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**News Release by the South Delta Water Agency  
CALFED Has Abandoned Its Publicly Promised Principles****Introduction**

CALFED has repeatedly assured the public that in developing its program it will abide by publically stated principles. It has now violated a long list of those principles in its plans for the watershed of the San Joaquin River system, including the South Delta.

**Abandoned Principles**

Each of the following publicly committed principles has either been abandoned or seriously distorted from what any reasonable person would have understood after attending CALFED's numerous public meetings. CALFED's December 18 Phase II report indicates the following:

- CALFED commits that improvements for some problems will not be made without corresponding improvements for all problems.
- CALFED will not solve problems in the Bay-Delta system by redirecting significant negative impacts (to other interests' problems).
- CALFED will reduce conflicts in the systems by solving problems in water supply.
- In choosing among alternatives a "distinguishing characteristic" will be provision for local access to water in South Delta channels with regard to water levels and water quality.

CALFED has also stated repeatedly that:

- Solutions to problems will be based on the best available technical and scientific information.

- "Stakeholder" (affected party) involvement is important in developing viable problem solutions.

Although less specifically stated a reasonable person is also left with the impression that:

- CALFED will protect the State's natural resources of land and water.
- CALFED's program will comply with the State Water Resources Control Board's salinity standards for protection of diverters from Delta channels.
- CALFED's program will comply with existing water rights and water priorities in State and Federal law.

Every one of these commitments has now been violated.

### Specific Violations

- 1) Exclusion of a substantially affected party.

CALFED recently decided to substantially alter the 1991 agreement among the South Delta Water Agency (SDWA), the US Bureau of Reclamation (USBR), and the Department of Water Resources (DWR) which was intended to settle a lawsuit. The agreement allowed full exports while protecting South Delta's in-channel water supplies. CALFED undertook to develop a different plan. It insisted on excluding SDWA from participation in developing what they call a South Delta Improvement Plan. It developed a plan that will substantially increase the already serious impacts of export pumping on the South Delta's in-channel water supply. The SDWA and others were told at a late April CALFED public meeting that we were merely being informed and that nothing we might say would alter the plan. SDWA and others wrote to Secretary Nichols and CALFED Executive Director Lester Snow expressing our concerns over the poor science and the damaging impacts of the plan. SDWA also wrote to the CALFED Policy Committee asking for an opportunity to be heard before a decision was made. There was no response to that request, but the CALFED Policy Committee proceeded to accept the Staff's plan.

- 2) Violation of no redirection of negative impacts principle:  
Exports and fishery are benefitted in CALFED's plan by substantially impacting the South Delta's in-channel water supply.

- a) By increasing export rates and increasing the export of water during low tides, the impact of export pumping on water levels in the South Delta will be substantially increased. No analysis of this further reduction in water levels has been presented.

- b) CALFED proposes to operate the Head of Old River fish protection barrier at times when it denies operation of the agricultural tidal barriers. This fish barrier dewateres downstream channels, destroys circulation, and creates problems of inadequate dissolved oxygen in channels downstream of the barrier.

- 3) Violation of the commitment to be guided by the best available "science".
- a) CALFED proposes to dredge some South Delta channel reaches and to lower local pumps to accommodate drawdown of water levels caused by export pumping, and also to install fish screens. CALFED has not analyzed and fails to understand that without tidal barriers this will further dewater the channels that are not dredged. It will also increase reverse flows in the San Joaquin River south of Stockton. This increase in reverse flow will exacerbate the problem of inadequate dissolved oxygen for fish and may result in unnecessary impacts on agricultural drainers and city sewer systems in an attempt to offset the problem caused by reverse flow.
- b) CALFED proposes to deny use of a tidal barrier in Grantline Canal. The tidal barriers serve to capture and hold high tide water for local use during the low tides that are being further lowered by export pumping. CALFED's plan is like trying to hold water in a bathtub which has three outlets with only two closed.
- c) There are about 150 local diversion facilities in the South Delta scattered over 75 miles of channels. CALFED's proposal to consolidate a significant number of diversions and discharges is technically very impractical, costly, and would be very difficult to operate. Consolidation would require agreement by all of the diverters, but no such agreement has been sought. In addition, consolidation would probably require a switch from riparian to appropriative rights and thus a corresponding reliance on those inferior rights.
- d) Most local diversions are by small, submerged turbine pumps. The available data indicates that fish evade these pumps and there are too few losses to justify the huge expense and technical difficulty of screening this type of diversion.
- e) CALFED has not said how it would dispose of screened fish when the fish barrier destroys the flow circulation past the screens.
- f) The fish barrier can not be installed for technical reasons in a year like 1999 when river flows are maintained at high rates for VAMP tests. However, the three tidal barriers could be installed at these times and would provide substantial fish protection. Information submitted to the CALFED Ops Group showed substantial losses of salmon smolts from April 1 through late May. CALFED has ignored the fact that many of these smolts would have been saved if the three tidal barriers had been operated. Delta Smelt were only being lost during a portion of this time, and there is no convincing data to substantiate the belief that the barriers would have increased smelt losses even when smelt were present.
- 4) Violations of agreements, permits, and laws
- a) CALFED has adopted the San Joaquin River Agreement (SJRA) method of providing VAMP fish flows without first examining less damaging methods of providing those flows, such as by recirculating water released from the Delta Mendota Canal or by purchases from CVP and SWP contractors.

- b) The SJRA method of providing fish flows incorporates a USBR operating plan for New Melones. Analyzes of this plan show that it will frequently and substantially violate the State's permit condition which requires the USBR to release water to dilute CVP salts, and thereby control the salinity of the inflow into the South Delta.
- c) This USBR operating plan also violates the priority in use of water that is stipulated in its 1987 agreement with the Department of Fish and Game, and also the priority in Federal Law (the CVPIA).
- d) Furthermore, CALFED has adopted a USBR/SJRA plan that fails to provide the summer flow required to protect the South Delta's superior riparian rights and public trust needs. Deficiencies in summer flow and quality are further degraded by water acquisitions from San Joaquin tributaries that are ongoing and proposed by CALFED, USBR, and SJRA. This could be avoided by making purchases from sources, such as CVP contractors, that would augment, instead of deplete the overcommitted river system.
- 5) CALFED fails to protect the State's soil and land and water resources:
- a) CALFED has not effectively addressed the need to replace the unsustainable overdraft of groundwater. We can not long continue to get through drought years by massive overdraft of groundwater.
- b) CALFED has refused to address the need to stop the ongoing accumulation of tens of millions of tons of imported salt in the soils and groundwaters of the San Joaquin Valley. Those accumulations will ultimately destroy this fertile valley.
- c) CALFED's Plan does not propose to eliminate the need to drain hundreds of thousands of tons of this imported salt into the river each year as a necessity of continuing westside valley agriculture in the absence of a salt disposal system.
- d) CALFED ignores the fact that this refusal to restore a salt balance results in a need for dilution water from New Melones that then reduces water available for other purposes. It also results in impacts on all water-related beneficial uses downstream of Salt and Mud Sloughs. Furthermore, these impacts include an increase in the salinity of the exported urban water supply. This is contrary to CALFED's commitment to reduce the salinity of urban source water.

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