

Dam Politics and the Future of California

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The California state Senate last week failed to pass two water bond proposals that – in part – would have helped alleviate long-term future problems of the type that is currently brewing in the San Francisco Bay – San Joaquin / Sacramento River Delta (“Bay Delta”). After Democrats shot down Governor Arnold Schwarzenegger’s \$9.1 billion plan (which include two new large surface water storage projects and one dam enlargement), Republicans opposed a \$6.8 billion Democratic-written plan that would only fund regional or local surface water storage projects, and instead focus on more water conservation and groundwater storage.

The crisis facing the Delta has morphed into a whole new monster over the past two months. Judge Oliver Wanger in August ordered a dramatic curtailment of pumping water to the San Joaquin Valley and Southern California – an unprecedented decision aimed at protecting a tiny fish in the Sacramento delta, but one that will generate widespread economic and political repercussions from Redding to San Diego. San Joaquin Valley farmers receiving water from the Sacramento-San Joaquin Delta could see their 2008 supplies cut by as much as 50 percent or a reduction in deliveries by as much as 500,000 acre-feet, one of the largest single court-ordered reductions in California water history.

The tiny fish that is at the heart of this matter is the Delta smelt, which is listed as a “threatened species” under the Endangered Species Act. Judge Wanger earlier this year – in response to a lawsuit fired by environmental activists - ruled that the biological opinion (BO) that was issued to allow State Water Project (SWP) and Central Valley Project (CVP) operations was legally insufficient with respect to the smelt. Since a new BO would take at least a year to develop, Wanger in August then held a two-week hearing to determine what interim measures would be implemented in the meantime. His August 31 decision from the bench has the potential to radically alter existing water management schemes.

Although Judge Wanger declined to adopt the draconian measures advocated by the environmental community, he imposed significant water requirements for the smelt that will reduce supplies to the CVP and SWP in all year types. Every farmer in the 3 million acres receiving water through the Delta pumps and 25 million residents in the Bay and Los Angeles are at immediate risk resulting from less water flowing to their farms, homes and businesses next year.

The judge’s decision is disappointing because scientists say that the pumps only account for 5-15 percent of the causes that are affecting the smelt population. Other factors representing a greater effect on the smelt numbers are loss of food supplies and the introduction of foreign plant and fish species that have dramatically altered the environment.

There is grave concern about what all of this means. People are searching for answers, and right now, those answers are elusive. A game plan is being developed by the water

users to focus on surviving next year and creating a long-term strategy to protect a water supply that supports some of the most productive farmland in the world.

A commonsense part of the long-term strategy would be to develop new surface storage to at least partially offset California's incredible population growth and new environmental water needs. As the Governor has publicly stated, expanded surface storage would also help the state prepare for changing snowmelt hydrology associated with climate change. Despite these stark realities, amazingly, the state of California on its own has not constructed a new surface storage facility in over three decades. Governor Schwarzenegger and his water user allies in the California legislature gave it their best shot last week, but the anti-dam activists appeared to have won again.

The issue that blocked progress in Sacramento last week focuses on whether the state should directly participate in expanding the state water resources development system as compared to assisting local dam projects.

According to witnesses who were present during committee hearings held on the water legislation, opponents of the new dam projects appeared to accept arguments made by some environmental organizations. Several committee members claimed that current surface storage projects have caused all manner of environmental problems. New projects would only exacerbate the problem, they predicted, despite the pleas of agricultural interests.

In his two-minute statement before the Senate policy and fiscal committee, Bob Reeb of the Valley Ag Water Coalition explained that decisions like Judge Wanger's recent ruling on the delta smelt will become more frequent and have longer term impacts on water supply.

"The Legislature is allowing the Judiciary to operate the federal and state water projects - and, with the impact of global warming on the Sierra Nevada snowpack, California's water security will be threatened increasingly," said Reeb. "The negative impacts will not fall only to water districts and water project beneficiaries-it will hit the state economy, which means it will have a negative impact on the State General Fund, which means California will not be able to pay for education, health and welfare programs."

With the special legislative session called by the governor effectively at an end, supporters of both plans are gearing up to launch signature-gathering drives to put competing measures on the November 2008 ballot. However, Governor Schwarzenegger still held out hope that a legislative deal could be reached in time to put a compromise bond proposal on the February 2008 ballot.

"We just see things a little differently, but I think in the end we can come together on this," Schwarzenegger told the media in Sacramento last week. "All we want to add is storage. If we don't have storage, we're not going to solve the major problem."