

# Accord Reached On Water Rights

## Compromise plan would help replenish delta, S.F. Bay

By *Elliot Diringer*  
Chronicle Staff Writer

In a historic breakthrough, the state and federal governments struck an 11th-hour agreement yesterday on a plan to steer water away from cities and farms and back to San Francisco Bay.

The sweeping accord, to be announced at the state Capitol this morning by Governor Wilson and top officials from Washington, culminates a 20-year battle by environmentalists to win more water for the ailing bay and Sacramento-San Joaquin River Delta.

Federal regulators, who are under court order to adopt new bay-delta regulations by today, had worked furiously with cities, farmers and environmentalists during the past year to arrive at a plan acceptable to all three, and to the governor.

"There are a few issues that remain," said an Interior Department official, "but we have reached agreement in principle on all major concerns."

Under the agreement, sources said, cities and farms up and down California would give up a combined average of 450,000 acre-feet a year — or nearly 10 percent of the supplies typically drawn each year from the delta.

Cuts would be much stiffer — up to 1.1 million acre-feet a year — in the event of a prolonged drought, when threatened species such as delta smelt and winter-run salmon are most imperiled, but when cities and farms can also least spare the water.

The first cutbacks could be felt as early as February, when federal authorities announce water deliveries for 1995, and once fully enacted, the plan could amount to the largest reshuffling of water rights

in California history.

At issue is how much water cities and farms can divert from the delta — the state's largest source of drinking and irrigation supplies — and how much is left for the bay and delta, where fish populations have been plummeting for decades.

Bay-delta protections adopted by state regulators in 1978 were later rejected by the U.S. Environmental Protection Agency and by the courts, and the state has tried and failed three times since then to develop standards acceptable to the EPA.

Hauled into court by environmentalists, the EPA promised to adopt its own standards by today. It released a draft plan a year ago, setting the stage for the furious negotiations concluded yesterday.

The agreement represents a compromise between the EPA's latest draft, which would have taken 1.3 million acre-feet or more in drought years, and an alternative scheme pushed by the state's major urban and agricultural water agencies, which would have limited cuts to 1 million acre-feet.

"They had to come up a little," said one federal official, "and we had to come down a little."

The marathon negotiations had barely concluded, however, before the Wilson and Clinton administrations began jockeying to claim credit for the breakthrough and put their own spin on it.

Although state officials stayed largely on the sidelines through the months of negotiations, Wilson insisted on being there this morning to unveil the plan, leaving the Clinton administration officials fearful that he might use the occasion to claim a victory for himself and a defeat for Washington.