

# Westlands Irrigation District wields major clout in California water wars

Mark Grossi, Fresno Bee, 11-21-09

The most powerful voices in the state's recent \$11 billion water talks might have been two water districts – one speaking for half the state's population and the other for just 600 San Joaquin Valley farmers.

The negotiations led to legislation with the promise of epic change – restoring dying fisheries, building dams and easing gridlock that has dogged water system improvement for decades.

It made sense that Metropolitan Water District of Southern California, which serves 19 million people, would wield big political clout in those talks. But who are those 600 farmers?

They are customers in Westlands Water District, the country's largest federal irrigation district. With crops worth \$1 billion a year, this one district produces more than some whole states.

The 600,000-acre Westlands – with a footprint twice the size of Los Angeles – is no hayseed at any bargaining table. For decades, politicians from Sacramento to Washington, D.C., have heard regularly from Westlands. The district's name appears on dozens of lawsuits. Any time there's an important statewide discussion of water supply, Westlands is in the room.

"This district is a very influential player," said Assemblyman Jared Huffman, D-San Rafael.

Westlands is protecting its farmers, who have been losing water to environmental reform efforts since the 1990s and idling land because of soil contamination since the 1980s. This farming giant is in a slow-motion transition, struggling to turn the next page in a 57-year history.

The district's past is filled with powerful families – Giffen, Diener, Harris and Boswell – who carved success with sweat, guile and groundwater in west Fresno and Kings counties.

When they tapped into Northern California river water on the federal Central Valley Project in the 1960s, they made enemies. Now those north-state enemies blame Westlands for trashing the ecosystem and ruining the salmon fishing industry. They say the district takes too much water from the Sacramento-San Joaquin Delta.

They call Westlands a litigious maverick, a greedy agribusiness and an abuser of federal subsidies. Some suggest Westlands should die off and eliminate one of the many water consumers in California.

"We should never have allowed farming out there," said Bill Jennings, chairman of the California Sport Fishing Alliance, based in Stockton. "I think we can solve a lot of California's water problems by buying Westlands farmland and taking it out of production."

## Which Westlands?

Farmer Dan Errotabere, a Westlands board member whose family has been on the west side since before the Great Depression, chuckles when he hears critics call him a millionaire with big political muscles.

"If that were true, why wouldn't we have more success at getting the water we need?" he asked.

But critics say Westlands more often than not gets its way.

Westlands quickly goes to federal court when confronted with a roadblock, said Tom Stokely, a member of the nonprofit environmental group California Water Impact Network. And lately, it has been winning more often than not.

For instance, Westlands sued over a federal biological study that resulted in a 25 percent loss of the district's federal supply this year, forcing further consideration.

"They're a big bully with lots of money to sue people," said Stokely, a former Trinity County planner based in Northern California.

Westlands' reputation for hiring the best lawyers and filing many lawsuits comes partly from the 1980s when its well-known irrigation drainage problem worsened.

A clay layer beneath the soil prevents irrigation water from sinking far on thousands of Westlands' acres. Minerals build up and eventually poison the land.

As a solution in the late 1970s and 1980s, federal officials piped drainage water from Westlands to Kesterson Reservoir in western Merced County. Scientists later discovered the drainage was toxic after it killed or disfigured shorebirds and other animals.

Federal officials stopped drainage to Kesterson in 1985. Then, legal actions began as officials sorted out how to deal with the dirty water. The solution has eluded authorities, the dirty water remains and drainage issues are still in court.

### **Benefits for the public**

Only farmers have reaped the benefits from the investment of public money in Westlands, one environmentalist contends.

Fresno lawyer Lloyd Carter, a deputy state attorney general and longtime Westlands critic, wrote in the Golden Gate University Environmental Law Journal this month that over several decades taxpayers have invested more than \$1 billion in everything from canal construction to crop subsidies for this district.

But residents of Fresno and Kings counties have little to show for it, he concluded.

Westlands officials reply that farming has created thousands of jobs on the west side and is the basis for many spinoff businesses, such as food processing.

Another prominent critic of Westlands is Rep. George Miller, D-Martinez, who co-wrote a 1992 irrigation reform law that provided more water for the state's ecosystem. Westlands and other federal farm contractors lost 35 percent to 50 percent of their Northern California irrigation water in the process.

Miller has said Westlands represents a privileged group of farmers who bought cheap land and got rich by using federally subsidized water to grow subsidized cotton.

Rep. Jim Costa, D-Fresno, disagrees, saying much has changed in the last 20 years. Westlands farmers are largely out of the cotton business and now pay full price for federal water. He said Westlands' family farms are a critical part of Fresno County agriculture, which leads the nation in farm production.

"It would be a tragedy and a blow to national security if we did not have Westlands," Costa said.

### **On the farm**

With the passage of state reform legislation, Westlands officials say there is a clear path to building the canals and reservoirs that could bring more water to west side farms. But it will take years, and there are no assurances.

Back on the farm, things look grim. The three-year drought, irrigation water cutbacks to protect Delta fish and drainage problems have knocked out of production 260,000 acres – more than 40 percent of Westlands land.

Growers aren't giving up. They've spent millions of dollars on drip-irrigation systems. Water-intensive flood irrigation – filling furrows with river water – has largely been abandoned, said farmer and board member Errotabere.

"Water is expensive, and we don't have enough of it," he said. "It has always been that way around here."