



STATE WATER
CONTRACTORS
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SWC Sues State of California Over Updated Permit Conditions for the Long-Term Operation of the State Water Project

Sacramento, CA – Today, the State Water Contractors (SWC) [filed a lawsuit](#) against the California Department of Water Resources (DWR) and California Department of Fish and Wildlife (CDFW) over the [March 31 Incidental Take Permit \(ITP\)](#) for the long-term operation of the State Water Project (SWP). The ITP is a permit required under the California Endangered Species Act (CESA) to protect endangered and threatened fish species. The SWC object to the revised permit because it imposes significant new conditions that far exceed CESA requirements and legal standards and is not based on the best available science. The ITP was approved without adequate consideration of the objections posed to the Department of Water Resources (DWR) throughout the consultation period as reflected in the [SWC's January 6 letter to DWR](#).

The current ITP:

- Limits water supplies for 27 million Californians without adequate legal or scientific justification
- Increases costs to California ratepayers
- Fails to incorporate the latest and best available science
- Implements overly burdensome and illegal actions for impacts unrelated to SWP operations and geographic range
- Will make climate change adaption and Sustainable Groundwater Management Act (SGMA) implementation substantially more difficult
- Creates operational conflicts between the Central Valley Project (CVP) and the SWP
- Allows CDFW – rather than DWR – to make wholesale flow decisions over and above the prescriptive criteria included in the permit

SWC General Manager Jennifer Pierre issued the following statement on the matter:

“In maintaining overly restrictive criteria specific to the SWP despite the best available science, and over the objections of the State Water Contractors and other public water agencies – increasing SWP costs by \$22 million annually – the ITP’s approval has left us with no other choice than to file litigation that could and should have been avoided.”

“Even more disappointing, the ITP effectively ends the historic Voluntary Agreement process that brought together water agencies, regulators and conservation groups to tackle decades-old water resource problems. Despite this, the SWC remain committed to working with state and

federal partners to resume the Voluntary Agreement process. We must gain alignment between the SWP and CVP operations and increase regulatory flexibility that meets the needs of California's people and the environment.”

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The State Water Contractors is a statewide, non-profit association of 27 public agencies from Northern, Central and Southern California that purchase water under contract from the California State Water Project. Collectively the State Water Contractors deliver water to more than 27 million residents throughout the state and more than 750,000 acres of agricultural land. For more information on the State Water Contractors, please visit www.swc.org.