



SOUTH YUBA RIVER CITIZENS LEAGUE

January 27, 2022

Jennifer Hanson
General Manager
Nevada Irrigation District
1036 W Main St.
Grass Valley, CA 95945

Dear Ms. Hanson,

Thank you for your continued prioritization of stakeholder inclusion in the Plan for Water (PFW) process. As the PFW moves forward, the South Yuba River Citizens League (SYRCL) and Foothills Water Network (FWN) would like to offer the following notes and questions regarding *Stage 2: Water Rights*. We believe submitting these comments proactively can give Nevada Irrigation District (NID or District) management and staff adequate time to respond while simultaneously helping make the Stage 2 public meeting more productive. Additionally, this letter aims to address your request to participate in a timely fashion on topics during this accelerated process, which was discussed in 1:1 meetings with NID, SYRCL, and FWN. Lastly, we believe this can help increase transparency and support the public process, and ultimately will help make public meetings more cohesive and time efficient.

I. Overarching Comments

SYRCL and FWN offer the following comments on Plan for Water *Stage 2: Water Rights*.

First, ***SYRCL and FWN respectfully request that NID allow time during Stage 2: Water Rights for an outside water rights expert to present information and suggest that expert be Chris Shutes***. Our coalition believes it is essential to share an external perspective with the public and the NID Board of Directors (Board). Additionally, we believe an outside expert may be a major asset for the Plan for Water meeting, being able to both field questions from the public and to act as a resource for the District. Incorporating such an expert would demonstrate trust with stakeholders and transparency with the public.

SYRCL and FWN have invited Chris Shutes, Water Rights Advocate for California Sportfishing Protection Alliance (CSPA), a member of the Foothills Water Network, to attend the *Water Rights* PFW meeting. Mr. Shutes has worked on hydropower and water rights issues for CSPA throughout California since 2006 and has played a key role in hydropower project relicensing and water rights discussions in the Yuba and Bear River watersheds during that

time. Mr. Shutes brings a uniquely well-informed perspective to understanding and balancing interests in our rapidly changing water management outlook. Chris has agreed to attend the meeting and is willing to present if granted the opportunity.

Second, ***we request that NID provide meeting outlines at least five business days, and preferable two weeks, prior to any given Plan for Water meeting.*** We request these outlines provide basic information about discussion topics and public process/engagement strategies for the meeting. An outline for the coming meeting might answer the question: *what information does NID plan to present during the Water Rights stage?* A one-week timeline will help all stakeholders prepare materials and comments, and to engage more meaningfully in the process.

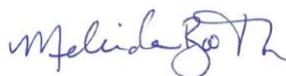
II. Questions

Additionally, SYRCL and FWN offer the following questions regarding *Stage 2: Water Rights*. We hope that NID has the time and capacity to address each of these during the *Water Rights* meeting or provide a mechanism for tracking them if they cannot.

- What are the required minimum flows related to water rights? How do those compare with or meet environmental requirements?
- What water rights are the district currently pursuing—including state filed applications and other acquisitions?
- What are the required beneficial uses of each post-1914 water right, and how does the district verify those uses? If these uses are accounted for, what proportion goes to each beneficial use, and what are possible information gaps? For example, how does NID verify that agricultural water uses result in a commercially available product? In part, the rationale for these questions is that agriculture is NID's primary customer base, and is essential to our communities' wellbeing.

Thank you for taking the time to review these comments and questions. We would be pleased to open a dialogue about the PFW meeting on water rights, and would like to support the District through this Stage. We would be happy to provide additional information or to answer any questions you may have. For further inquiry, please contact Keiko Mertz, Policy Manager, South Yuba River Citizens League, at 916-539-3724 or keiko@yubariver.org.

Respectfully Submitted,



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cc: NID Board of Directors via email