
Our Delta Water

sponsored by the League of Women Voters

Once again, the Delta citizens demonstrated their concern about the current direction/decisions that will affect the Delta. The room was overflowing with many standing on the sides – over 200 attendees. Besides the Panel guests, many other legislators and their representatives were in attendance, notably US Congressman Jerry McNerney and CA Senator Lois Wolk.

Congressman McNerney gave opening remarks, stating his commitment to the Delta and to keeping the water here healthy for our families and for our use. He recognized the efforts of our local representatives, especially Mary Piepho, in their work to support the Delta. Senator Wolk was introduced – she has been the key advocate in the senate for Delta water issues. Unfortunately, her support of the Delta has resulted in her being removed from most of the key senate committees on dealing with water issues that she was on previously.

Panel members included:

- Dr. Gregory Gartrell, Assistant Manager of the Contra Costa Water District
- Susanna Schlendorf, 15th Assembly District Director for Joan Buchanan
- Mary N. Piepho, Contra Costa County Supervisor
- Dr. Lawrence Kolb, former Water Quality Control Board assistant director
- David Nesmith of the Environmental Water Caucus
- Kari Fisher, counsel for the Farm Bureau
- Karla Nemeth, Resources Agency liaison to the Bay Delta Conservation Plan (BDCP)

Dr. Gartrell spoke about the 5 Water Bills that were passed by the Legislature Nov 3rd. He said they don't fix the Delta, but they do provide a framework. The 5th Bill is an \$11 billion Bond Bill to be voted on in the Fall of 2010. Dr. Gartrell also wanted to clear up a "fallacy" that has been used in favor of allowing increased salt in the Delta. He said that UC Davis scientists testified for the Fish & Game that the issue with declining fish population is that the water isn't salty enough. Dr. Gartrell said they were wrong. The Delta has been a freshwater marsh for the last 2500 years!

Susana Schlendorf and County Supervisor Mary Piepho each gave their perspectives about issues with the Water Bills, the process passing them, and the resulting BDCP/Peripheral Canal. Susanna Schlendorf characterized the processes used during the passage of the bills as "draconian". Legislators opposed were limited to speaking only 1 minute each. Sacramento was a nocturnal town – with closed door negotiations and 3 AM votes. The resulting Bills are weak and full of loopholes. For example, while there IS "flow criteria", there is no resulting limit on exports. A lot of "special deals" added to the bills and the bills add new layers bureaucracy. She passed out a chart showing the spider web of organizations now involved in Delta projects. In the center is "The Delta Plan" (which none of the panel members could articulate what it is). Four of the 7 members of the new Delta council are appointed by the Governor.

She was particularly concerned about the Bond Package which grew during the night of November 3rd from \$8B to \$11B. That's \$800 million per year for the next 30 years which will come off the top of the State General Fund– ahead of education, transportation, and other at-risk areas.

Supervisor Piepho spoke about the efforts of the 5 Delta County supervisors to join together to create a larger entity with a stronger voice to be heard regarding Water Bills and impacts on the Delta. A major issue with current Bills and plans are that they exclude the "Delta as a Place" as the 3rd leg of the stool – focusing instead only on the two co-equal goals of water export and the environment. That leaves the people out of the process. And the current legislative process has resulted in the loss of land use protection. The 5 Delta County effort is to put "Delta as a Place" back into the process. To maintain the health of the Delta and accessibility and to consider the economic and other impacts. And to bring the

legislative process into the open. We need to insist on no more 3 AM votes – she said we should watch the videos – it’s “very disturbing”. In general the Delta Counties have been “shut out” of the process.

She was also concerned that is no legislative oversight of the BDCP/Peripheral Canal. That rules have been issued that make it a “conflict of interest” if a legislator sits on the BDCP steering committee and members of the Steering committee need to agree ahead-of-time to support the results of the BDCP. PRIOR to knowing what the results will be. Plus that there no answer to the question “What IS truly surplus water?” We don’t know that.

Dr. Kolb and David Nesmeth provided facts, figures, and logical solutions for the water crisis. Dr. Kolb said that **the root problem causing the crisis in the Delta is that we take too much water out for agriculture with insufficient return.** He pointed out that water use for agriculture is 80% of the state’s water whereas agriculture (including indirect benefits – labor, etc.) contributes only 7% to the state’s economy in total. Intel alone brings more economic value to the state.

A big issue is that 40% of the water farmers use go to cotton, rice, alfalfa, and irrigated pastures. These are only add ½ of 1% to the state’s economy. Harvesting techniques for these crops are highly mechanized resulting in low employment. So these crops (cotton, rice, alfalfa) and ranching utilizes a significant amount of water and provide low returns to the economy. But the current incentive to farmers is to use water because it’s “free”.

He focused on the west side of the San Joaquin valley which is the worst place for farms. More than 900 acres there contain a large amount of a very bad chemical, selenium. When mixed with water (i.e., irrigation), it turns into soluble form which is very mobile and there’s no feasible way to remove it. Selenium doesn’t go away. In the 1980s, scientists at the Kesterson Wildlife Refuge discovered massive fish kills and tens of thousands of dead birds from a gradual buildup of selenium. The farms in that area drain into a large catch basin. But it’s like mercury, it isn’t broken down over time. It would be better for the state to idle those farms and pay the farmers than use the water and continue the selenium pollution.

Bottom line – we need to stop farming the west side. The Peripheral Canal is a solution to the wrong problem. **The elephant in the bathtub is agricultural water use!**

Mr. Nesmith provided a chart that showed the best options for water. #1 – focus on water conservation (particularly in agriculture). He has analyzed that that moving the pumps will not result in any additional water for export. In addition, he said building additional dams are not a solution – the best dam sites have been taken. And that the belief that “If you pour concrete, water will accumulate behind it” is not valid.

He agreed with Dr. Kolb that the current central valley farms are unsustainable – they will go out of operations in 10-15 years. Yet we are spending 2 MAF/year on them. Making matters worse, many farms have gone from seasonal crops (e.g., cotton) to permanent (e.g., orchards). In times of drought, the agriculture water needs have gone up year-round due to permanent crops. What isn’t being recognized is that the economic value of urban development is much higher than agriculture. The economic value of crops to the state is a small percentage of our economy. Both Dr. Kolb and Mr. Nesmith agreed – the solution is to focus on leveraging the agricultural water effectively.

The two speakers on the other side of “the fence” were Kari Fisher, counsel for the Farm Bureau and Karla Nemeth representing the Bay Delta Conservation Plan (BDCP) – i.e., the Peripheral Canal. Ms. Fisher had charts showing the crops grown are highly significant. For example, California produces 21% of the milk, 23% of the cheese, 92% of the grapes for the entire US. Ms. Fisher’s statistics and numbers were positioned differently from Dr. Kolb. Her charts and graphs show that agriculture only uses 41% of the state’s water whereas almost half, 48%, is for the “environment” (counting water lost to evaporation and used by forests as “available”). She also blamed current water shortages from both the drought and an “artificial” drought caused by the judge’s order to stop pumping due to Delta Smelt endangerment. Goals of her organization include changing the environmental species act (ESA) to stop protection for endangered species in favor of additional water exports.

Other farm issues are that farmers have increased reliance on ground water pumping (which is bad since once ground water aquifers are depleted, if they collapse, there is no way to ever recover that storage capability. And aquifers provide for a significant portion of the state's water.)

When asked to respond to the idea that some farms should not be farmed (due to selenium) she only retorted "Do you want to buy food from Mexico?"

Karla Nemeth described the two co-equal goals of the BDCP: Water exports and endangered species. She reported that the BDCP projects will fundamentally change the way water moves through the "system" (i.e., through the Delta). She described the plan move the Tracy pumps north which supports more effective fish screens avoiding the current issue with fish in the pumps. The plan includes installing pumps that could pump 15K cubic feet/second. Another part of the plan includes creating huge areas of tidal marshes for fish spawning/migration areas. She added that as a result in feedback at the September BDCP workshops, the "in-Delta water quality" is now included in the plan – in particular so that the water in the delta will continue to be the quality the North Delta needs.

Questions from the audience were if the BDCP was also focusing on water quality in the South Delta and she said it does. Ms. Nemeth said they would NEVER pump the capacity 15K CFS much from the Delta. That only a portion of that would be used and the health of the Delta would be monitored. Mary Piepho commented that if the large pumps would never be used that smaller pumps should be installed saving the cost of bigger pumps. Comments from Dr. Gartrell were that 15K CFS is the amount of water flow total of the Sacramento River Delta.

CONCLUDING REMARKS / TO DOS

Susanna Schlendorf, Mary Piepho, and David Nesmeth's gave input into the question about what citizens should do:

- Defeat the Water Bond in the Fall – if passed, it will take a huge amount out of the General Fund ahead of education and other needs. And it isn't necessary. Without the water bond, there are many unsold bonds that could be used to make many of the needed improvements.
- Keep the pressure on political representatives. And support representatives working to help.
- Stay involved: Follow the BDCP and other efforts and stay involved with organizations working to save the Delta.

ADDITIONAL DETAILS – FACTS & FIGURES

Dr. Gartrell - On the 5 Water Bills:

1. One says any projects have to look at the water supply and ecosystem together (instead of water first and mitigation later). Includes ecosystem sustainability, flow criteria for sustaining fisheries. Does not authorize a Peripheral Canal.
2. The second is a water conservation bill. The issue with it is that it does not require sufficient conservation savings required for farmers; mainly urban conservation.
3. Levee repair. And water use reporting requirements and penalties for misrepresenting/lying on reports. The problem with the bill is that the penalties are minor, not sufficient.
4. One concerns ground water monitoring.
5. The last is the Bond Bill for \$11B (to be voted on in the Fall).

Dr. Kolb – more details. The Delta watershed area covers most of Northern California (some into Oregon). The watershed covers 100 million acres. The average yearly rainfall is 2 feet of water. This yields 200 million acre feet (MAF) per year. Of that, two-thirds evaporates (due to direct evaporation, forests, etc.) That leaves 70 MAF in streams of which 43 MAF are diverted for human uses: 20% urban uses, 80% agriculture.

Agriculture crops provide 2 percent of the state's economy, The indirect benefits are 3.5 times that or agribusiness contributes 7% to the state's economy in total. 40% of the water farmers use go to cotton, rice, alfalfa, and irrigated pastures. These are 13% of the value of agriculture and only add ½ of 1% to the state's economy. Harvesting techniques for these crops are highly mechanized resulting in low employment. So these crops (cotton, rice, alfalfa) and ranching utilizes a significant amount of water and provide low returns to the economy.

The current incentive to farmers is to use water because it's "free". The only cost is for delivery which is about \$20/AF. But comparing the economic return farms provide, it's important to note that a company like Intel's annual revenue is greater than all crops sold!

About the Peripheral Canal. The plan is to move the pumping stations from Tracy to just south of Sacramento, near the small town of Hood, CA. Conveyance would either be via a canal or pipeline. But a canal would be west of I5 and an impediment to flood flows and more impacted by seismic action. Therefore a pipeline is more likely.

Susanna Schlendorf was asked to speak about "what happened at the Capital" during the passage of the 5 Water Bills. She quoted a Sacramento Bee article that said the passage of the Water Bills was like "... the rumble of water buffalos ... trampling over the Sacramento/San Joaquin river interests in the process.

Discussion the Bond Package, it includes a lot of "pork" – for example, bike paths, etc. – in the legislature's areas who supported the bills. They include privatization of reservoirs (SB808) – an extremely bad idea. They move the sharing of levee repair from 75% (state government) / 25% (local levee districts) to 50/50 – which will break the local levee districts.

The water issues are not going to go away. The state of California is expected to grow in population from 38 million to 50 million in 2050.

Ms. Fisher (Farm Bureau) other statistics include 16,200 to 23,700 jobs have been lost.

Karla Nemeth (BDCP) gave info about their current efforts regarding smelt caught in the pumps. Currently they remove the fish that have been entrapped (which are mainly small fish that can get through current fish screens, e.g., Delta Smelt) and transport and release them in northern areas of the Delta. Unfortunately, predators have learned the fish dumping sites and are waiting there to take advantage of the "food" so this process is not that effective. The BDCP plans include major efforts include reducing non-natives. (Note: These include invasive species but also large mouth bass).

David Nesmeth – more facts and figures:

The amount of water that would flow from the Delta to the SF Bay if unopposed is 27-32 MAF.

Upstream Diversions:

6.7 MAF to the North (for agriculture mostly; lots for rice)
>6 MAF to the South
0.4 MAF to the West (EBMUD/Hetch Hetchy)
0.8 MAF in-Delta (ag and urban).

13 MAF

Before 2000, urban users had a preference for surplus water; that changed with a State Amendment. Now agriculture has preference.