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CALFED Bay-Delta Program

Water wars

Westlands launches a controversial bid for a share of San Joaquin River water.

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By George Hostetter, staff writer

FIVE POINTS -- The Westlands Water District just fired the first shot in what figures to be another in California's long string of water wars.

The stakes couldn't be higher, not only for farmers and environmentalists throughout the Valley but for the city of Fresno, as well.

Saying it's a matter of economic life or death for their farmers, officials from the huge district in western Fresno and Kings counties have asked the state for authority to take an average of 520,000 acre feet of water per year from the San Joaquin River.

Westlands General Manager David Orth told dozens of west side farmers on Friday that the district has filed a permit application with the State Water Resources Control Board to appropriate about 30% of all water flowing down the river in any given year. The district currently receives no water directly from the San Joaquin River.

In a wet year, that could be as much as 750,000 acre feet; in a dry year, slightly less than 300,000 acre feet, Orth said. The appropriation from an average year -- 520,000 acre feet -- is nearly equal to the capacity of Friant Dam/Millerton Lake, into which the San Joaquin River flows.

The district has a legal right to the river water through the decades-old state watershed protection and county of origin laws, Orth said. Westlands is pursuing the river water only because the federal Bureau of Reclamation has consistently failed to meet its contractual obligation of delivering 1.15 million acre feet to the district, he added.

"It's a very aggressive move and I know there will be a lot of people who will be very excited about it," Orth said. "We're going to have to spend a lot of time in discussions with folks so they can understand what this is and hopefully find some way so there is a balanced solution.

Environmentalists say it is dying; a farming empire depends on it.

"It is the right move."

Others strongly disagree.

According to Westlands' figures, the San Joaquin River carries 1.8 million acre feet in an average year. All of the water is already spoken for, much of it by east side farmers and communities from Merced County to Kern County. Environmentalists also plan to use river water to restore the once mighty river to something close to its former glory. Fresno receives 60,000 acre feet from the river every year, about 40% of its annual needs.

What, ask the critics, is to become of these water-users if the Westlands' application is approved?

"It is nothing short of a Pearl Harbor sneak attack on east-side users," said Dick Moss, the Lindsay-based general manager of the Friant Water

Users Authority. "My only response is that it is large agri-business on the west side deciding that east side agriculture can be done away with."

The Friant Water Users Authority represents 15,000 farmers in 25 districts covering one million acres. Moss said irrigation districts such as Orange Cove, Lindsay-Strathmore and Terra Bella rely almost exclusively on San Joaquin River water.

Drew Caputo, lawyer for the Natural Resources Defense Council, said his organization isn't ruling out legal action against the Westlands river proposal.

"What Westlands is trying to do is take water away from river restoration, which is completely unacceptable," he said.

Caputo also questions why Westlands would attempt such an aggressive and secretive proposal when the recent trend in water-starved California has been toward negotiation and cooperation among the varied water-users.

Westlands has no choice, Orth said. The district needs 1.5 million acre feet per year to keep its 600,000 acres in production. This land provides the livelihoods for more than 600 farmers, provides thousands of jobs and generates about \$3 billion in economic activity annually, according to Westlands research.

But all this is at risk because the district gets only about 50% of the 1.15 million acre feet promised by the Bureau of Reclamation, Orth said. If the district didn't act, he added, as many as half of the 600,000 acres could be driven out of production and the remaining acres would be threatened.

"The key on this deal ... is that if the Bureau of Reclamation provided us with 100% of our surface water contract, then we obviously don't need 500,000 acre feet of San Joaquin River water," Orth said.

Rick Worth, whose family operation grows cotton and tomatoes near Coalinga, said Westlands farmers desperately need good-quality, affordable water in reliable quantities. Without it, he added, a way of life may disappear for that part of the Valley.

"There's always a concern about upsetting anybody," Worth said. "But you've got to survive."

Orth said state law gives districts such as Westlands the right to appropriate water that originates within their county, even if a district outside the county was first in line. By keeping it close to home, Orth said, the water benefits county residents.

Orth said Westlands had applied for San Joaquin River water when the district was formed 48 years ago, then backed off when the Bureau of Reclamation promised to deliver 1.15 million acre feet of Sacramento Delta water.

The district filed the permit application Thursday. Orth said the district kept quiet about its intentions because somebody else with an eye on the river water might have acted faster.

The permit application process, including an extensive public review process and environmental studies, could take three to five years, Orth

said. Construction of the infrastructure could take four to five years, he said.

The district plans to build a 1,000 cubic-feet-per-second pumping plant and pipeline extending from Mendota pool to the California Aqueduct. This will move water from the river into the aqueduct and the Westlands distribution system.