

Delta Smelt Mandates Appealed To High Court



U.S. Fish and Wildlife Service
A full-grown Delta smelt.

Users Contend ESA Pumping Restrictions Are Unconstitutional

A Constitutional challenge to the federal government's Delta smelt regulations that have led to devastating water-delivery restrictions affecting two-thirds of California is on its way to the U.S. Supreme Court.

The Pacific Legal Foundation (PLF) – an organization that litigates for limited government, prop-

erty rights, free enterprise, and a balanced approach to environmental regulations – is petitioning the high court to hear its appeal.

FRESNO ANNOUNCEMENT

The PLF, representing three West Side growers, announced the appeal June 24 during a Fresno news conference in which Friant Water Authority Assistant General Manager Mario Santoyo was among the speakers.

Santoyo noted the massive amounts of idled acreage, unemployment, and economic and social

damage that occurred in the valley and elsewhere in California as a result of Delta water export and pumping reductions made to protect the Delta smelt.

For a time in 2009, it appeared the situation could adversely impact the Friant Division's San Joaquin River water supply that depends upon exports of substitute water to historic water rights holders on the valley's West Side.

The Delta smelt is a three-inch fish in the Sacramento-San Joaquin
Please see [Delta Smelt](#), Page 3



Friant Water Authority / Priscilla Rodriguez
Mario Santoyo, Friant Water Authority Assistant General Manager, speaks to media.

CVP Users 'Exempted' From Rules

Federal Conservation Plans Emulate New Regulations

A California Water Commission majority has held that Central Valley Project water contractors should be exempted from new state water efficiency and conservation reporting requirements if reports they prepare are in conformance with U.S. Bureau of Reclamation rules.

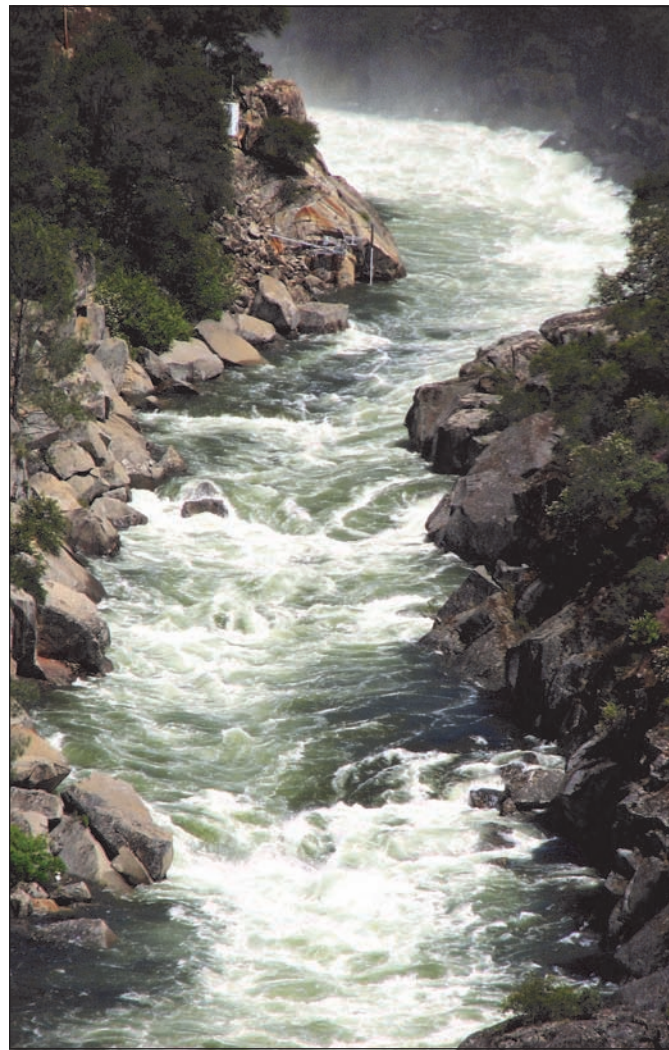
The commission included the CVP exemption in its action establishing water measurement regulations under SBX7-7, one of five bills included in a comprehensive water package enacted by the Legislature in October 2009.

Mario Santoyo, Friant Water Authority Assistant General Manager, made the federal contractor exemption case for the Water Commission during a Sacramento hearing.

ENVIRONMENTAL OPPOSITION

"It wasn't easy because of opposition from the environmental interests," Santoyo said. "They argued hard against the exemption."

He said the Water Commission had to deal with arguments from those "who believe farm-
Please see [Efficiency](#), back page



Friant Water Authority / J. Randall McFarland
Whitewater churned by a flow of more than 14,000 cubic feet per second rolls down the San Joaquin River gorge below Redinger Lake June 24.

Snowmelt Is In Full Swing

Late Runoff Peak Passes; Reservoirs Are Nearly Full

Later than usual but long anticipated peak Sierra Nevada snowmelt runoff has finally surged down the San Joaquin River and other western slope streams with high flows that rapidly increased reservoir storage to near capacity but remained under control just as hydrologists had calculated and planned.

Late June's seasonal maximum runoff came during the year's first big heat wave but the month ended with a brief return to an unusual winter-type June 29 storm. Rain for several hours poured down upon the San Joaquin River watershed with a little snow above 10,000 feet.

MAXIMUM SAN JOAQUIN RUNOFF

The season's peak flow thus far was 19,572 cubic feet per second on June 16.

A combination of generally cool spring weather, aggressive flood releases from Friant Dam and willingness of the U.S. Bureau of Reclamation to spur demand with lower-priced water and declarations of full supplies thus far has worked well in safely accommodating runoff from such a big snow accumulation year.

These releases made it possible to carve out space in Mil-
Please see [Snowmelt](#), back page

Environmental Review Clears Way For 2011 Restoration Flow Recovery

A final environmental assessment and finding of no significant impact has cleared the way for the U.S. Bureau of Reclamation to again re-circulate recaptured San Joaquin River interim restoration flow water back to the Friant Division during the current water year.

Under the 2006 Settlement and later Congressional implementation legislation that resolved 18-year San Joaquin River litigation, an equal objective to restoring the river between Friant Dam and the Merced River was a Water Management Goal.

It is aimed at minimizing or eliminating Central Valley Project water supply impacts to Friant Division contractors resulting from restoration flows.

2010 WATER RECIRCULATION

Some success was achieved last year in recovering water under the Restoration Program's interim flow regime although most of the recaptured water was via exchange at Mendota Pool due to San Joa-

quin River conveyance restrictions below Sack Dam (east of Dos Palos) due to seepage problems adversely affecting a number of riverside farms in western Fresno, Madera and Merced counties.

The recaptured water was exchanged

into San Luis Reservoir and later returned to the Friant Division through other exchanges and transfers.

The environmental documentation covers up to 260,000 acre-feet of recaptured
Please see [Restoration](#), back page

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FRIANT Waterline

June 2011
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Volume 23, No. 208

Published by the Friant Water Authority, as a review of issues and developments to inform those interested in water supplies along the East Side of the southern San Joaquin Valley. To comment or ask any questions, please write or call us at (559) 562-6305, visit our web site at www.friantwater.org or contact your local irrigation district. This issue was printed June 28.



854 Harvard Avenue • Lindsay, California 93247-1715
Telephone: (559) 562-6305 • Facsimile: (559) 562-3496

Website: www.friantwater.org

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Environmental Group Brushes Off Drought, Pump Limit Impacts

The Pacific Institute has issued a report that has left those in California agriculture wondering if they missed something during California's most recent drought.



A dead West Side orchard after going without water — 2009.

According to the Bay Area environmental "think tank," the 2007-09 drought and severe Delta water export pumping restrictions to protect a minuscule fish caused little impact on the Golden State's total farm production.

Even areas largely dependent upon on Delta water supplies were not badly harmed economically, the Pacific Institute's Juliet Christian-Smith, lead author, said.

"Indeed, there were high levels of suffering and unemployment in the region, but this report suggests the causes of the high rate of unemployment and sustained high levels of poverty are more complex and do not appear to be directly related to water supplies."

Please see **Drought Impacts**, Page 3

AROUND FRIANT AND CALIFORNIA

U.S. BUREAU OF RECLAMATION

New Operations Division Chief Named

Nick Zaninovich has taken his seat as the U.S. Bureau of Reclamation's Operations Division Chief for the South-Central California Area Office in Fresno at a moment in time guaranteed to be quite an initiation.

Zaninovich's first day on his new job was June 20, just as flows in the San Joaquin River and storage in Millerton Lake behind Friant Dam were rising due to a massive snowpack that is belatedly melting under Central California's first big heat waves of the season.

His new position is always challenging. Bureau Area Office operations staff members essentially manage the San Joaquin River, including Millerton Lake storage, river releases and flood operations, and declarations of Friant Division water supplies.

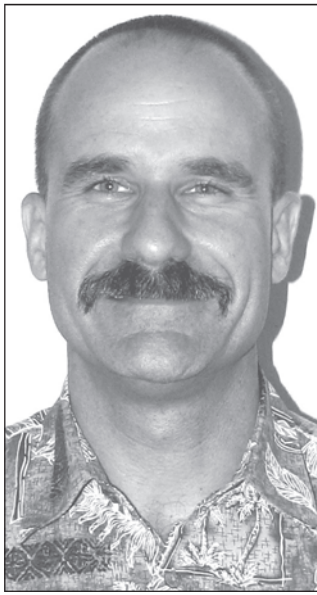
Zaninovich was introduced June 23 to Friant Water Authority Directors and Managers during a FWA board meeting in Visalia.

With more than 19 years of professional experience in the public and private sectors, Zaninovich is a product of California State University, Fresno, where he earned a Bachelor's Degree in Civil Engineering in 1992. He is a registered professional engineer in both California and Nevada.

"Nick has specialized training and experience in design and construction of urban storm water management systems, design and construction of urban storm drainage detention and retention basins, water distribution system operations and maintenance, pumping system designs, and water treatment plant operations," said Michael Jackson, the Bureau's Area Manager in Fresno.

He is no stranger to flood management.

"As an engineer for the Fresno Metropolitan Flood Control District, Nick determined urban storm drainage and flood control requirements for proposed develop-



Friant Water Authority
Nick Zaninovich

ments, and participated on the subdivision review committees," said Jackson.

Zaninovich also worked on the staff of Coastland Engineering as lead project manager for water and wastewater projects. He has served as Nevada County Solid Waste and Sanitation District Director, and has also authored or co-authored several water quality papers.

He has also worked for the South Tahoe Public Utility District and City of Dinuba.

Right now, Jackson said, Zaninovich "is on something of a steep learning curve"

Ed Salazar, Bureau staff member, has been serving for most of the past two years as the division's interim Chief. Jackson said that for now Salazar will continue to work with Friant contractors.

Ronald D. Jacobsma, Friant Water Authority General Manager, said the FWA and Friant districts are looking forward to working with Zaninovich.

"But we also want to thank Ed Salazar," Jacobsma said.

"He has done a terrific and highly professional job in managing the high flows, Restoration Program interim releases and Friant water supplies through some difficult periods."

ISABELLA DAM Scoping Sessions Focus On Repairs

Major deficiencies in the condition of Isabella Dam and an auxiliary dam were discussed at recent scoping meetings held by the U.S. Army Corps of Engineers.

The Corps is dealing with problems of internal erosion, an active earthquake fault directly beneath the auxiliary dam, and a spillway that is considered too small. The dams now carry the Corps' most at-risk status. Water storage continues to be limited.

Major deficiencies include internal erosion, an active Kern River earthquake fault directly beneath the auxiliary dam, and a spillway on the main dam that is too small to handle a once-in-10,000-years storm event.

The problems were discovered by the Corps in 2006.

Various alternatives are being considered but the solution is apparently going to include development of an additional spillway large enough to safely handle maximum amounts of water without risk that such a huge storm's runoff might overtop the earth-fill structure.

The Corps has spent about \$24 million on studies.

Corps officials hope to have a final decision on designs within six months. Construction could start in 2014 and take three years to complete.

CORPS OF ENGINEERS Suit Aims At Levee Tree-Removal Plan

A lawsuit was filed June 20 by three environmental organization over a post-Hurricane Katrina policy of the U.S. Army Corps of Engineers that could mandate untold numbers of trees to be removed from levees along valley rivers.

The Corps in 2007 revised its levee maintenance policy to prohibit trees or shrubs on levees. Only short grass would be permitted.

The policy has not gone down well. Trees along streams provide shade and habitat for fish and other forms of wildlife.

"This would be the most massive intentional infliction of environmental damage on our rivers that we've seen in modern times," Bob Wright, a Friends of the River lawyer, said. Other plaintiffs are Defenders of Wildlife and the Center for Biological Diversity.

Endangered Species Act violations are alleged.

The policy has been delayed for a year throughout the Central Valley.

In the past, the Corps allowed trees on levees and at times has planted trees on such projects. Hurricane Katrina's levee failures in Louisiana in 2005 changed the Corps' thinking. Failure to comply would make local agencies ineligible for federal funds to recover from flood damage.

The California Department of Water Resources estimates removing trees on 1,600 miles of valley levees could cost \$7.5 billion.

LAKE MCCLURE More Study Sought On Expansion Plan

Plans by the Merced Irrigation District to expand the Merced River's Lake McClure have run into a hurdle placed by the Obama administration.

A federal land manager stated earlier in June that the project would reduce the Merced River's wild and scenic protections. The administration says it wants further study.

Rep. Jeff Denham (*R-Atwater*) is sponsoring legislation backed on a bipartisan basis by four other valley Congressmen.

The plan calls for permitting the Merced Irrigation District to consider modifying New Exchequer Dam's existing spillway gates to allow MID to capture as much as 70,000 additional acre-feet in Lake McClure during wet years.

SAN JOAQUIN RIVER AND RESERVOIR WATER CONDITIONS

WATERSHED PRECIPITATION

Inches	2010-11		2009-2010		Season Avg. Through June
	Including June 29	Including June 30	Including June 30	Through June	
Huntington Lake.....	60.15	36.84	42.73	42.73	
Bass Lake.....	54.38	29.02	40.62	40.62	
Friant.....	26.21	11.25	14.33	14.33	

SEASONAL RUNOFF

Acre-Feet	In 2010-11	Predicted	Prev. Year
June (29 th).....	768,517	840,000	222,753
April-July period...	1,706,429	2,240,000	960,000
Water Year.....	2,588,196	3,313,000	1,321,261

2009-2010 Total (October 1-September 30) —2,028,707

FLOWS

San Joaquin River

Cubic Feet Per Second	June 29	June 30, '10
Calculated Natural Flow (Friant).....	13,948	10,268
Actual Millerton Lake Inflow.....	11,439	6,537
Actual Flow At Friant.....	3,981	791
Flow at Gravelly Ford.....	3,741	135
Flow below Mendota Dam.....	1,420	650

Flow at Vernalis (San Joaquin County).....	10,460	3,147
Total Delta Inflow.....	60,771	19,652
Delta outflow index.....	45,547	8,974
Delta conditions.....	Excess	

Diversions at Friant Dam

Friant-Kern Canal.....	4,052	2,506
Madera Canal.....	1,191	999

RESERVOIR STORAGE

Acre-Feet	June 29	Last Year	Capacity
U.S. Bureau of Reclamation			
Millerton Lake.....	464,568	520,039	520,500
Southern California Edison Company			
Edison Lake.....	103,131	76,733	125,000
Florence Lake.....	63,283	61,226	64,400
Huntington Lake.....	84,061	87,994	89,000
Shaver Lake.....	124,560	103,995	135,300
Mammoth Pool.....	123,604	124,570	122,000
Redinger Lake.....	24,028	24,359	26,120

Pacific Gas and Electric Company			
Bass Lake.....	34,629	34,860	35,000*
Kerckhoff Lake.....	3,520	3,754	4,200
*—Temporary capacity pending Crane Valley Dam seismic retrofit			
Upstream Total.....	560,816	506,156	611,400
OVERALL.....	1,131,900	1,026,195	1,131,900

OTHER SOUTH VALLEY DAMS AND RESERVOIRS

Acre-Feet	June 29	Capacity
Chowchilla River / Buchanan.....		
142,777	150,000	
Fresno River / Hidden.....		
61,983	90,000	
Merced River / New Exchequer.....		
990,833	1,024,600	
Kings River / Pine Flat.....		
950,790	1,000,000	
Wishon, Courtright total.....		
244,378	251,900	
Kaweah River / Terminus.....		
179,328	185,600	
Tule River / Success.....		
39,503	40,000*	
*—Capacity for emergency flood control, 82,314 acre-feet.		
Kern River / Isabella.....		
360,236	360,000*	
*—Capacity for emergency flood control, 570,000 acre-feet.		
San Luis Reservoir / CVP.....		
899,183	980,000	
State Water Project portion.....		
934,329	1,060,000	
San Luis Reservoir total.....		
1,833,502	2,040,000	

DELTA STEWARDSHIP COUNCIL

New Alternative Estuary Plan Will Be Considered

An alternative proposal advocated by a coalition of agricultural and urban interests will be included in its entirety in an environmental impact report accompanying preparation of a new plan for the Sacramento-San Joaquin Delta.

The Delta Stewardship Council agreed to include the Alternate Delta Plan, which was prepared by a statewide coalition of agricultural and urban water agencies, business interests and local governments.

The Alternate Plan was submitted to the Delta Stewardship Council on June 10 as an alternative to the latest staff drafts of the Delta plan. The Delta Stewardship Council was formed by the 2009 water legislation package and is required to prepare a Delta Plan by January 1, 2012.

The Council announced it will be considering up to seven alternatives, including the coalition's Alternate Delta Plan. Other alternatives to be considered may tend to emphasize ecosystem improvements, water supply improvements or improvements for in-Delta interests. The coalition's plan is focused on meeting the co-equal goals as required by the 2009 legislation. The council will also consider its own staff draft and a no-project alternative.

Stephen Ottemoeller, Friant Water Authority Water Resources Manager, told the FWA Board of Directors

that the draft Delta plan prepared by the Stewardship Council "is very regulatory in its approach, focuses too much on increasing flows through the Delta and reaches beyond the Delta itself into areas such as groundwater and water conservation."

ALTERNATIVE PLAN

In a letter accompanying its alternative proposal, the ag-urban coalition said its proposal would feature:

- Implementing a comprehensive program. "While the Alternate Plan calls for heavy investment in agricultural and urban water use efficiency and local resource development to reduce reliance on the Delta for future water demands, a plan that relies solely on these tools cannot succeed, as the past two decades verify. As the work of Delta Vision concluded, we need storage, Delta conveyance improvements, and ecosystem restoration investments to achieve the co-equal goals."
- Using a performance-based management approach through partnership and collaboration that the coalition says "cannot be created through regulation". The alternate plan places maximum reliance on a business model that provides assurances and other incentives for agencies that meet performance-based goals designed to meet statutory and regulatory requirements.



California Department of Water Resources
A meandering Delta channel.

- Assuring accountability, with performance goals and measures for agencies and participants and mechanisms. "The Alternate Plan calls for the identification of clear and attainable ecosystem and water supply reliability goals, as well as measurement and monitoring of outcomes."
- Providing a path for a successful Bay Delta Conservation Plan (BDCP).
- Improving statewide water supply reliability. "The Alternate Plan intends to significantly improve water supplies for all areas of the state compared to current available supplies... Storage, conveyance and restoration actions must be implemented to solve existing physical problems and protect fisheries. The Alternate Plan calls for a corresponding improvement in the amount of supply available to those paying for the solution. Without improvements in water supply, there is no economic justification to invest in costly conveyance, storage, and additional ecosystem restoration actions."

Please see **Alternative**, back page

Delta Smelt: Appeal Being Made On Constitutional Grounds

Continued from front page

Delta that has been declining for many years despite federal Endangered Species Act regulations.

Those have failed to halt the species' drop in numbers but, the PLF contends, "have crippled the San Joaquin Valley's agricultural economy over the past three years by dramatically reducing water pumping from the Sacramento-San Joaquin Delta into the valley and Southern California."

The appeal is of a Ninth Circuit ruling against the PLF in its litigation brought two years ago in U.S. District Court in Fresno.

'UNCONSTITUTIONAL'

"The Delta smelt water cutbacks aren't just bad for the economy and ineffective at helping the fish," said Middleton. "The point of our lawsuit is that they are flat-out unconstitutional."

He said the Commerce Clause limits federal regulation to interstate commerce. "But the Delta smelt isn't an interstate fish — it exists only in California. And it isn't commercial. Nobody buys it or sells it."

Middleton said that "under a faithful reading of the Constitution, the federal government has no authority to put the Delta smelt on the Endangered Species Act list. It has no authority to issue any regulations at all that focus on the Delta smelt, let alone mandatory water cutbacks that have dealt a crippling blow to California's farm economy over the past few years."

NINTH CIRCUIT RULING

In ruling against PLF's lawsuit and upholding the water cutbacks, the Ninth Circuit implied that any regulation that could somehow be said to have a "substantial relation" to interstate commerce is Constitutional.

"The Ninth Circuit was essentially saying there is no limit on the federal government's regulatory authority," Middleton said.

"If a regulation is valid simply because it might have some hypothetical tie to interstate commerce — as opposed to a clear, definable connection — there's no stopping point, no restraint on what the national government can do."

Middleton said federal supply curtailments continue to cause problems, even with wetter conditions.

"As late as March, when the Sierra snowpacks were the deepest in years, farmers in the federal water system were still being told they would receive only 60% of their contracted water allocation," he said. "That figure rose by May, but that was much later than farmers needed to do the most effective planning."

He noted a May 2 press release from the California Department of Water Resources that stated federal environmental regulations were still restricting supplies, adding that a 100% allocation would be "difficult to achieve even in wet years due to [water] pumping restrictions" for ESA-protected fish.

The PLF contended that at the height of the natural drought in 2007-09, federal pumping restrictions had a devastating effect on the San Joaquin Valley's agricultural economy with an estimated 200,000 acres of farmland fallowed because of irrigation cutbacks in the Westlands Water District alone.

NO EFFECT?

Many in California's environmental and fishing communities questioned the basis of that PLF statement and the litigation.

Bill Jennings of the California Sportfishing Protection Alliance said restrictions on Delta pumping had nothing to do with Westlands' fallowing, which he and other environmentalists contend resulted from Westlands' acquisition and retirement of land due to salt buildups and other soil quality problems.

"Blaming the farmers' problems on the Delta smelt and the Endangered Species Act is a red herring masking the Pacific Legal Foundation's philosophical objections to the concept of protecting endangered species," Jennings said.

"The Delta smelt is simply the canary in the coal mine representing the collapse of the biological tapestry in the Bay-Delta estuary. The land is fallowed because of the legacy of greed and over-irrigation of marginal lands."

Drought Impacts: Report Termed 'A Slap In The Face' To Ag

Continued from Page 2

Such statements are news to the many growers who fallowed lands in 2008-09, farm workers who were thrown out of work and owners of ag-related businesses that were also crippled economically or forced to close.

'A DISSERVICE'

"Attempts now by others to give a broad brush to say the agriculture economy is doing fine is a disservice," said Mike Henry of the California Farm Water Coalition.

A Coalition statement added, "Studies that attempt to misdirect the impacts felt by the recent water delivery restrictions caused by environmental regulations and the drought is a slap in the face to those who have lost jobs and farmers forced to leave fields unplanted... This study introduces statewide agricultural production to

minimize regional impacts. Linking unemployment in the West Side rural communities of Fresno County to countywide losses of home construction jobs is a fallacy. Anyone who has visited and met the people of these communities would realize their dependence on the farm economy."

According to the Pacific Institute, agricultural job losses during the drought — which hit hardest in the Latino population — were minor compared to declines in construction and other employment.

Christian-Smith, and co-authors Morgan Levy and Peter Gleick insisted, "The proportion of agricultural jobs has either remained stable or increased in the areas facing the greatest reductions in federal and state water deliver-

ies. This finding directly contradicts claims that water shortages caused agricultural job losses." They said job losses were concentrated in non-agricultural sectors.

ACCEPTED AS FACT

This Pacific Institute report received considerable statewide news coverage that seemed to accept its contentions as fact. Such as happened before with some of the environmental group's "findings" that are critical of irrigated agriculture. One such report a few years ago insisted that water supply problems in agriculture could be solved through increased water management efficiency and conservation, even though growers in CVP districts today are among the world's most efficient users of water.

Restoration Flows

Continued from front page

interim flows that might be made available for recirculation back to Friant Division contractors as Class 1 or 2 supplies during the current water year but this year's wet conditions would indicate actual return deliveries would be far less because all releases since March 1 have been flood releases that are not available for recirculation.

Restoration releases after flood releases are terminated would be eligible for recapture and recirculation, and Reclamation estimates that actual recirculation in 2011 will be closer to 15,000 to 20,000 acre-feet.

The process would utilize south-of-Delta facilities for direct delivery to the Friant Division or through transfers and exchanges between Friant contractors and non-Friant contractors.

The State Water Resources Control Board in 2010 issued an order that permits recovered Restoration Program water to be stored or routed through San Luis Reservoir and delivered to Friant contractors directly or through exchanges or transfers.

WATER MANAGEMENT GOAL

"This is another important step by the federal government in furthering the Friant Water Authority's determination to pursue all available means of recovery of river restoration releases under the Settlement to further the equal water management goal of the Settlement," said FWA General Manager Ronald D. Jacobsma.

Jacobsma said Friant also continues to pursue modifications to the Friant-Kern and Madera canals to bring them up to design capacity to help move more wet year water.

Additionally, construction of pump-back facilities on the Friant-Kern Canal's lower reaches to move re-circulated water back into the Friant Division is being pursued.

RECOVERED WATER

First-year interim restoration flows recovered by the U.S. Bureau of Reclamation in San Luis Reservoir and recirculated for use by Friant contractors

amounted to about 51,500 acre-feet. About 260,000 acre-feet of interim flow water, above what would have been released before the Settlement, was released from Friant Dam into the river between October 1, 2009-September 30, 2010. A good water year eased the effects of water supply reductions to Friant users.

Interim releases are intended to help planners of the Restoration Program and its accompanying water management activities in gathering important data and building an understanding of what will be needed when full restoration flows aimed at restoring a salmon fishery begin. Effects of river restoration flows on adjacent groundwater and farming operations are among the many factors being analyzed.

It will be a bigger challenge to recirculate flows from the lower San Joaquin River or the Delta when river "fixes" are completed and permanent restoration flows begin in 2014 because of the ongoing Delta pumping restrictions and related environmental problems.

THE SETTLEMENT

That Settlement resolved 18-year old San Joaquin River litigation brought against the government by the Natural Resources Defense Council and a coalition of environmental and fishing groups.

The case evolved over the years, ultimately focusing on legal efforts by the plaintiffs to compel restoration of San Joaquin River flows, fishery habitat and a return of salmon to the river downstream from Friant Dam, northeast of Fresno. It had been scheduled to go to trial early in 2005 on "remedies" after a U.S. District Court judge in Sacramento ruled in 2004 that the United States was liable for restoring a historic fishery below Friant Dam. Ultimately successful Settlement negotiations followed.

Approximately 60 miles of the river system had been dry – except for occasional flood management releases – for 61 years following completion of the Central Valley Project's Friant Division.

Efficiency: CVP Compliance

Continued from front page

ers are not efficient with water use, and who feel that conservation can somehow create a new supply of water to put into the Delta."

Santoyo said federal water contractors began reporting individual water deliveries in 1982. A 6% meter accuracy requirement was added in 1992.

"The new obligations and duties that will be borne by agricultural water suppliers are not new to CVP contractors, and have been required of CVP contractors for some time," said Ronald D. Jacobsma, Friant Water Authority General Manager.

The proposed regulation states, "An agricultural water supplier subject to CVPIA (Central Valley Project Improvement Act) or RRA (Reclamation Reform Act of 1982) shall be deemed in compliance with this article if all irrigation water delivered by that water supplier to each customer is delivered through measurement devices that meet the United States Bureau of Reclamation accuracy standards defined in Reclamation's Conservation and Efficiency Criteria Standards of 2008 or future amendments."

A public comment period has started.

MEASUREMENT DEVICES

The action included a recommendation that the California Department of Water Resources adopt agricultural water measurement regulations. Accurate measuring devices would be mandated on nearly all irrigation laterals and turnouts in the state. Well over 100,000 such gates could be required.

Volume accuracy requirements for delivered water would be established at between 5-12%. A deadline of July 31,

2012, would be established. DWR representatives have suggested that certified volume measurement devices meeting accuracy requirements may cost \$6,500 each and \$1,200 a year for monitoring, repair and reporting.

"We don't know how many turnouts are going to require upgrading at a cost of \$6,500 each or more," Mike Wade, California Farm Water Coalition Executive Director, told the California Farm Bureau Federation's *Ag Alert*. "It's impossible to know that until districts begin assessing their infrastructure to see what level of accuracy they're able to attain with current measurement."

EQUIPMENT COSTS

Using DWR estimates of gates that will need new devices installed, the capital costs range from about \$96-\$104 million.

Wade said the 2012 deadline does not mean that every gate must meet the currently recommended standard "but it does mean water suppliers will need a plan in place for how they're going to do it."

The regulation applies generally to retail and wholesale water suppliers serving 25,000 acres or more.

It does not apply to canal authorities or other entities that convey or deliver water through federal facilities not subject to the article, such as the Friant Water Authority (which operates and maintains the Friant-Kern Canal) and the Madera-Chowchilla Water and Power Authority (for the Madera Canal).

The legislation also required water suppliers to adopt a pricing structure for customers based at least in part on quantity delivered.

Snowmelt

Continued from front page

lerton Lake, which was down to 41% full as late as May 5 before beginning to fill. Water orders have been keeping the Madera and Friant-Kern canals at or near capacity.

SIGNIFICANT FLOOD RELEASES

Between March 1-June 30, flood releases into the San Joaquin River have amounted to 1,125,000 acre-feet, nearly twice the capacity of Millerton Lake. Those have included interim river restoration flows that otherwise would have been released totaling 281,400 acre-feet.

A flood release earlier in the winter sent approximately 190,000 acre-feet into the river from December 26, 2010-January 28, 2011.

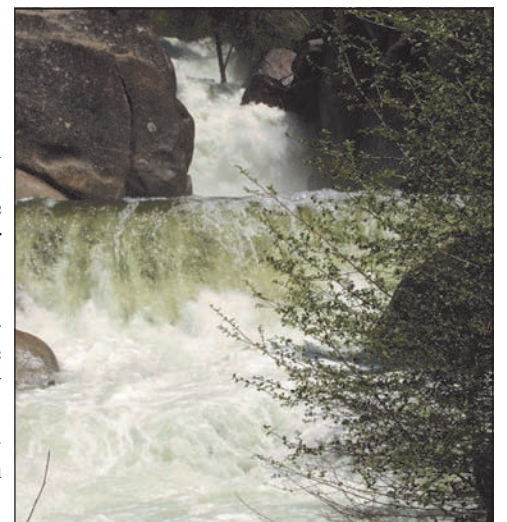
San Joaquin River flood releases are fairly frequent and large in quantity because of Millerton Lake's small size – 520,500 acre-feet (with only 385,000 acre-feet of manageable storage available above its canal outlets). Additional storage, such as the proposed Temperance Flat Reservoir above Millerton Lake, would have captured much more of the high runoff and minimized flood releases.

NEARING CAPACITY

Storage in all San Joaquin River reservoirs was nearing or at capacity at the *Waterline's* press time on July 1.

Millerton Lake at midnight June 30 was 93% full, at 484,031 acre-feet. Although the lake behind Friant Dam was still filling, storage was going up more slowly, prompting the Bureau of Reclamation to reduce its release from Friant Dam – including flood releases – from 6,000 c.f.s. to 2,860 c.f.s. by month's end.

Upstream, Southern California Edison Company's Florence Lake and Mammoth Pool on the San Joaquin River are both full and other lakes are nearing capacity. Pacific Gas and Electric Company's Bass Lake storage is at its temporary capacity (restricted by work on Crane Valley Dam).



Friant Water Authority / J. Randall McFarland
Pitman Creek thunders toward Big Creek, swollen with the flow unleashed by a big snowpack melting on higher ridges.

Bureau operations staff member Ed Salazar said there remains a great deal of high elevation snow to melt, even though resulting runoff is not expected to reach another seasonal peak. He told Friant Water Authority directors that July's runoff is anticipated to reach 691,000 acre-feet.

"Ed has again done a terrific job in managing the river and reservoir under difficult circumstances," said Ronald D. Jacobsma, FWA General Manager.

The most recent California Department of Water Resources forecast, issued on June 29, anticipates the San Joaquin River's natural runoff – as if there were no dams – during the peak April-through-July period will most probably amount to 2,190,000 acre-feet, 175% of average.

High inflows to Millerton Lake will continue into the fall. As natural runoff tapers off, Southern California Edison is planning to begin dewatering Shaver Lake in August to complete a dam rehabilitation project this fall.

"We're going to have to be moving water through August, September, October and November," Salazar said.

Alternative: Delta Proposal

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- Pursuing all important ecosystem stressors, not just the water conveyance system and flows. "The Alternate Plan calls for accelerated creation of habitat to continue reversing the loss of wetlands in the system, strong predation and poaching control programs, improved protection of salmon runs, pollution control programs to reverse nutrient imbalances and prevent further degradation of water quality, screening of un-screened diversions, and other actions that are determined to be substantially beneficial to the ecosystem."
- Improved water quality, using a framework to coordinate regulatory agencies and improve their regulatory approaches. It calls for mechanisms to address the most pressing ecosystem pollutant issues and for establishment of a drinking water policy to ensure water quality for future generations."
- Promoting a healthy Delta economy.

COMPREHENSIVE APPROACH

The coalition said its Alternate Plan "is consistent with the comprehensive approach outlined in the Delta Vision Blue Ribbon Task Force's Strategic Plan and the 2009 legislative package. Its im-

plementation would lead to improvements in water supply reliability for all areas of the state, improved ecosystem health for the Delta, and protection of the Delta's unique values as an evolving place.

"In contrast, the latest Council draft plan appears aimed at reducing water supplies and augmenting flows for fish through an approach that relies on regulations to force reductions in demand, with dire consequences for the state's economy. Such an approach is contrary to the co-equal goals and would eliminate the economic justification for local water agencies to pay for key elements of a comprehensive solution.

The Alternate Plan recognizes the need for conveyance improvements, additional groundwater and surface water storage and ecosystem restoration investments through the BDCP to address physical and environmental problems in the Delta and to help restore and protect fisheries. It also recognizes the value of sustaining California's farm economy.

"The Delta plan presents a once-only opportunity for the Delta Stewardship Council," the coalition said. "The Council can provide much-needed momentum and collaboration to further the achievement of the co-equal goals, or it can promote discord and delay improvements by driving stakeholders away from the process."