

Balancing the Needs of Farm Families...and Fish

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April 10, 2009

After 3 consecutive years of dry conditions - and due to mounting environmental restrictions that have moved water away from agricultural and towards fish like the Delta smelt - the allocation for California's Central Valley Project (CVP) agricultural water service contractors south of the Delta remains at zero percent and the allocation to agricultural water service contractors north of the Delta is 5 percent.

In February, Governor Schwarzenegger declared a State of Emergency and directing immediate action to address the water supply situation. The federal Bureau of Reclamation in recent weeks has week announced that water allocations to senior water rights holders and wildlife refuges have increased from 75 to 100 percent. Still – the impacts to growers on the West side of the San Joaquin and Sacramento Valleys will be severe, and ramifications will ripple through the rest of the state (and nation) as well. Thousands of acres are being fallowed and the unemployment rate has soared.

Much of the recent crisis is driven by recent declines noted in some Bay-Delta fish populations. There appears to be no doubt that Delta smelt populations have plummeted, and it is clear that current methods of “recovery” are not working. Those efforts focus almost exclusively on operation of the state and federal water project pumps that pull water from the Delta and send it to Central Valley farms and Southern California. Because there is no correlation between abundance of delta smelt and project export pumping activities, it cannot be said that project operations are responsible for declines in delta smelt abundance. And yet, the federal agencies continue to focus on those pumps.

Trying to solve environmental problems by restricting and reallocating agricultural water is nothing new. Since the passage of the Central Valley Project Improvement Act in 1992, California has redirected more than three million acre-feet of water that used to serve farms and cities and that today go to support fisheries and their habitat. Over \$1.5 billion have been invested in these environmental purposes. Prior to 1992, roughly 85 percent of California's applied water supply was used for agriculture, with the balance going to urban and industrial purposes. Today, agriculture accounts for only 41 percent of those supplies, urban uses for 11 percent, and the largest share, 48 percent, is devoted to these newly defined environmental purposes.

And yet....the fish do not appear to be responding.

To best protect the smelt, we need to truly understand the numerous other factors that do have important effects on their abundance, and to develop appropriate management plans.

So, how do we balance the true needs of fish with the needs of people?

I have three general recommendations.

First, California has lost the flexibility to respond to drought. The state no longer has the capacity in the water infrastructure system to accommodate growth. Improvements to expand water storage and conveyance infrastructure are essential to repair the Delta environment and restore reliability,

Second, while the original goals of the Endangered Species Act (ESA) are laudable, clearly, this 30-plus year old law could stand some targeted reforms, including common-sense changes to make it work better, minimize confusion, and discourage litigation. Notably, it could be strengthened to require the establishment of standards for scientific and commercial data that are used to make decisions. Relatively greater weight should be given to data that have been field-tested or peer-reviewed. The former requirement would help clarify when such things as “personal observations” are considered by the agencies to be reliable enough to make decisions with potentially profound effects. Peer review should be used for ESA listing decisions and ESA section 7 consultations should be provided by a disinterested panel.

Finally, greater priority must be given to agriculture and our country’s ability to provide safe and secure food supplies. The United States must adopt an overriding national goal of remaining self-sufficient in food production. Food security is homeland security. Policy decisions on a wide range of issues should then be evaluated to be sure they are consistent with that goal. In the long-term, such focus would encourage courts and policy makers involved with ESA challenges in the Bay-Delta to consider with equal (if not even more) weight such things as the potential catastrophic loss of water supplies to rural communities.

Until these things occur, many of the Central Valley family farmers and ranchers I know face the challenge of an uncertain future, one that makes planning for tomorrow difficult, at best.