors

Honorable Rebecca Bauer-Kahan

April 26, 2022

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CC:

The Honorable Bill Dodd, Senator

The Honorable Lori D. Wilson, Assemblymember

Members, Assembly Water, Parks and Wildlife Committee

The Honorable Solano County Board of Supervisors

Misty Kaltreider, Water and Natural Resources Program Manager

Karen Lange, SYASL Partners