

TESTIMONY OF LYNN W. SKINNER,
A California Farmer
TO THE WATER AND POWER SUB-COMMITTEE OF THE
HOUSE COMMITTEE ON RESOURCES
September 21, 2006

Good Morning, Honorable Chairman Radanovich and honorable members of the

Sub-committee.

My name is Lynn Skinner and I am a California Farmer. For 4 generations my family has been farming in the San Joaquin Valley and I expect that my grandchildren will also participate in family farming. Our farm is located in reach 4-B of the San Joaquin River which is an area that is within that stretch of the river that you are considering for reintroduction of Spring Run Chinook salmon.

I am testifying today as a farmer who will be directly affected by the legislation you are considering. I am here as a surrogate for the hundreds of other farmers along the San Joaquin River who will also be affected, especially those in reach 4-B. I am not here expressing favor for nor opposition to the proposed settlement. However I am here to go on record against making the farmers downstream of Friant Dam into the victims of the Settlement. How the legislation is ultimately crafted will determine the

extent to which my fellow farmers and I are impacted by the settlement. I am here today to put a face on, and voice to reach 4-B; to let you see and hear that we are more, much more than the number (4) and the letter (B)!

My testimony today addresses three issues, they are:

1. THE POTENTIAL FOR FLOODING IN REACH 4-B OF THE SAN JOAQUIN RIVER

AND THE USE OF THE REACH 4-B BY-PASS KNOWN AS THE CHOWCHILLA

BY-PASS.
2. THE NEED TO PROTECT FARMERS FROM THE POTENTIAL ADVERSE

IMPACTS OF INTRODUCING AN ENDANGERED SPECIES INTO THE SAN

JOAQUIN RIVER.
3. THE DISPOSITION OF SURPLUS LANDS THAT MAY BE ACQUIRED BY

THE SECRETARY OF THE INTERIOR FOR MITIGATION PURPOSES.

The farmers are the original environmentalists! Most of us in the farming community work on a daily basis with the environment and the environment sustains

our livelihood, simply put, if we don't take care of the environment (including land, air and water) it doesn't take care of us!

I understand the significance of the effort to restore fisheries to the San Joaquin River. Candidly, I do question whether it is worth \$1 billion or thereabouts to restore somewhere between 50 and 500 fish to the river when we have so many other environmental needs that could greatly benefit from this money or basic domestic infrastructure projects. However, that is a decision that you and others will have to make. But, when you make that decision, I hope you will keep me and the hundreds of other affected farmers in mind, and the economic and moral contribution we make to this great nation.

1. THE POTENTIAL FOR FLOODING IN REACH 4-B OF THE SAN JOAQUIN RIVER
AND THE USE OF THE REACH 4-B BY-PASS KNOWN AS THE CHOWCHILLA BY-
PASS.

On our farm we grow predominately canning tomatoes and cotton and alfalfa with a few "flex" crops (crops that are good for the soil). Our farm is located adjacent

to the San Joaquin River in an area that may be flooded out by this fishery restoration effort. Here is the problem: We farm in an area where there is high groundwater. If water is allowed to flow along this stretch of the river where it hasn't flowed for at least 50 years, it will flood out the adjacent lands.

Let me explain why this is the case. Historically, the San Joaquin NEVER flowed in a single channel in that area of the valley. It was a "braided river" that is, it formed many different channels as it spread over the flat valley floor. When Friant Dam was built and the flooding of the area controlled, farming operations commenced along those once historically flooded areas. Over the past several decades the river channels have disappeared, leaving only a creek-sized segment of river that can literally be waded across by an adult. In wet times, the water that would otherwise have flowed through that area now flows through the Chowchilla bypass, a man-made channel authorized by the government and built for flood control because that area and others along the river were so prone to flooding.

I know from my discussions with others related to this restoration proposal, that a type of "beefed up" levee is supposed to be constructed along Reach 4-B in order to prevent flooding adjacent to the river. Just to give you an idea of the magnitude of potential flooding, engineers tell me that as much as a quarter mile on each side of the river could be flooded which would put 5,440 acres of agriculture out of business.

You've heard a lot about CFS (cubic feet per second, the standard water flow measurement) For the purpose of this "new restoration flow" down the old channel, (that's knee deep) that's like filling almost 83,000 average sized swimming pools per day or 458 million cases of bottled water EACH day!! One day's flow would irrigate nearly 3,000 acres of tomatoes or nearly 4,000 acres of melons. I'm sure I don't need to remind you that the goal for Spring Run Salmon is 500 fish...annually! That is 1.3 fish a day compared to 120,000 tons of tomatoes or 2,400,000 boxes of melons. The economic variances are staggering!

I urge you to put some LOGIC into the equation and give preference to the use of an improved Chowchilla by-pass channel that could be modified to function as a

corridor for fish migration rather than trying to construct a new, un-natural, main channel (remember the river never did flow through just one main channel in this area, so basically what we are talking about here is another man-made by-pass) of the San Joaquin, so we would have TWO man made bypasses running through the same area!

While you certainly could restore certain sections of the river above Reach 4-B, attempting to restore this particular segment of the river is unrealistic, illogical and threatens the site of a huge food producing area.

Secondly, in order to restore the 4-B reach and to protect the adjacent farmers, estimates are that about \$400 million or nearly 40% of the entire project would have to be spent on this reach.

My Dad and Uncle paid well under \$200. per acre for our ranch. Now, however, this land could be scheduled for permanent crops and recent sales have been around \$10 thousand per acre, more if a permanent crop is already on it, less if it is row crop farming. If the mid- price of \$10,000 per acre were to be applied uniformly to all 5,440 acres, that may need to be acquired, you are looking at a purchase price of 54 million

dollars; ON TOP of the 400 million for restoration costs; now we're totaling 450 million for restoration of reach 4-B, only!

This of course does not include any operation and maintenance cost nor litigation costs that may arise if the farmers feel that the amount offered by the government to condemn our property is inadequate and in-turn they choose to litigate the value of their land. Don and I just lived through a litigation due to insufficient funding of a government project and I can tell you, nobody wants that! It is imperative that an exact accounting of costs is determined before any project is started.

2. THE NEED TO PROTECT FARMERS FROM THE POTENTIAL ADVERSE IMPACTS OF INTRODUCING AN ENDANGERED SPECIES INTO THE SAN JOAQUIN RIVER.

My second concern is that you are proposing to introduce an endangered species into the river. I understand that there is some controversy over how to designate these fish so that water and farming operations may continue in tandem. I don't have a legal background in the Endangered Species Act; however, I understand there may be ways to protect farming and water operations under the Act. I urge you to include in this

legislation some mechanism that will give us assurance that our operations will not be shut down by having an endangered species in our backyard! We are already hosts to several endangered species and have learned to co-habitat with them. However, none of them are fish and Spring Run Salmon would impose a whole new set of problems and operating concerns that we presently don't have.

One other point that we feel is being over looked is the displacement of the huge habitat sanctuary that has developed naturally and that will be totally decimated if it is "turned back to natural state". All of us in reach 4-B have taken great care to see that the "old, main channel" is left entirely alone as a wildlife sanctuary. Numerous species would simply disappear if dredging were to occur.

3. THE DISPOSITION OF SURPLUS LANDS THAT MAY BE ACQUIRED BY THE
SECRETARY OF THE INTERIOR FOR MITIGATION PURPOSES.

My last item of concern is this: It is my understanding that the federal government and perhaps the state government may be acquiring some land upon which to construct levees and some other facilities for this program. I also understand

that in the event too much land is acquired, that the surplus land may be disposed of. I believe that it would only be fair if you would direct the Secretary to offer the land back to the farmers from whom it was originally taken. On the other hand, if the land is to be converted into parkland or other public use land, then the secretary should be required to include a condition on the sale of the land that protects adjacent landowners from intrusion by the public.

We are being asked/told to accept this legislation. In order for us to do so, you must give us some assurances that we won't be harmed. Don't ask us for unconditional, mindless support. If you want us to not oppose this legislation please work with us and give us the reasonable protections we are asking for. If we are adequately protected, we will work with you, the fishery agencies and our local water districts to help ensure the success of this program. If you won't agree to provide us with some assurances, then I don't think it's fair that you should expect us to give up all we have spent generations working for and simply accept the impact of this legislation, and walk away from our heritage!

Those of us in reach 4-B are representational of all Farmers and as such, we are the epitome of all that is good and right about this Country. We are the history that helped build our country into what it is today. We ARE the American Dream. My father, grandson of a German Immigrant, wanted to be a doctor, but was too poor to go to that much school so became a farmer and set the foundation for the organization we have today. My husband put himself through college by alternating semesters of school and work. His first job was at 11, picking cotton in a sack, and has worked ever since. Our sons and daughters are actively working in our family farm. The biggest problem we have with our grandchildren is keeping them in school; they all want to be home, working on the farm.

The Bowles and Nickel and McNamara families all have similar, rich pioneering histories in the area, only older, by a generation!

We, the family farmers in reach 4-B, along with others along the river, represent the history, the hope and the future of America through our economic and moral

contribution and I urge you to do whatever is in your power to help us help you. Do

what is logical, do what is economically sensible and do what is morally right.

Thank you for your attention. I would be happy to answer any questions.