

TESTIMONY OF SARGEANT J. GREEN
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SEPTEMBER 25, 2007
TO
COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON WATER AND POWER
ON
HR 2498

Ladies and Gentlemen:

HR 2498 proposes to provide for the development of a “San Joaquin Valley Regional Water Plan”. The following testimony posits the rationale and describes the Federal interests in developing such a plan.

BACKGROUND

The San Joaquin Valley portion of the Great Central Valley area of California has chronically been water short since broad-scale irrigation of the area began in earnest with the development of the deep-well turbine pump in the early twentieth century. The San Joaquin Valley watersheds and their inclusive river systems have always been unpredictable as to their supply availability. This in turn has impacted the ability to effectively manage those supplies. There has been no such thing as “average”. Many times in the recorded water history of the San Joaquin Valley the rivers and streams have been wet or dry, period. The 2006 and 2007 water years are perfect examples. The 2006 water year was extremely wet with flooding and levee failures up and down the San Joaquin Valley. 2007, on the other hand, has been so dry it will hit the record books.

The southernmost portion of the San Joaquin Valley, the Tulare Basin (Fresno south), is a closed hydrologic basin. Only in rare large flood years does it connect to the San Joaquin River Basin (as in 2006). As a result, much of that hydrologic area has naturally accumulated salt in significant portions of its inclusive groundwater basins, especially on the western side of the Valley. Imported northern California Delta water brings additional salts to the Basin. The result of these conditions is that native good quality surface or ground water has been relatively scarce in the Valley as a whole and therefore a competitive commodity. Competition has historically spurred adversity and protectionism between the haves and have-nots. In contrast, the northern portion of the Great Central Valley, the Sacramento River Basin, has historically enjoyed a surplus of water that became the envy of the balance of the State and ultimately a source of export water for both State and Federal water projects for that critical resource.

When the Sacramento Valley water interests became alarmed that eventually the exports could impact their future needs they collectively organized. That pattern of organization continues today. When new water resource management programs or “externalities” come along such as the relatively recent “integrated regional water management planning” (California Water Code Sections 10540 to 10546) or the California Central Valley Waterboard “Irrigated Lands Program” (a regulatory program for control of irrigation return flow pollutants), the Sacramento Valley galvanizes and has been very effective at developing basin-wide, collective organizations such as the “Northern California Water Association”. In contrast, the San Joaquin Valley has not had any such region-wide collective force. However, with the continuing loss of significant portions of the imported supply from northern California over the last 15 years, the time has come for the San Joaquin Valley to lay down arms and work together. That is one of the main purposes of the San Joaquin Valley Regional Water Plan; to create an environment where the San Joaquin Valley community-at-large can work together to optimize every opportunity for in-Valley water management without cannibalizing other portions of the State.

The impact of the loss of water to the Valley has State, national and world-wide implications. The San Joaquin Valley is one of the most important agricultural areas in the world and a significant source of fruits and vegetables for the nation and export market. It produces unique crops that dominate world markets such as canning tomatoes and almonds. The loss of water has changed the cropping pattern by reducing the amount of traditional row crops and shifting it to permanent crops. Many critics have complained about the production of subsidized crops such as cotton. This year Valley cotton acreage is down to 500,000 acres from a historical average of 1.5 million acres and the dominant variety grown is Pima, a fine-fiber, un-subsidized variety. The impact of these changes to some of the rural communities is the loss of agricultural jobs. A shift to permanent crops reduces the labor demand, further impoverishing already disadvantaged communities. Recent immigration issues have tightened the labor availability but what people fail to understand is the permanent rural resident population used to move from crop to crop cobbling together an entire year’s worth of labor. Now they only have very seasonal opportunities. That impacts their total income in a year.

The loss of imported northern California water into the San Joaquin Valley has come as the result of State, Federal and local agreements, State administrative findings, Federal statute changes and far-ranging Federal court decisions. The following is a summary of some of the related major actions over the last 15 years.

1. CVPIA, 1992 – Federal statute, diverted up to 1 MAF from the San Joaquin Valley to environmental purposes.

2. Monterey Agreement, 1994 – CA State Water Project Contractors internal agreement, diverted 130 TAF from Valley agricultural to urban water contractors, water transferred mostly from Kings and Kern Counties.
3. Winter Run Salmon Federal ESA listing, 1994, lead to numbers 4 to 7 below.
4. VAMP, 1995 – Vernalis Adaptive Management Program agreement, joint State-Federal administrative decision, derived from CA State Water Resources Control Board, Water Rights Decision 1641 – diverted San Joaquin River Basin flows to anadromous fisheries management in the Delta, includes a substantial portion of water stored in the Federal facility New Melones Reservoir, on the Stanislaus River, precluding its use for other project purposes.
5. Trinity River Adaptive Management Program, 2000 Federal administrative action, diverts additional Trinity River flows as necessary above CVPIA mandate of 340 TAF.
6. San Joaquin River Settlement, 2006, Federal court settlement of NRDC vs. Interior, restoration of the San Joaquin River for salmon with estimated flow of 160 TAF to be released down the main stem.
7. Delta Smelt ESA Federal court decision, August 2007, an implementation plan is under development, initial estimates of loss of one-third of pumping capacity windows of State and Federal Delta pumping plants in normal year-types.

The results of these various actions have had, and will have, the most impact on agricultural water supplies in the San Joaquin Valley and the rural communities that depend overwhelmingly on agriculture for their economic engine. The larger metropolitan areas in the San Joaquin Valley have been somewhat hardened from these impacts because of explosive population growth and attendant construction and business development during the last ten years. In addition, almost all of the large cities are on the eastern side of the Valley which lay over or near substantial ground water and surface water sources of excellent quality.

I can specifically relate the practical impacts of the losses of agricultural water supplies to smaller, disadvantaged Westside Valley communities in Fresno County as I have participated in a rural area economic development effort known as the I-5 Business Development Corridor which includes many of the small communities in that area. That organization was started in 1994 by the City of Firebaugh in response to both the impacts of the implementation of CVPIA and the six year drought in California that occurred from 1988 to 1994. The purpose of the organization was to speak with one regional voice on the changing conditions and to prioritize regional activities that would assist in diversifying the economy of the member small cities and communities. The group has championed vocational education, transportation improvements and business loans to adapt to the new conditions with mixed success. The communities that joined besides

Firebaugh included: Kerman, Mendota, San Joaquin and Tranquillity. Several years later, the communities of Firebaugh, Mendota and San Joaquin dropped out as their treasuries could no longer support the dues, however, Huron and Coalinga joined in their stead.

The practical impact of the drought and the parallel permanent surface water losses in the ensuing 15 years has been low median household income, high unemployment and low education attainability in western Fresno County. The average unemployment for communities like Mendota, San Joaquin and Huron has hovered between 15 and 30% since the beginning of the natural and man-made drought. Some of these findings were documented in a special Congressional Research Service (CRS) report completed on behalf of the San Joaquin Valley Congressional delegation in 2005, however the statistics were blended for the entire region, somewhat masking the actual difference in rural communities because of the data from the five large metropolitan areas. Nonetheless, the information is consistent for all rural communities from the entire north to south and east to west transects in the San Joaquin Valley. From Vernalis in San Joaquin County to Hilmar, Gustine and Dos Palos in the San Joaquin River area; from Firebaugh to Huron in the Fresno County Westside, Avenal to Alpaugh in Kings and Tulare Counties; Chowchilla to Orange Cove and Lindsay to Richgrove on the Eastside of the Valley and Delano to Buttonwillow in Kern County, the greatest impact from changes in the water-dependent economy have been in the small rural communities. All these communities are poverty-stricken and deficient in many of the amenities we all take for granted, ranging from clean drinking water to parks and reasonably effective schools. An important comparison made in the report is that the San Joaquin Valley is the “Appalachia of the West”. In fact the data presented indicates that much of the rural Valley is in worse economic condition than Appalachia. The CRS report is included as a reference for this testimony.

My personal experience is that many of the growers in Tranquillity also farmed in Westlands and during my tenure as manager of Tranquillity Irrigation District, I saw the number of farm operators in Tranquillity drop from over 50 to less than 25. Many of them gave up on their ground in Westlands; they were bought out for the water supply so it could move upslope to the permanent crop ground. Coincidentally, it was clear that the workers from these operations were not making the incomes they had previously as the “city” drinking water accounts went from less than 5 delinquencies per month and a “clean up your bill when you get a chance to” attitude to more recently as many as 20 to 25 per month that were forced to pre-pay or have their water shut off. A high percentage of “deposit-required” and pre-pay accounts continue to this day. Many of the community agricultural workers have become so destitute they have to carefully juggle their finances to pay to for such a basic service as running water.

Another clear physical impact of the change in water supply, which resulted from the above-mentioned significant internal policy changes in Westlands, was the amount of fallowed land between the communities of San Joaquin, Tranquillity and Mendota. A noticeable swath of over 43,000 acres is unmistakably visible when you drive State Highway 33 south of Mendota or see an overhead aerial picture. That area is more than the combined acreage of the adjacent James and Tranquillity Irrigation Districts, both of whom are very mature Districts (1920 and 1918 respectively) on old "Fresno Slough" (the northern flood channel of the Kings River) and the eastern border neighbors of Westlands (hence the co-mingling of owner/operators).

Many of us close to the water business in the San Joaquin Valley are cognizant of the inevitability of the changes that are occurring in the availability of imported water. That is all the reason more we need to carefully plan for the optimization and utilization of what the Valley can expect and/or properly manage its own native resources. Some specific examples that need to be rationally explored and should be included in the Regional Plan include:

1. Development of new infrastructure for rural communities including high quality water for drinking and up-to-date waste treatment disposal capacity so as to assist small communities in attracting new business and diversifying their economies. Many Valley community and individual drinking water systems are plagued with poor quality ground water from naturally occurring contaminants such as arsenic and uranium while others have anthropogenic contamination from legacy chemicals such as DBCP or nitrates from animal wastes and fertilizers.
2. Environmental restoration of permanently fallowed lands, with some potential economic gain through eco-tourism and/or fee-for-service ecosystem mitigation banks for land use changes elsewhere in California.
3. Ground water banking; the good news is vast areas of empty space exist in San Joaquin Valley ground water basins from eastern San Joaquin County to northern Kern, the bad news is vast areas of empty space exist in San Joaquin Valley ground water basins.
4. Finding and exploring new technology in water treatment to allow use of broad areas of brackish ground water and manage salt residuals in environmentally friendly ways; this technology has to be married to other technology that keeps energy costs reasonable such as photovoltaics, biofuel and carbon management technologies.
5. Identifying future reliable surface water management alternatives such as in-Valley conveyance and storage facilities. Capturing more flood water and storing it on retired lands or flood plains where we can obtain easements are examples of alternate methods of storage, however we cannot ignore looking at expanding existing reservoirs or adding new ones.

THE COMPELLING REASONS FOR FEDERAL PARTICIPATION

As noted above, many of the changes in water supplies for the San Joaquin Valley can be directly related to the changes in Federal water policy and the need to shift the water to other uses. Federal environmental laws and the related circumstances in the complex Sacramento-San Joaquin River Delta aquatic environment have engendered many of the water supply changes. However, the impacts of these ongoing changes on some of the third parties have not been adequately mitigated, especially in rural communities. These changes have occurred in a relatively short period of time, 15 years. Also, we have gone from a time of completion of the implementation of the original Federal Central Valley Project purposes and full use of their associated water supplies to a shrinking back of almost one-third of that peak in **one and a half generations** of rural citizens.

In addition, many of the water management facilities in the San Joaquin Valley continue to be under the control or operated by Federal agencies. Most of the water storage reservoirs on all the river systems in the San Joaquin and Tulare Basin hydrologic areas are either under the jurisdiction of the Army Corps of Engineers or the Bureau of Reclamation. In addition, those same agencies assist in the management of the stored water resources either through cooperative agreements for operating delivery systems or through regulatory responsibilities such as levee integrity and flood control. For this reason those agencies need to participate in any Valley Regional Plan.

Those of us testifying before you today are asking our Congressional and Federal Executive Branch partners to take a step back and recognize all the water loss in the San Joaquin Valley. The combined Federal and State policy issues such as Delta and San Joaquin River environmental restoration has to be acknowledged and interest you in **investing in a process that provides the opportunity to address the realities of the job losses, poor education attainment and impoverishment in the rural communities as well as the opportunity to restore the natural environment in a sensible way.** That process is a "San Joaquin Valley Regional Water Plan".

One might ask why California Water Institute (CWI) at Fresno State? The answer is related to the earlier mentioned problems of the history of contention amongst water entities in the San Joaquin Valley. CWI can transcend those parochial chasms and hopefully find solutions for the benefit of all Valley residents. Secondly, CWI competed for the role under Governor Schwarzenegger's "California Partnership for the San Joaquin Valley" and won the position with a seed grant to provide the coordination and facilitation of the water work under that program. It makes sense to integrate that role with any Federal efforts. I have attached an organizational chart of CWI and its leadership for your perusal.

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Thank you for this opportunity and please give all due consideration to our request so the San Joaquin Valley Regional Water Plan process can be developed and implemented to provide a sensible transition to the new realities and opportunities of the 21st century.

Attachments:

1. Map of “integrated regional water management planning” efforts underway in the Great Central Valley (to be submitted at hearing, currently PDF only).
2. Staff organizational chart and biographical sketch of Dave Zoldoske, Executive Director of the California Water Institute at Fresno State.