

For Mary

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SOUTH DELTA WATER AGENCY

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January 14, 1999

Lester Snow, Executive Director CALFED
 Governor Gray Davis
 Assemblyman Michael Machado
 Senator Maurice Johannessen
 Senator Jim Costa

Gentlemen:

The South Delta Water Agency is responding to Lester Snow's request for public comment and "continued participation in further developing" the program proposed in CALFED's December 18, 1993 Revised Phase II Report. This Agency believes that the December 18 Report is a substantial improvement over earlier drafts in many respects, and the Agency is thereby encouraged to anticipate further improvement. However, the December 18 Report is still inadequate in its treatment of some very fundamental issues that must be better addressed in order for CALFED to succeed. This letter does not attempt to cover every issue, but it discusses those issues which the Agency believes to be fundamental to the welfare of the State and to support of the Program. These important issues should not be addressed ambiguously or inconsistently, and proposed solutions should not be vaguely defined.

Peripheral Canal

2/10/99

In the process of "adaptive management" it is, of course, always possible to reconsider a peripheral canal of any size as one of many Delta management options, but Lester Snow has stated repeatedly that the canal is now "off the table." Nevertheless, the Report is ambiguous regarding whether the canal is now merely a potential future option or whether it is still an anticipated next step. On page 111 the report states that the canal will be built "when" (not if) it is determined that a through-Delta conveyance system cannot meet

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CALFED goals and objectives. It does not say how and by whom the determination will be made. It does not define what constitutes meeting the goals. On page 111 it also proposes to assess the need for a canal by the modeling of water quality and fisheries. [This appears to address "drinking water quality" per page 46.] This modeling will not determine whether the dominant cause of native fishery decline is the competition of uncontrollable exotic species or some other unmodeled cause. [The Report almost totally ignores the impact of exotic species.] Page 88 refers to justification of a canal if the "initial" (rather than an adaptively optimized) through-Delta conveyance system is deemed inadequate. Pages 35 and 87 suggest that a canal would be needed if it is the most "cost effective" way to meet drinking water quality needs. This seems to imply that the quality of water in Delta channels and the protection of a "common pool" would be sacrificed merely in order to reduce urban water treating costs. There is no clear acknowledgment that a peripheral canal of any substantial size will necessarily degrade water quality in the Delta and will eliminate "common pool" protection whenever the canal is big enough to supply allowable export rates in any month or drought year.

Delta interests will insist that the canal must only be one of the options for reconsideration, and that it must only be a chosen option if it is shown to be a sure and essential component of a Delta management plan that fully protects the Delta's inchannel water supply and Delta land uses. It must be clear that the justification for a canal would have to be approved by the legislature, and potentially by public vote.

Water Supply

On page 13 it is stated that the "primary water supply objective of the Program is to 'reduce the mismatch between Bay-Delta water supplies and current and projected beneficial uses dependent on the Bay-Delta system'." However, the report does not assess the probable range in magnitude of the "mismatch" (i.e., the water supply shortage). It does not even analyze whether the Program will increase or decrease the shortage either now or during the thirty year time frame of the Program. There is no clear evaluation of the quantity of water needed for the proposed environmental improvements. There is no quantified evaluation of the range of likely reduction in overall water demand due to increases in water use efficiency. The effect on water supply of the Program measures is being modeled largely in respect to CVP and SWP export water supply with little regard to non-project water supply. Consequently, there is no quantified goal for increased water supply.

The Program suggests but does not commit to various possible increases in storage capacity. It postulates that these possible storage proposals would later be subjected to site specific analyses. However, increases in overall water supply must be achieved largely by capturing flood waters for dry year use, and by making better multiple use of water that is captured. To do this effectively will require a comprehensive plan for coordinated operation

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of different types and locations of storage for optimum overall water supply efficiency and least cost. No such comprehensive plan will result from site specific studies of individual storage facilities that are not components of a comprehensive plan to achieve a defined increase in water supply. The Report suggests on page 42 that there "could" be "increased flood protection," but the type of storage facilities that are emphasized and the proposed schedule for filling them would provide little flood protection.

If adequate water supply is not provided, water for other uses will be taken from those for whom water cost is a large budget item. The water now used for the production of food will, therefore, be reallocated to environmental, industrial, residential, and other uses where water cost is not a major budget item, or where the government takes the water from agriculture for other uses with or without payment.

Water Transfers

Greg Y

The current appendix chapter on transfers is well written and recognizes that when water is transferred it is a reallocation of water and rarely leads to a predictable increase in overall water supply. It also recognizes that transfers among purposes and basins of use typically cause injury to legal users of water other than the buyer and seller. Elsewhere in the Report, however, there is still an implication that purchased water is new water and that purchases from willing sellers are permissible even when there is no reduction in water consumption by the seller, and no increase in overall water yield. The report assumes that water can be purchased as needed (e.g., the third bullet in each group of bullets on page 24). There is no analysis of the probable availability of water for purchase if the "no-injury" rule is observed.

There is also no recognition of the fact that the protection of lands that have been dedicated for agricultural use is frustrated if water appurtenant to those lands is sold for other use, such as from the extensive lands in Williamson Act contracts. Land use policy and water allocation policies should be compatible.

Groundwater Overdraft

California's production of food, and the economy and welfare of the State is now significantly dependent on the overdraft of Central Valley groundwater. This overdraft is a major contributor in getting us through drought years, but it is unsustainable over the CALFED time frame. The ability to overdraft will diminish while the population grows, and while our ability to cut back water use in drought years diminishes. The Report does not address this impending increase in the "mismatch" between supply and demand.

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San Joaquin Valley Salt Load

The State and Federal projects import millions of tons of salt into the Central Valley south of the Delta. Several hundred thousand tons of this imported salt then drains annually into the San Joaquin River, and the rest is slowly but steadily salinizing the soils and groundwaters of this fertile valley. The portion of the salt load that drains back down the San Joaquin River to the Delta causes severe salinity problems in the river and South Delta, and increases the salinity of exported water.

The Report states on page 56 that "CALFED will not pursue resolution of salinity problems of the San Joaquin Valley through a San Joaquin Valley Drain, which is beyond the scope of the CALFED Program." The Report does not address the effect of this salinity problem on CALFED goals. It does not urge that restoration of a salt balance be addressed outside of the CALFED Program. It does not even acknowledge that the salt load exported via the Delta Mendota Canal, and the drainage of part of that load to the river could be reduced if the Program provided that the three South Delta tidal barriers were operated at all times, except during high river flows.

Provision for Population Growth

The Program and DWR's Bulletin 160 assume that urban water use can become more efficient on a per capita basis, but that the urban water supply must then increase to provide the per capita need as the population increases. The Program also assumes that the environmental water supply must increase by an unquantified amount to increase the production of fish, ducks, and other creatures. It assumes that in order to maintain public health the purity of drinking water must be continually improved in large part by improvement of "source" water. It assumes that as the population grows we will continue to supply both old and new urban housing and office structures with this increasingly pure potable water for use in substantial part to flush toilets and wash clothes.

By contrast, in the case of agriculture, the Program does not even mention what may happen to the public welfare if the per capita allocation of water under the Program to grow food in California drops to less than half its present level, and if the productivity of valley soils is destroyed by salinization, and if hundreds of thousands of acres of prime land are converted from the production of food to urban and environmental use.

Conclusion

As stated in the beginning of this letter, substantial progress has been made in addressing this very complex and controversial effort. It is important that valuable features

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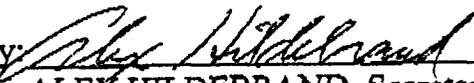
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of the Program should not be placed in jeopardy by failing to address and resolve the basic issues discussed above. It is true that there are no perfect solutions, but CALFED cannot succeed if it is perceived to ignore essential issues or if it ambiguously addresses issues so that different interpretations of intent lead to a backlash against the Program.

The South Delta Water Agency hopes that these criticisms will be understood to be an effort to assist in constructive improvement of the Program.

Sincerely,

SOUTH DELTA WATER AGENCY

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ALEX HILDEBRAND, Secretary

cc: Secretary of Food & Agriculture William Lyons, Jr.
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