

DEL PUERTO WATER DISTRICT

CALFED BAY-DELTA PROGRAM POSITION STATEMENT

Preamble

The Del Puerto Water District ("District") provides water to 50,000 acres of prime agricultural land in San Joaquin, Stanislaus and Merced counties from the Delta-Mendota Canal, a feature of the Central Valley Project. It is the District's mission to provide its landowners and water users with adequate, reliable and affordable water supplies. It seeks to provide its customers with quality agricultural water service in an efficient, cost effective and environmentally sensitive manner.

The District is communicating this policy position ("policy") because CALFED is in the process of developing a preferred alternative to solve the problems associated with the Bay-Delta, which is the source of the District's water supply and is a vital resource for this region and the State as a whole.

This policy is a statement of the District's objectives, concerns, recommendations and commitments. The District recognizes that CALFED is attempting to develop solutions that address multiple needs including environmental restoration, levee system integrity, water quality enhancements and improved water supply reliability. We believe that our District needs, as described in this policy, can be achieved in conjunction with meeting these other needs and those of the rest of the State. We also believe that a balanced solution negotiated in good faith among CALFED agencies and various stakeholders and supported by science, law and policy is achievable. The success of the CALFED program and the District's continuing support for it are dependent upon achieving the necessary, appropriate and equally-advancing balance between the various human and environmental needs being addressed.

The District's Objectives

- ***Water Supply Adequacy***
The District's primary objective is to protect its existing Bay-Delta dependent CVP water supplies and provide security and flexibility to meet future needs. These supplies must be sufficient to meet District crop requirements while insuring against groundwater overdraft. A successful CALFED program will provide the District with an adequate water supply for these purposes.
- ***Water Supply Reliability***
As an agricultural water district, water supply reliability means the timely availability of enough water to sustain District crops in both wet and dry years. A successful CALFED program will provide the District with a more reliable water supply, particularly in dry years.
- ***Water Supply Affordability***
The District seeks to protect and sustain the local agricultural economy by providing affordable water supplies to its users. A successful CALFED program is dependent on the continued viability of the agricultural economy and therefore must recognize the broad public benefits derived from agricultural water supplies and will help provide the District with an affordable water supply.

The District's Concerns

- *CALFED's staged approach is based on political posturing and expediency, not on finding and implementing solutions.*

Environmental (and some "provincial") interests are unwilling to commit to finding and implementing balanced CALFED solutions. To keep the process alive and all of the stakeholders engaged, CALFED has been forced to develop an approach which ignores its own technical studies and advice and defers the hard, political decisions regarding storage and conveyance to some poorly defined future planning/decision-making process.

- *CALFED's staged approach may jeopardize implementation of the best, long-term solution.*

In choosing a staged approach which focuses primarily on "soft path" programs of little quantified benefit such as water conservation and recycling, water transfers and groundwater and conjunctive use, CALFED inappropriately puts off feasibility studies, environmental permitting and decision-making regarding the need for increased storage and conveyance programs aimed at improving water supply and meeting other program goals on both a near- and long-term basis. Improved water supplies, particularly in dry years, are essential to serve and protect the District's long-term agricultural interests.

- *CALFED's proposed Stage 1 actions do little to improve water supply adequacy or reliability.*

While CALFED's proposed Stage 1 actions improve the Bay-Delta ecosystem, they appear to do very little to improve water supply adequacy or reliability. Improvement in water supply reliability is needed in Stage 1 in order to achieve a balanced solution.

- *The political issues surrounding CALFED programs are not directly addressed.*

The District understands the political issues surrounding new and/or improved storage and conveyance to improve exported agricultural water supplies. Many of these issues center on the misperception that CVP export agricultural water users are inefficient water users growing inappropriate crops on drainage impaired land with subsidized water. The District believes that CALFED has not addressed these issues in a straightforward manner and that several important messages need to be delivered on behalf of these districts and their users concerning these issues: (1) we have made and are committed to making significant investments in water conservation, conversion to permanent and higher value crops, drainage reduction and increased water costs; (2) while generally supportive of the environmental protection goals of federal legislation such as CVPIA, CWA and ESA, we have given a disproportionate and unsustainable share of "up front" water and money toward these purposes; and (3) the socio-economic impact associated with either any further reduction in these water supplies or any increase in water costs would be devastating to the District, its farmers, the region and the State.

The District's Recommendations for CALFED

Although concerned with CALFED's staged approach, to ensure that District needs are addressed, the District will support an alternative (or staging of alternatives) to the extent that the following requirements are met:

- ***Extension of the Bay-Delta Accord: Provide Near-Term Regulatory Certainty***
The Bay-Delta Accord must be extended and near-term regulatory assurances must be implemented to ensure, at a minimum, existing levels of water supply reliability. A single set of operating rules, with no "outliers" including ESA, CVPIA and Trinity River actions, must be developed and no actions which result in additional risk of water supply loss through operations will be undertaken.
- ***Balance Staging and Substaging***
Stage 1 must be implemented in such a way as to ensure that there is balanced progress in each of the CALFED elements. Progress on all elements of the CALFED solution must be linked together. This will ensure that we all "get better together".
- ***Water Supply***
Any CALFED program or proposed action which is likely to reduce the amount of water currently available to water users during Stage 1 or on a long-term basis is unacceptable. The District expects Stage 1 to lead to an enhancement of water supply for water users. New water generated in Stage 1 above the Accord baseline should provide balanced benefits by offsetting water user supplies dedicated "up-front" through CVPIA and the Accord.
- ***Flexible Operations and Adaptive Management***
To realize progress, CALFED must expand real-time monitoring operations and adaptive management techniques and evaluations for the sake of both positive fish protection and increased operational flexibility for water suppliers. There is little evidence that already dedicated supplies are being adaptively managed based on newly gained knowledge or on an evaluation of the effects of operational changes and ecosystem investments as distinguishable from other factors affecting the fisheries' health (e.g. four consecutive wet years and ocean harvest).
- ***Decisions on Surface Storage and a Dual Conveyance Facility***
CALFED must establish a clear process, a timetable and specific criteria needed to determine if the contingent strategies for construction of new or expanded surface storage and a dual Delta conveyance facility are needed. All planning, environmental documentation and permit acquisition should be undertaken during Stage 1 so that the only contingency to implementation is the determination that these facilities are necessary to meet CALFED goals and solution principles. A "section 404" finding must be made at the programmatic level so that if the conditions established through the EIS/EIR are found to exist then these alternatives will constitute the least environmentally damaging practicable alternatives.
- ***Ecosystem Restoration Program Actions***
CALFED must establish a single "Ecosystem Entity" which will be held fully accountable for the successful recovery of endangered species and for the use of water and money utilized in this effort. The entity should implement actions in a thoroughly scientific manner, adjusting actions based on cost/benefit standards of efficacy.

The District's Commitments

- ***Water Management Planning***

The District is and will continue to implement water management plans and programs to ensure that all available water supplies are put to maximum beneficial use. However, the ultimate success of these planning efforts and programs are contingent upon a successful CALFED program that improves the reliability of source water from the Delta.

Water Conservation and Drainage Reduction: The District is and will continue to implement its Bureau of Reclamation approved Water Conservation Plan. In addition, it has signed the AB 3616 "Memorandum of Understanding Regarding Efficient Water Management Practices by Agricultural Water Suppliers in California" and will submit its Plan to the Agricultural Water Management Council for endorsement within the established timeframe. In addition to having spent over \$500,000 in water conservation related activities over the past 5 years, the District is currently administering a \$4,000,000 State Revolving Fund Loan Program aimed at improving water use efficiency and reducing drainage at the on-farm level.

Groundwater Management: The District is and will continue to be part of coordinated groundwater management planning effort under AB 3030 guidelines.

Water Transfers and Exchanges: The District has and will continue to involve itself in voluntary water management transfers and exchanges intended to maximize the beneficial use of available water supplies, particularly in dry years.

Consequences of CALFED's Failure

The District has invested many hours and substantial dollars in support of the CALFED program and we want to be able to support its final recommendations. The District has participated in the process in good faith, believing that the stated principles are, perhaps, the only way of achieving the program's all-important mission and our common objectives. The District also recognizes that the CALFED principles of "equitability" and "no significant re-direction of impacts" mean that there must be "give and take" on everyone's part in order to achieve the necessary measure of success. We also recognize that our south of the Delta CVP farmers and landowners have already given more than their fair share in terms of both water and dollars. It would be a tragedy if CALFED fails to meet its objectives and the consequences to the District, the region and the State will be extremely serious.

The District has been very supportive of ecosystem improvement investments and problem-solving. Not only was it our water and money that was being invested, but such improvement has been viewed as the critical factor in recovering an adequate, reliable and affordable water supply for our users. We continue to believe that this visionary ethic is vital to the success of any long-term solution to Bay-Delta problems and, therefore, to the success of the CALFED program. Our concern remains that other CALFED interests, as are reflected in current CALFED documentation, do not share our vision of an expanded, fairly-shared resource. Instead, the current CALFED solution appears merely to redivide the existing over-taxed resource in favor of the "ecological" component. Such a priority is maintained only at the expense of a truly successful CALFED program.

The District must have improved water reliability from the Bay-Delta. Our water management programs such as financing of irrigation improvements and providing groundwater protections depend upon reliable water supplies. Without improved water supply reliability, the viability and sustainability of the District's agricultural economy is severely threatened.