

Stop draining Delta to save it, says report

State Water Board report adds fuel to water war / 'Delta restoration is dependent upon substantially increased freshwater flows'

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A report by the staff of the State Water Board, if not substantially modified, could add more controversy to the battle among water interests over California's largest source of fresh water, the Sacramento-San Joaquin Delta in the Central Valley.

At the heart of the carefully worded report is the conclusion that the Delta cannot be increasingly tapped for water to the San Joaquin Valley and Southern California if its fish are to be saved. But the report also points out that the fish, from salmon to smelt, are also threatened by other factors that also have to be addressed.

The Delta, the largest estuary on the West Coast of North America, is home to 750 species of fish, birds and other animals, says the Environmental Defense Fund.

"The draft criteria overwhelmingly reflect scientific findings that show Delta restoration is dependent upon substantially increased freshwater flows from the Sacramento and San Joaquin rivers. We are gratified that the board confirmed the scientific consensus -- and all prior analyses -- that restoring the Bay-Delta Estuary requires dedicated supplies of freshwater," says Cynthia Koehler, California Water Legislative Director at Environmental Defense Fund.

The report was issued following a directive by the Legislature in last November's Delta bill (SB 7X-1). The law says the board must adopt final Delta water flow criteria at its Aug. 3 meeting to meet an Aug. 12 legislative deadline. The adopted criteria must not impact water rights or dictate any particular implementation approach.

But the report is careful to say at its outset that its recommendations are just that – recommendations and not rules that must be followed.

"Any process with regulatory or adjudicative effect must take place through the State Water Board's water quality control planning, water rights processes, or public trust proceedings in conformance with applicable law," the report says. "In the State Water Board's development of Delta flow objectives with regulatory effect, it must ensure the reasonable protection of beneficial uses, which may entail balancing of competing beneficial uses of water, including municipal and industrial uses, agricultural uses, and other environmental uses."

But if its conclusions were adopted, the amount of fresh water exported from the Delta in most years with typical rain and snowfall would be substantially reduced from current levels.

The Metropolitan Water District, which supplies water to much of Los Angeles and San Diego, doesn't like the report's conclusions.

"It would obviously devastate water supplies," the Los Angeles Times quotes Roger Patterson, assistant general manager of the Metropolitan Water District of Southern California.

On the other side of the tap is the Bay Institute.

“The lack of freshwater flow is one of the root causes of the collapse of the Delta and San Francisco Bay ecosystems, and large-scale flow improvements are one of the most critical elements needed to solve those problems,” says Gary Bobker, program director for the Bay Institute.

The report says that while 75 percent of natural runoff in the watershed should be dedicated to Delta outflow from January through June, “the effects of non-flow changes in the Delta ecosystem, such as nutrient composition, channelization, habitat, invasive species, and water quality, need to be addressed and integrated with flow measures.”

As to what’s happening with fresh water outflows, the report says:

“In order to preserve the attributes of a natural variable system to which native fish species are adapted, many of the criteria developed by the State Water Board are crafted as percentages of natural or unimpaired flows. These criteria include:

- 75 percent of unimpaired Delta outflow from January through June;
- 75 percent of unimpaired Sacramento River inflow from November through June; and
- 60 percent of unimpaired San Joaquin River inflow from February through June.

“It is not the State Water Board’s intent that these criteria be interpreted as precise flow requirements for fish under current conditions, but rather they reflect the general timing and magnitude of flows under the narrow circumstances analyzed in this report.

"In comparison, historic flows over the last 18 to 22 years have been:

- Approximately 30 percent in drier years to almost 100 percent of unimpaired flows in wetter years for Delta outflows;
- About 50 percent on average from April through June for Sacramento River inflows; and
- Approximately 20 percent in drier years to almost 50 percent in wetter years for San Joaquin River inflows.”