



## **Unpredictable water strangles operations**

Farmer squeezes back on acreage as judge's decision brightens irrigation prospects

By WES SANDER

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Like many Central Valley farmers, Todd Allen says it's the unpredictability of his water supply that causes the most damage.

Allen is a third-generation California producer who supports a young family by growing mostly wheat and melons on 600 acres of the San Joaquin Valley's westside.

Producers in that parched region have scrambled to find ways of surviving abysmal water deliveries in the last two years. Allen has held on by planting what he can, which hasn't been much.

"Last year was the most challenging year of my life in so many different ways," he said.

It all makes Allen a direct beneficiary of a recent judge's decision to allow greater pumping from the Sacramento-San Joaquin Delta, the hub of water supplies for irrigators and cities in the valley and Southern California.

In the past two weeks, U.S. District Court Judge Oliver Wanger has sided with those users in deciding that federal agencies need to consider factors beyond Delta flows in order in helping the estuary's threatened fish.

Wanger's decisions are resulting in increased Delta pumping, but they're not yet bringing quite the predictability that Allen wishes he had. Sarah Woolf, spokeswoman for the local Westlands Water District, said the decisions will add some reliability, although various factors will play a part, including next year's precipitation.

"A farmer will get a moderate water supply to meet his needs," Woolf said. "It gives them that security that they will have some water supply."

### **Farms hit hard**

Westlands' sprawling expanse encompasses much of the San Joaquin Valley's westside, including Allen's farm. When droughts and water cutbacks hit, they hit hardest in this area because Westlands holds a junior contract for federally managed water.

In 2009, the third consecutive year of drought in California, the federal Bureau of Reclamation delivered 10 percent of the water that Westlands and other utilities were contracted to receive.

Beyond a lack of precipitation, the record-low figure was due to restrictions on Delta pumping mandated by two biological opinions -- one published late in 2008 by the U.S. Fish and Wildlife Service to protect the tiny Delta smelt, the other in June 2009 by the National Marine Fisheries Service to help salmon.

Numbers compiled by the Bureau and California's Department of Water Resources show exports to the south-of-Delta area declining by 2.1 million acre-feet in 2009, a 37 percent reduction. Of that, about 500,000 acre-feet is estimated to be caused by restrictions mandated by the biological opinions.

For farmers, the worst aspect is that allocations are based on the developing season and are decided well after planting decisions are set and operating loans secured.

There are emergency options for keeping one's crops alive -- purchasing water from other users, drilling a well, perhaps even buying more land to increase one's water allotment. But those are costly.

Allen is a mid-sized producer of lower-value crops on land whose productivity is further impacted by drainage problems. With transferred water known to cost up to \$500 an acre-foot and a new well more than \$500,000, he took the realistic option and reduced his production to 40 acres of wheat.

Soon Westlands' attorneys were calling to add his story to court briefings challenging the bio-ops. Wanger pointed out Allen's example in his May 27 ruling on flow restrictions protecting salmon, saying such human impacts -- along with pollutants entering the waterway, along with other possible stressors -- were missing from the agencies' documents.

A few days later, Wanger granted an injunction lifting the remainder of the season's pumping limits while the agencies prepare to rework the bio-ops. Westlands has said the injunction could result in an extra 200,000 acre-feet being pumped to the area's agriculture.

Wanger then made a similar decision on the smelt bio-op. In that case, an injunction was still on hold by press time. At a May 28 hearing in Fresno, water users and environmentalists told Wanger they could come to an agreement on appropriate pumping restrictions.

Farmers and cities south of the Delta feel the victory has been a long time coming, but the decision means more in the bigger picture than it does in immediate benefit.

Ryan Jacobsen, executive director of the Fresno County Farm Bureau, said the increased pumping will most directly benefit storage, allowing Delta water to be transferred to San Luis Reservoir for allocation to farmers later in the season.

"The biggest thing for us down here is just putting water in San Luis," Jacobsen said.

The common goal of those negotiating Delta management is a plan that addresses all environmental impacts, coordinating management in a way that offers predictability.

A state-federal management collaboration armed with a 30-year Delta plan took shape in 2004, but evidence of declining species since then has led to court challenges and the salmon and smelt bio-ops.

## **Incredible challenge**

Those, combined with impacts from three years of drought-level precipitation in California, has illustrated for water users how bad it can get when unpredictability sneaks in.

"It's been an incredible challenge the last couple years," Allen said.

Still, Allen says he managed to pay off a previous loan in July. To make 2010 pencil out, he then sold equipment and some of his water allocation, but his bank denied a loan.

Allen finally found a lender, but his planting decisions were again impacted by early estimates of low federal deliveries. Westlands is now receiving 40 percent of contracted allocations. But farmers didn't know until early May, and Allen said he is still leaving 200 acres fallow.

"So now I'm stuck figuring out what to do with the rest of the year," he said.

And with hearings still scheduled to decide the future of the biological opinions, irrigators still can't reliably predict what next year will bring.

Allen said he was building a promising future, having upgraded irrigation equipment and purchased new land in the past few years. He wasn't expecting such an impact from something beyond his control.

"I was really starting to turn the corner, and all of a sudden ... I feel like I'm being punished and I've done nothing wrong," Allen said. "Now I'm thinking about getting another career going in case this falls apart."