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Tom Stokely's Water Bond Presentation to the California Assembly Water, Parks and Wildlife Committee in Eureka on February 7, 2014

My name is Tom Stokely. I am a water policy analyst for the California Water Impact Network. C-WIN is a statewide organization and I live in Mt. Shasta.

Thank you for coming to Eureka today.

I have reviewed AB 1331 and the Water Bond Working Group's 2013 Water Bond Framework. There are many good elements in both. We especially like the assurances regarding areas of origin, a prohibition on Delta conveyance funding, protection for Wild and Scenic Rivers, beneficiaries paying for benefits, and a prohibition on funding for environmental mitigation.

C-WIN strongly supports the principles and bond act language which provide funding for water supply reliability and reduced reliance on the Delta, including clauses related to conservation, recycling, stormwater capture and groundwater cleanup. Wildlife refuges need reliable water supplies, and we support all measures ensuring water refuge deliveries. .

We also strongly support funding for ecosystem restoration and to reduce the risk of Delta levee failure.

The California Department of Fish and Wildlife's Fisheries Restoration Grant Program is an example of a highly effective ecosystem restoration program funded by past water bonds.

My organization generally does not support additional above-ground storage because of the many negative environmental impacts. Further, above-ground storage isn't as cost effective as recycling and conservation. A billion dollars spent on conservation and recycling will conservatively buy 200,000 AF of reliable, annually available water. According to the State Water Plan, three to five million acre-feet a year can be secured through conservation and recycling; this is roughly equivalent to the capacity of Shasta Reservoir.

For comparison, raising Shasta Dam 18.5' will cost over \$1 billion and will only provide an average of 47,000 AF per year of additional yield. This project is also predicated on the public paying 65% of the costs, and it is based on illusory fishery benefits linked to a larger cold water pool. The Bureau of Reclamation has clearly stated in a feasibility study that the project is not cost effective without substantial public subsidies. We believe this is the case for most proposals for increased surface

storage. The so-called public benefits of these projects are unclear and are often a stalking horse to get the public to pay for lavish boons and subsidies to a limited group of beneficiaries.

The current state of California's reservoirs underscores C-WIN's deep reservations regarding any new water bond. Our northern reservoirs are nearly empty and southern California's reservoirs are full. Will a water bond facilitate continued draining of Northern California to serve the south? How can Northern California residents be assured that a new water bond won't just facilitate additional seizures of our water?

C-WIN recommends that any water bond provide assurances for the North Coast region, especially as it relates to the Trinity River. The Trinity River provides the most valuable water in California because of its connection to both the Sacramento and Klamath rivers, as well as its hydropower value.

Despite the 2000 Trinity River Record of Decision to improve its fisheries, the Trinity River remains at great risk from plans to send more of its water south, a process that ultimately will empty Trinity Lake. The tragic Lower Klamath fish kill of 2002 will pale in comparison to the kills that will result with continued drought and over-allocation of Trinity River water – especially when no cold water exists to help salmon in the Lower Klamath. Approval of the Bay Delta Conservation Plan will further drain Northern California reservoirs and aquifers by removing constraints from Delta pumping. Ironclad assurances are needed to prevent further harm to northern California.

The Trinity River is grossly overallocated in “paper water.” This is water that exists in documents and project plans, but not in the real world. The State water permits for the Trinity River allow Reclamation to store and divert as much as 7 times the amount of water actually available in an average year. Central Valley Project Water contracts account for 2 to 3 times the amount of water available for delivery in an average water year. State water permits issued in 1959 to the Bureau of Reclamation stipulate a Trinity River minimum instream flow of only 120,500 AF when actual fishery flows under the ROD average 594,500 AF/year. Humboldt County's 50,000 AF contract with Reclamation was confirmed in the 1955 Trinity River Act and in 1959 state water permits, but the water has never been made available.

Temperature water quality objectives for the Trinity River have been approved by the Regional Water Quality Board, the State Water Board and USEPA, but have never been included in Reclamation's water rights, even though the State Water Board promised to do so in 1989. Reclamation does not operate to any specific cold water carryover storage to meet salmon flow and temperature needs during multi-year drought, thus leaving Trinity Lake at great risk of drying up. Significant structural improvements are also needed at Lewiston Reservoir to assure cold water for the

Trinity and Klamath fish during drought.

C-WIN's research has found that Sacramento and San Joaquin water rights claims exceed availability by a factor of over five. The development of water in California was based on importing 5 million AF of water from North Coast rivers to the Central Valley. This option, however, was precluded by Wild and Scenic River designations, which removed several north state rivers from consideration as water sources. But the water contracts were issued anyway. The federal and state water systems can **never** supply 100% delivery of water contracts because there is simply not enough water in the system to meet existing demand. And for this year, south of Delta agriculture allocations are zero for the state and likely the same for the CVP!

The paper water pervading our water rights system creates unrealistic expectations about state and federal water deliveries. Subdivisions are being built, orchards and vineyards are being planted, bonds are being issued and loans are being made based on this paper water. It warps the reality of California's water situation – but reality has a way of penetrating illusion. And the drought now bearing down on us is very real indeed. It will reveal existing water policy as the house of cards it is. Therefore, the one policy that must be included in any water bond is a directive to the State Water Resources Control Board to conform SWP and CVP water rights to the reality of water scarcity in California. This includes the following:

1. **Eliminate paper water in Central Valley Project and State Water Project water rights.** This will reduce expectations that full contract deliveries can ever be met
2. **Conform Reclamation's Trinity River state water permits to include Trinity ROD flows plus Humboldt County's 50,000 AF-. Emphasize that 50% of the Trinity's waters are for in-basin uses**
3. **Require Reclamation to comply with Trinity River North Coast Basin Plan temperature objectives in its water permits. These were promised in 1989-25 years ago.**
4. **Establish reservoir minimum carryover storage in Trinity Lake and other reservoirs to meet beneficial uses during multi-year drought-. Fish and people are both harmed by the bad planning that drains our reservoirs**
5. **Order Reclamation to investigate and implement structural solutions for the Lewiston Reservoir temperature problem-. This is a problem that money can fix – and CVP contractors should pay for it, not California taxpayers**

A Water Bond should include funding to assure a secure water future for California and establish policies that guarantee the equitable distribution and wise use of our limited water and financial resources.

Thank you.