

Committee on Resources

Subcommittee on Water & Power

Witness Statement

**United States House of Representatives
Committee on Resources
Subcommittee on Water and Power
The Honorable John T. Doolittle, Chairman**

**Written Testimony of Tom Bamert
Chair, Regional Council of Rural Counties
March 30, 2000
Washington D.C.**

Mr. Chairman and Members of the Subcommittee:

I want to thank you for the opportunity to provide testimony on behalf of the Regional Council of Rural Counties (RCRC) to the Subcommittee on the subject of the CALFED Bay-Delta Program Reauthorization.

I am the Chairman of the Regional Council of Rural Counties, an organization of twenty-eight rural northern California Counties. Our membership encompasses a broad geographic area, which includes all or portions of the Congressional Districts of Mr. Doolittle, Mr. Radanovich, Mr. Herger, Mr. Pombo, Mr. Ose, Mr. Far, Mr. Condit, Mr. Lewis and Mr. Thompson.

Our member counties comprise much of the so-called CALFED Solution Area and include: the San Joaquin, Sacramento and Trinity Watersheds. Collectively, our counties are the "source" areas for the San Francisco Bay-Delta. It is from our membership area, that over eighty percent of the water for the Delta comes.

RCRC has participated in the CALFED Bay-Delta program since early 1996. Through the past four years we have actively supported a CALFED solution and willingly worked to achieve that objective. RCRC is represented in the CALFED process at three levels. County Supervisor Robert Meacher of Plumas County serves on the Bay-Delta Advisory Committee (BDAC). John S. Mills, represents our interests on the Ecosystem Restoration Roundtable. Mr. Meacher, other county Supervisors, Mr. Mills and RCRC staff also participate in numerous BDAC meetings. We review and comment on all relevant CALFED publications.

The CALFED Bay-Delta Program, when initiated promised to balance its Program within objectives for Ecosystem Quality (restoration), Water Supply Reliability, Water Quality and Levee System Integrity. Based upon our review of the CALFED Programmatic Draft Environmental Impact Statement and Report (those comments are included as an Appendix to this testimony) RCRC no longer believes that the CALFED Program can be expected to deliver a workable solution for any of those objectives which has any expectation of success. The CALFED Program will cost many billions of dollars to implement and involve the use of significant portions of California's land area to achieve success. We don't believe it will restore

the ecosystem, improve water supply reliability or assure levee system protection.

It is time to get rid of this Program. Our organization does not support the Reauthorization of the CALFED Program within the federal budget.

Our concerns focus on the domination of the process by the Federal Government to the detriment of the State of California and its local governments and people.

For example, CALFED's Water Management Strategy, Preliminary Stage 1 Implementation Framework, dated December 1999 identifies a number of programs, which will adversely affect the land, and the people of the CALFED Solution Area.

One Early Stage 1 (first three years) Water Management Strategy implementation action would be to purchase 30,000 to 100,000 acre feet of Pacific Gas and Electric Company reservoir reoperation water. This water, in many cases was proposed to be used by our member counties for their own water supplies – not for export to the Delta and beyond.

In the upland areas, without this reoperation water, and in the absence of new on-stream dams being constructed, there is no viable water supply for many of the people in Mr. Herger's, Mr. Doolittle's or Mr. Radanovich's districts. Most of these areas have no reliable groundwater sources. Those people's future will be taken away by another example of CALFED taking a good idea and ruining it.

Another proposal in the same document boldly calls for shifting our Sacramento Counties' people and their farms off of surface water and on to groundwater. This could lead to significant water quality, economic and land subsidence impacts to our member Counties. In addition, it is a clear indication that CALFED and its member agencies are attempting to end-run California law, which provides that Counties can regulate groundwater extraction and export. By exporting the surface water and not the groundwater the County ability to protect water resources is nullified.

Both these programs would use CALFED Appropriations to purchase assets away from the people in rural California and our local economies. Federal Reauthorization and Appropriations for CALFED, thus become a very real danger to rural California's future. CALFED is no longer a good idea. Somewhere along the line the federal agencies seized control of this process and it has gotten out of control.

In late Stage 1 Implementation (years 3-7) The Madera Ranch groundwater storage project in one of our member Counties is listed as a CALFED proposal. This project is opposed by the Madera County Farm Bureau, the Madera Irrigation District and the Friant Water Users Association. In addition, the Madera County Board of Supervisors has expressed serious concerns regarding environmental and socio-economic impacts of the proposal on their land and citizens. Regardless of these expressions of local concern and outright opposition, the CALFED Program –working within the Federal Budget Authorization – list this project for implementation. Apparently, local opposition or local conditions have no influence on the Federal Agencies running the CALFED Program. Recall that less than two years ago it was the Bureau of Reclamation clamoring for approval with CALFED funds for the same project. Now the project, in private hands shows up as a CALFED Program.

CALFED's crosscut budget demonstrates that for the most part the CALFED Appropriation will be used to supplement the budgets of its member agencies in ways to harm our member Counties. The funds will be used to acquire land and water, study the removal of dams (with no downstream levee protection), and

create river meander zones. The land once acquired is taken off the tax rolls and the federal government is soon delinquent in the payment of PILT fees. One of Congressman Ose's Counties – Colusa- reported last week that the federal government is nearly \$900,000 in default on federal lands.

Even more troubling is that when the water is purchased, for environmental use, or export south of the Delta, it is forever gone with no replacement for our people. Please remember that one of our Counties understands how this works. Mono County and Mono Lake are evidence of the long-term impacts of ill-conceived water grabs, regardless of the motives or credentials of the proponents.

As of the March 16, 2000 CALFED Ecosystem Roundtable Report, approximately 65.5 million dollars in CALFED funds have been approved for land and water acquisitions since the Program's inception. The CALFED Program is literally buying the ground out from under our Counties as well as the water that originates there. By reauthorizing this program you folks will be throwing your support against your own constituents back home.

The CALFED Program is suing Rural California as off-site mitigation for environmental problems in the Delta. There has been no attempt at minimizing the impacts from such a policy on our Counties. Rather, by examining the CALFED notion of where measurement of success takes place one can see that our Counties aren't even on their screens. Environmental, water quality and water supply reliability measurements are all taken in the Delta. Thus, redirected impacts on our areas are virtually unnoticed by the Federal Agencies that direct this effort.

We have been asked by this Committee to provide our advice as to what modifications should be made in the CALFED Program if reauthorization is warranted. We wish to go on record as stating that we do not believe reauthorization is warranted. The Program is, we believe, so far out of line with the intentions of the local populations and their elected leaders that it will face fierce opposition in future implementation. To the extent that the federal government will simply shoulder aside local opposition and an unwilling population, the program may still succeed. However, such abuse of power by a federal program would not be our definition of success and we hope it isn't yours.

RCRC has been actively working with other interests from throughout the state to attempt to develop a framework for a solution to the State's water and natural resource problems. I have participated in these discussions and we have supported the proposals of those in Southern California for improving their watersheds in a way that will improve their water quality and water supply reliability. We worked with those same interests to move for the passage of a 1.97 billion dollar state bond this month that should produce approximately 1,000,000 acre feet of new water throughout the state – not just in the Delta.

Proposition 13 will provide nearly two billion dollars in funds for projects to be carried out by state and local interests to produce real projects that produce real benefits to the people of California. We have been told by Mr. David Hays of the U.S. Department of the Interior that there will be a CALFED Record of Decision this summer. That action will release an additional \$390,000,000 dollars from a previously passed state bond (proposition 204).

The question then is what will we do without CALFED?

Without CALFED we will still have nearly 2.3 billion dollars in funds to spend on improving our environment and solving water resources problems in California.

Without CALFED we will still have the opportunity to work with interest groups from throughout the state to roll up our sleeves and solve our problems.

Without CALFED we will still have a State Water Resources Control Board Bay-Delta Water Quality Plan hearing process to finish out this year.

Without CALFED we will still have state and federal agencies charged by law with protecting the environment who will need to work with us.

Without CALFED we will still have water supply issues and water quality issues to resolve in a timely way

Without CALFED there will be less money available to convert our Counties into Federal land holdings.

Without CALFED there will be less money to buy the last remaining water resources in our Counties for use elsewhere.

Without CALFED there will be less money to front for locally opposed projects, like Madera Ranch.

Without CALFED none of our real resource problems will go away, but many of our governance problems and federal domination problems will be minimized.

Without CALFED we will need strong leadership from within our own state to carry this effort forward.

We, as the representatives of twenty eight Counties look forward to solving these problems. We are willing to work with state leadership and any others willing to put in the effort back home.

We are willing to work with those same federal regulators, those same CALFED agencies in a new State led process.

We are willing to do all this to the best of our ability.

Without CALFED.

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