

# Proposed law making it harder to sell Valley water rights gets new life

Seth Nidever, Hanford Sentinel, 7-14-10

The ripples are still being felt from a Kings County farmer's decision last year to sell \$73.2 million in water rights to a Southern California water agency. The Kings County grand jury recently issued a report arguing that more should have been done to stop the sale and keep the water in the area, which relies on its agricultural economic base.

Now a bill designed to make such sales harder in California is bubbling back to the surface.

Originally authored by Assemblyman Juan Arambula, D-Fresno, in response to the Kings County sale, the bill died in the Assembly earlier this year amid a wide range of opposition.

The proposed law has been resurrected under the co-authorship of Sen. Fran Pavley, D-Agoura Hills.

When Arambula first proposed his bill, he was upset about the sale in which Sandridge Partners sold water from the Dudley Ridge Water District in western Kings County to the Mojave Water Agency for urban development in Lancaster-Palmdale.

The bill would require an economic impact study on how permanent transfers would affect the area losing the water. Current law doesn't require that economic hardship be included in the environmental impact studies of such transfers. The bill would also forbid anybody selling surface water supplies and then pumping groundwater to make up the difference - unless the groundwater source is monitored.

Arambula, perhaps understandably, didn't get the support of his fellow Democrats in the Assembly, many of them from urban districts that would have no problem securing additional water from the San Joaquin Valley.

But Arambula also didn't get the support of his fellow Valley legislators, either - Democrat or Republican.

Assemblyman Danny Gilmore, R-Hanford, was one who didn't jump on the bandwagon. Gilmore said he sympathized with Arambula. But Gilmore didn't support the cost of putting the bill into action during a state budget crisis. The state Department of Water Resources estimated it would cost \$2.3 million a year to oversee the groundwater monitoring and another \$450,000 annually to do the economic impact studies.

Gilmore also said he didn't like the limit placed on farmers' freedom to get out of farming if they wish.

"If I was a farmer and I had an opportunity to get away from the headache ... I would probably have sold (the water)," Gilmore said.

Other agricultural interests have remained ambivalent toward the legislation for some of the same reasons. But many sympathize with wanting a more careful review process for permanent water transfers from agricultural to urban uses.

"At least somebody's coming up with a legal tool to look at the long-term effects of this," said Don Mills, general manager of the Kings County Water District.

The bill may be gaining support among environmentalists concerned about the polluting impacts of more urban

development.

Sen. Pavley, who is the co-author along with Arambula and Assemblyman Jared Huffman, D-San Rafael, wrote much of AB 32, the greenhouse gas-reduction law that has received heavy local criticism for allegedly representing a threat to an already-weakened California economy.

And social liberals may also be concerned about the social impact of losing farm jobs in the Valley, which already suffers from high poverty rates and predominantly low-wage jobs. The bill would shine a broader light on the potential social and environmental harm of drying up surface water supplies in the Valley, said Joseph Devlin, legislative director for Arambula.

Devlin called the Kings County sale the "poster child" for why he thinks such a wider focus is needed.

"It's almost kind of mind-blowing that something like this can just slip through the cracks and happen," Devlin said.