

# Enough with the end-runs on key water issues

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The good news is that the terrible water bill, House Resolution 1837 by Rep. Devin Nunes, R-Visalia, appears to be dead in the Senate.

It would have undermined years of effort to reach agreement on the Bay-Delta Conservation Plan, which aims to achieve the co-equal goals of a healthy ecosystem and reliable water supply.

As Sen. Dianne Feinstein wrote on March 26, HR 1837 "served as an incredible distraction and impediment to the cooperation necessary to solve California's water supply challenges."

But other water threats remain.

California had a dry winter, which means there will be less water in the entire system this year. Water rights exceed actual total water volume availability. More senior water rights holders in the Sacramento Valley and San Joaquin River basin have priority over contractors, such as Westlands and other agricultural districts that hold water contracts south of the Sacramento-San Joaquin River Delta.

Unfortunately, Feinstein seems poised to stir up another water battle.

Given the dry year, the U.S. Bureau of Reclamation in January announced a federal water allocation of 30 percent for junior south-of-Delta agriculture contractors. In drought years, such as 1977 and 1992, the allocation was 25 percent.

This year's allocation is less than last year's allocation of 45 percent – when California had a good water year with above-average early precipitation and snowpack in the Sierra Nevada.

Now Feinstein seems to think that junior water rights holders should be guaranteed a 45 percent floor.

At a March 28 budget hearing of the Senate Energy and Water Subcommittee, Feinstein grilled the Bureau of Reclamation, insisting that water flows have to get to a "minimum level of 45 percent of contract." The bureau responded that with administrative actions it could perhaps add 150,000 to 200,000 acre-feet. Feinstein said that "isn't going to do it."

She broached the idea of easing federal pumping restrictions to allow more water flow south of Delta.

Here we go.

Doesn't Feinstein remember the outcry when she tried to do something similar in 2010 to increase Delta pumping to benefit certain farms in the San Joaquin Valley? Then, she was pressing for an allocation of 40 percent of contract to west-side farms. She dropped it. Now she's raised the bar to 45 percent.

She needs to rethink this. Not only would easing pumping restrictions harm California's salmon runs, it would threaten the fragile Bay-Delta Conservation Plan process. Every time some political figure tries to do an end run, it takes a major expenditure of time and energy to get people back to the table and restore trust.

Feinstein's office has not yet released language on water deliveries, but watch the developing Senate Energy and Water subcommittee bill closely in the coming days. The best course would be for Feinstein to do as she did last March, drop the idea of exporting more water south of Delta to west-side contractors.

This is a time, as Feinstein wrote in her March 26 letter, to avoid seeking "gains for certain water users at expense of others" or abandoning "fundamental state and federal environmental laws."

Feinstein should bring people together to find solutions – not favor one group of junior water rights holders without considering effects on the rest of the state.