



**Statement by Nicole Sandkulla, Chief Executive Officer,
Bay Area Water Supply and Conservation Agency (BAWSCA),
About Restore Hetch Hetchy's Legal Action to Drain Hetch Hetchy Reservoir**

April 21, 2015

A group named Restore Hetch Hetchy (RHH) has filed a lawsuit in Tuolumne County, which if successful, would lead to the draining of Hetch Hetchy Reservoir. RHH's goal is to restore Hetch Hetchy Valley, a public policy issue that has been debated for more than 100 years.

If this challenge to San Francisco's operation of the Hetch Hetchy Reservoir results in draining the reservoir, it would threaten the health, safety and economic well-being of 1.7 million residents, 30,000 businesses and thousands of community agencies in Alameda, San Mateo, and Santa Clara counties who depend on this water. BAWSCA represents their water interests and its 26 member agencies, which purchase the water from the San Francisco Regional (Hetch Hetchy) System and sell it to these customers. RHH named BAWSCA as a party to the litigation and as a defendant in the lawsuit.

BAWSCA will vigorously defend and protect the interests of the water customers and the member agencies it represents; including taking the necessary legal actions as well as pursuing administrative and legislative actions.

The Tuolumne River supplies 85 percent of the water delivered by the System, and the Reservoir stores 117 billion gallons of that water to provide seasonal supply and drought reliability for the region. Draining the Reservoir, an essential part of the System, could be a serious threat to the users who depend on it and to the California economy.

Any action to drain Hetch Hetchy Reservoir or otherwise impact the System must be preceded with a plan to protect the health, safety and economic well being of all the water users. And any such plan to protect the water users must provide for reliable alternative water storage and a supply of high-quality water that is acceptable to those who use two-thirds of the water and pay two-thirds of the System's costs.

The alternative storage and supply must be supported by legally enforceable agreements addressing water rights, ownership, operating responsibilities and other critical issues. Without resolution of these issues, no alternative supply would be as reliable as the existing supply.

If a decision is made to provide alternative water storage, it must be in operation, and all agreements fully executed, before draining the Reservoir. Otherwise, it is likely that the alternative facilities would never be completed.

BAWSCA is therefore opposed to draining the Hetch Hetchy Reservoir unless and until water users outside San Francisco, whose communities depend on the Reservoir, will be provided with water-supply reliability and water quality that are acceptable and at an acceptable cost.

Meanwhile, any such efforts must not delay the current \$4.8 billion program to rebuild the Bay Area's existing earthquake-vulnerable water System, which is scheduled for completion in 2019, and overdue maintenance of critical parts of the System, which was announced by San Francisco last year and which could extend beyond 2019.

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