



(SPRING 2015)

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An informational newsletter for water users and landowners in the San Joaquin River Exchange Contractors' service area.

EXCHANGE perspective

April 2015

Another challenging year as water supplies drop

Based on a mid-March update from the U.S. Bureau of Reclamation, farmers in the Authority's service area will face a challenging year in trying to stretch their water supplies.

Based on a 90 percent exceedance-forecast made in February, the Authority and its member-units were informed that they might receive a critical year allocation. However, in the same letter, Reclamation officials noted that delivering that amount of water may not be

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possible if dry conditions continue.

"Those dry conditions have continued," said Steve Chedester, Executive

Director of the San Joaquin River Exchange Contractor's Authority. "The hydrology is tracking closer to a 99%

Reclamation Regional Director David Murillo listens during lunch discussion in Firebaugh as part of recent visit.



exceedance forecast. Efforts are being undertaken by our member units to provide as firm irrigation supplies of water for their farmers as possible."

Land set-aside programs and pumping exchanges are being investigated
Continued Page 4

Denial of TUCP raises concern with decision-making process

The rejection of a portion of a Temporary Urgency Change Petition in March that would have sent a small amount of water south from the Delta has revealed a painful insight to the decision-making process of the State Water Resources Control Board and Tom Howard, the board's executive director. Action on a second petition is expected soon.

Months of coordinated efforts by multiple public water agencies, including the San Joaquin River Exchange Contractors Water Authority, resulted in a submission for a Temporary Urgency Change Petition (TUCP) to Howard.

"The purpose of the TUCP was to create flexibility in the movement of water through the Delta during the months of February and March that

would not only send a small amount of water to contractors but to also provide needed water for fish protection," explained Executive Director Steve Chedester,



The potential water volume flowing through this channel to the Jones Pumping Plant will be reduced because of a SWRCB staffer's decision.

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D.C. trip ---

Runaway costs and construction delays hamper river restoration

A delegation of Exchange Contractors representatives delivered a message to elected and agency officials in Washington, D.C., early in March that described the San Joaquin River Restoration Program as plagued with escalating costs and running behind schedule, all the while threatening Authority landowners.

The settlement documents and the implementing legislation clearly indicated that infrastructure projects including fish passage, fish screens, seepage mitigation projects and levee stability projects are necessary for the protection of fish and the third parties adjacent to the river. The documents and legislation also stated that they would be completed prior to restoration flows and the reintroduction of salmon. What we have currently is a program that has insisted on reintroducing salmon to a river system that is not ready nor has the Program constructed any of the mitigation projects that are required and that were deemed necessary by the Settling Parties.

The Settling Parties original estimate for completing the Restoration Program was as high as \$500 million when the 2006 Settlement Agreement was made public.

Revised cost estimates by the Bureau of Reclamation now puts that number over \$1.5 billion with no confirmation that the cost would not go higher.

"That increased number startled the elected officials we visited," recalled Steve Chedester, Exchange Contractors executive director. "Reclamation officials acknowledged in one of our meetings that \$150 million has already been spent; yet, not a single mitigation project has been constructed."

Joining Chedester on the trip were James L. Nickel, President, San Luis Canal Company and Exchange Contractors' Board member; Cannon Michael, Director, San Luis Canal Company; Chris White, General Manager, Central California Irrigation District; Chase Hurley, General Manager, San Luis Canal Company; and Randy Houk, General Manager, Columbia Canal Company.

The group visited with Sen. Dianne Feinstein and Repre-

sentatives Jim Costa, Devin Nunes, Jeff Denham, David Valadao and their staff members. A meeting was also conducted with the staff of Sen. Barbara Boxer.

"The responses we received from the elected officials regarding the runaway costs indicated that questions will



"Authority representatives visited the nation's capital in hopes of reconstructing the San Joaquin River Settlement Project, much like the Capitol was undergoing reconstruction during their visit."

be asked about the evolving restoration program," added Chedester. "We clearly presented our message that the current schedule of projects and the costs associated with the program no longer resemble what was approved in the enabling legislation back in 2009."

The current version of the 2015-2016 budget as proposed by President Obama includes \$35 million in the Bureau of Reclamation budget for restoration.

"Reclamation's current cost estimates show that it will take \$100 million on an annual basis to complete the program by 2030," said Chedester. "Even with funding from other sources, the \$35 million is a far cry from what is needed."

"The chasm between what Reclamation needs and the President's budget may cause some elected officials to think twice about how they will vote on that portion of the budget."

Chedester noted that the purpose of the trip was to provide the Exchange Contractors' perspective on the restoration efforts. In addition to a lack of adequate funding, no construction projects have been initiated despite assurance from Reclamation that projects for fish protection and property damage mitigation would be completed.

"Nothing has been started, much less completed," he said. "It is unthinkable that assurances for landowners that would provide protection from seepage and unintentional take of endangered fish species have not been undertaken."

Chedester added that he is hopeful the visit to the nation's capital by the Exchange Contractors' representatives will result in meaningful changes that put the Restoration Program back on the right track.

SJR original schedule needed for fish and farmers

Part of the information shared by Exchange Contractors' representatives during their trip to Washington, D.C. was that the recent draft of the "Framework of Implementation" issued by the Bureau of Reclamation that provided a roadmap for completion of the Restoration Program has taken a detour and is headed off a cliff.

The 2006 Settlement Agreement called for four steps in restoring a viable population of spring run Chinook salmon to the San Joaquin River:

1. Construct Phase 1 projects --- for fish protection and passage; seepage damage mitigation; and, levee stability.
2. Interim flows released (to collect and analyze scientific information).
3. Restoration flows to begin.
4. Reintroduce salmon.

"The efforts undertaken thus far do not follow this sequence of steps," said Steve Chedester, Exchange Contractors executive director, "which leaves landowners adjacent to the river in jeopardy from damage caused by seepage. Some have already experienced damage to their land from seepage."

Reclamation began in 2014 to develop a replacement

schedule for implementation of projects in the Restoration Program. This new schedule was reportedly written in response to the realization that in the foreseeable future limited funding will be available to the Program. The new schedule embodies the following features:

1. Place salmon in the river.
2. Release water to flow all the way down the channel.
3. Increase flow under #2, subject to not causing damage to adjacent farmlands and cities.
4. Construct the Phase 1 projects.
5. Construct all remaining projects.

Officials in Washington, D.C. were told that a return to the original implementation schedule was necessary to achieve the initial goals of the Restoration Program and to rebuild trust with the third parties. Authority representatives pointed out that returning to the original schedule would:

1. Create the best environment for survival for the fish, which are otherwise condemned to almost certain death;
2. Avoid putting juvenile fish in danger of being trapped into irrigation infrastructure that exists along the river channel; and
3. Have positive water impacts for those growers within the Friant Water Authority.

TUCP denial...

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Exchange Contractors. "That flexibility was needed as we enter into another year of dry conditions in order to make the best use of available water resulting from the few storms that may have passed through the north state during these two months."

A similar request was submitted and approved by Howard last year but his rejection of a portion of the TUCP that denied exports during certain conditions was surprising. That portion called for the allowance of exports to increase to 3,500 cfs if the outflow to the Pacific Ocean is between 5,500 and 7,100 cfs.

Howard stated in his order denying the request: "...there is not currently adequate information to indicate that this export level is reasonable given the current status of species and their distribution in the Delta and the potential entrainment from the interim pumping level on various species..."

"Not only were we surprised at the denial but also at the lack of scientific evidence in the decision," said Chedester. "The biologists who assisted in putting together the

TUCP concluded that granting the request would pose no threat to endangered Delta smelt. Even State and federal fish agencies were in agreement with the request."

Those agencies included the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service and the U.S. National Marine Fisheries Service.

A subsequent workshop by the Water Board received testimony by public water agencies and others regarding the TUCP and did result in a change to the denial order issued by Howard. However, that change only allowed a small amount of water to be delivered for public health and safety purposes and not for agricultural use.

"That change did not result in any substantial changes to Howard's decision and now the two months have passed," Chedester added. "It was frustrating to have the TCUP be met with a decision that ignored science."

"We are not talking about a huge amount of water, only about 5,000 AF. But in a year like we are experiencing, every acre-foot counts."



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Agreement averts substantially reduced allocation

A Temperature and Operations Plan for the Sacramento River have been developed by State and Federal agencies that will govern summer pumping through the Delta. The plans are pivotal in meeting the contract for water to the Exchange Contractors.

"The Exchange Contractors and their members worked with the agencies, elected officials, and the administration to develop an agreement on this year's water supply," said Steve Chedester, Executive Director of

the San Joaquin Exchange Contractors Water Authority. "While the final numbers for delivery are still being worked out, the potential of reverting to a substantially reduced allocation during the irrigation season has been averted."

"We will strive to develop a final delivery number as we look at all sources of water from the Delta and the San Joaquin River as we continue to coordinate with Bureau of Reclamation officials," Chedester added.

Water supply...

Continued from Page 1

to secure deliveries through this irrigation season. In addition, the Authority's members will implement a fallowing water transfer program to provide a limited amount of water outside of the Authority boundaries for critical health and safety needs.

Chedester noted that an updated water supply from Reclamation is expected in April but he is not holding

out hope for an improved delivery schedule.

"There is very little snow in the mountains to melt and run-off later in the year to provide the water we need," he said. "Add to that existing regulations that keep water in the Delta instead of allowing it to be exported only increases the scarcity of water. The best thing that individual farmers can do is to maintain a flow of communication with their individual districts as they continue into the growing season."