

# **Comments on Interim Federal Action Plan on the Bay Delta**

## **I. The Delta**

### **A. Stimulus funds should be used to continue critical Delta studies**

The California Department of Fish and Game has recently cut funding for a critical study of salmon populations using sonic tags. This and other tracking of fish populations in the Delta is essential for science-based decision making and monitoring of actual impacts of Delta flow decisions.

### **B. Stimulus funds should not be used to facilitate increased pumping until the BDCP determination of Delta flow needs has been completed.**

Many observers trace the dramatic decline of fish populations in the Delta to the 2003 Napa Agreement, which ramped up pumping by the State Water Project from 6,680 cfs to 8,500 cfs – an increase of about 1,000,000 acre feet a year, about 40% over previous levels.<sup>1</sup> These increases were done without environmental review, and fish populations began to crash shortly afterwards.

Ideally, federal funding for construction of SWP interties such as the Delta-Mendota and California Aqueduct intertie, to facilitate increased pumping for the CVP, should wait until the Bay Delta Conservation Plan (BDCP) process determining flow needs for the Delta has been completed.

### **C. Stimulus funds should not be used for engineering work on projects such as the Temperance Flats dam, Sites reservoir, or Peripheral Canal, until these projects have final budgets, and completed environmental reviews.**

The Governor has championed several large water infrastructure projects with multibillion dollar costs and highly controversial environmental impacts. The beneficiaries of these projects are supposed to pay for some or all of the construction costs, but no budgets have been worked out. Nor have the required CEQA, NEPA, and other environmental reviews been done. It would be a poor use of taxpayer dollars to join the state in pushing forward on these projects without completing these critical planning steps.

## **II. Urban Conservation**

### **A. The majority of Delta export cutbacks are to urban uses, NOT agriculture**

While much attention has been focused on the agricultural water shortage, the biggest share of cutbacks was to urban contractors. In 2008, about seventy-five percent of the mandated cutbacks to Delta exports actually went to the State Water Project, and 75% of those cutbacks were to State Water Project municipal contractors. Combined with Central Valley Project municipal and industrial contractors, 59% of the 2008 cutbacks were to urban users, not agriculture.

### **B. Municipal water conservation efforts should be ramped up much more rapidly**

Rapid deployment of urban water conservation and recycling can take much of the pressure off Delta ecosystem flows, by creating a new “virtual river.”<sup>ii</sup> Implementing the Governor's water conservation plan, 20 by 2020, will result in urban customers saving more than 1.7 million acre feet of water. New water recycling plants could yield 500,000 acre feet of water for landscaping and industrial uses. The need for these efforts is urgent and immediate if we are to both supply water for the new housing built in the past decade AND save the Delta.

### **C. Water transfers should reinforce sustainable drought response**

The Memorandum of Understanding states that the transfer of 600,000 acre feet of water was facilitated in 2009, yet many of the transfers were from North of Delta municipal & agricultural contractors to South of Delta municipal contractors. In 2008, Metropolitan Water District alone sought over 250,000 acre feet of temporary transfers.<sup>iii</sup> The demand from urban contractors could be a contributor to spot water prices as high as \$950 an acre foot, which is prohibitive for farmers. As the state adapts to the need to reduce pumping from unsustainable highs in the last decade, long term water transfers should be focused towards sustainable patterns of water use. Drought response planning should include reducing urban reliance on transfers during drought years, and setting up a system of agriculture to agriculture transfers that facilitates transfer of water from fallowed row crops to permanent crops at a reasonable price.

## **III. The San Joaquin Valley**

### **A. Stimulus funds should be targeted to maximize job creation**

Disaster payments to help huge agribusiness enterprises may help those companies deal with reduced income in 2009, but may not translate directly into new farm worker jobs. Some of the payments could be used to acquire land or water rights, or used to facilitate investments in other areas / sectors.

To maximize job creation, efforts should focus on local, labor-intensive activities that will produce the most jobs per dollar of federal stimulus. Small landowners frequently grow the most labor-intensive crops through micro-cropping of specialty crops. Special efforts should be made to provide access to small landowners to USDA assistance programs.

**B. Improvements to on-farm runoff control will both provide jobs and reduce groundwater contamination in the San Joaquin Valley.**

Agricultural runoff has contaminated both ground and surface water in the San Joaquin Valley with nitrates and pesticides. According to the EWC report, “nitrates are known to cause Blue Baby Syndrome, and pesticides are linked to a variety of problems, including liver and kidney damage, respiratory distress, and developmental disorders.”<sup>iv</sup> Improvements in on-farm runoff control are direct, labor-intensive, and provide a benefit to the community as well as the individual landowner.

**B. Stimulus funds should avoid perpetuating drought vulnerability**

- 1) Subsidizing replanting of permanent crops in lands with junior water rights will continue unsustainable pattern of crop use and perpetuate both demands for water and need for disaster payments. Farmers should be required to acquire a sufficient supply of water in drought years to sustain orchards, either through planting of row crops on part of their acreage, or purchasing water transfer options from neighbors with row crops. Disaster payments can facilitate acquisition of water transfer options.
- 2) Subsidies should not be provided to plant impaired lands with crops that require significant amounts of irrigation water. Doing so will further the already extensive degradation of soils on the West side of the Valley. A recent USDA survey found that saline-sodic soils now comprise 50% of the irrigated acreage in West Fresno County, up from 33% in 1980.<sup>v</sup>
- 3) Subsidizing new wells exacerbates problems with groundwater overdraft. The recent USGS survey showed that the San Joaquin aquifer had an overdraft of 63 million acre feet or approximately 1.575 MAF per year on average. Groundwater substitution transfers in areas with groundwater overdraft should also be avoided.

**IV. Flood Control**

**A. Restoring Natural Hydrology of the San Joaquin River basin**

The Central Valley Project Improvement Act of 1992 mandated a partial return to natural hydrologic flows in the San Joaquin Valley, including partial restoration of San Joaquin River flows, and water for wildlife refuges. The San Joaquin River Restoration plan is

just starting to be implemented, and may provide significant benefits to the San Joaquin Valley aquifer

Consideration should be given to studying

- Regional-scale modeling of surface and subsurface flows
- Evaluation of a proposal to expand storage of water in the former Tulare lakebed, which could both increase groundwater recharge, and increase water storage a fraction of the cost of a new dam<sup>vi</sup>
- Upland reforestation to reduce groundwater movement into the basin and resulting elevation of groundwater levels
- Impact of purchasing flood easements to allow for more natural flood discharges which can restore aquifers
- Development of new standards for urban floodwater infrastructure to facilitate aquifer recharge

## V. Impacts on Coastal Areas

While the California drought appears to be ending, the crisis for the commercial and recreational fishing industry is continuing unabated. Coastal communities along two hundred miles of Pacific Coast continue to be impacted by the total closure of the salmon fishing season, and the recreational fishing industry is hard hit as well. In a study commissioned by the California Sportfishing Protection Association, Southwick Associates estimated that 23,000 jobs have been lost in California alone.

Drought response plans should target all communities affected by climate-related changes and population stresses on California's major rivers and Delta estuary, not just Central Valley agricultural communities.

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<sup>i</sup> National Resources Defense Council, The Return of the Backroom Water Deal: Why the Napa Agreement Threatens California's Water Future, Jan 13, 2004.  
<http://www.citizen.org/documents/RETURNBACKROOMWATERDEAL.pdf>

<sup>ii</sup> California Water Solutions Now, a report from the member organizations of the Environmental Water Caucus, August 2009, <http://www.ewccalifornia.org/reports/cawatersolutions.pdf> For executive summary and powerpoint, visit <http://www.ewccalifornia.org/home/index.php>

<sup>iii</sup> City of Los Angeles, Draft EIR, Appendix G, Delta  
<http://cityplanning.lacity.org/EIR/OccidentalCollege/DEIR/Chapters/Appendix%20G%20Water%20Supply.pdf>

<sup>iv</sup> California Water Solutions Now, Environmental Water Caucus

<sup>v</sup> USDA Natural Resource Conservation Committee, Soil Survey of Fresno County, California, Western Part <http://soildatamart.nrcs.usda.gov/Manuscripts/CA653/0/fresno.pdf>

<sup>vi</sup> San Joaquin Valley Water Leadership Forum, Proposal to Restore Tulare Lake. Available at <http://www.sjvwlf.org/3.htm>