



BOARD OF SUPERVISORS

# COUNTY OF HUMBOLDT

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January 20, 2015

Senator Barbara Boxer  
501 I Street, Suite 7-600  
Sacramento, CA 95814

Senator Dianne Feinstein  
One Post Street, Suite 2450  
San Francisco, CA 94104

Re: Drought Legislation, Humboldt County Request to Participate in Negotiations

Dear Senators Boxer and Feinstein:

The Humboldt County Board of Supervisors is requesting that when talks resume on Federal drought legislation, the many voices and interests in Humboldt County and California's North Coast Region – *the Counties, Native American Tribes, commercial and sport fisheries and water-dependent industries* – be invited to participate fully and openly in those talks. Since 1964, Humboldt County has contributed 46+ million acre feet of water from the Trinity River Basin to the Central Valley Project (CVP) and the San Luis Unit (Westlands Water District).

The regulatory and programmatic "taking" of this water in the form of diversion has significantly impacted the North Coast economy, commercial and sport fishing industry, harmed the economic, social and cultural values for three local Native American Tribes and shuttered local small coastal towns. The people, of the North Coast, experience the pain of those diversions every day – and have since 1964.

On December 23<sup>rd</sup>, the Solicitor's Office of the Department of the Interior (DOI) released its long-awaited legal opinion on provisions of the 1955 Trinity River Act and subsequent 1959 contract between the Bureau of Reclamation and Humboldt County, affirming the County's contractual right to not less than 50,000 acre-feet of water annually from the Trinity Reservoir for the beneficial use of Humboldt County and other downstream users. In that memo, the DOI noted that "...Congress specifically limited the integration of the (Trinity River Division) and the

*CVP in the 1955 act by recognizing that in-basin needs for Humboldt County and downstream users, as well as the responsibilities to preserve fish and wildlife, take precedence over the needs to be served by out-of-basin diversions". This determination clearly positions Humboldt County as a real party in interest in any discussion of water diversions from the Trinity Basin.*

In November, when drought bill talks were postponed, both of you indicated in public statements that other interested parties would be included in future deliberations before Congressional action. To that end, we are respectfully requesting that:

- (1) North Coast Interests, as a water donor region, be invited to participate, fully and openly, in all future drought bill talks.
- (2) Any drought or water legislation in the 114<sup>th</sup> Congress contain a provision expressly stating that if any of the water diverted from the Trinity Basin is resold by any water entity, that the revenues be remanded to Trinity and Humboldt Counties for the benefit of the North Coast.
- (3) So that we may fully understand this bill and how it came to be, please publicly release the various drafts of the bill and/or draft language/justifications submitted in furtherance of it.

In conclusion, we once again respectfully request full participation in Congressional drought talks to address the impacts caused by massive export of Trinity Basin water supplies. There are additional Trinity Basin management and operational issues that also could be impacted by Congressional action directing how the Central Valley Project will be operated.

Thank you for your consideration and we look forward to following up with you regarding these important drought related operational and management issues that impact the health and financial well-being of our communities.

Sincerely,



Mark Lovelace, Vice Chair  
Humboldt County Board of Supervisors

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