

Statement by Tulare County Supervisor Allen Ishida
Committee on Natural Resources
March 26, 2009

My name is Allen Ishida, a third generation citrus grower in the Lindsay-Strathmore area and a member of the Tulare County Board of Supervisors.

California is experiencing its third year of below average precipitation. This fact alone did not place us in the water crisis we are experiencing today. The severity of this year's drought is mostly man made. A federal court ruling by a Federal Judge based on a California State Law 5937 will significantly reduce the amount of water that flows down the San Joaquin River. The Endangered Species Act was used as the basis for a lawsuit that has shut off the water transfers to the Central Valley Project to protect the Delta Smelt (fish). This fact has put a stress on our surface water providers, increased the over drafting of our underground water aquifers, caused massive economic losses and emotional stress for all of our residents who are dependent upon this water supply. This ruling and the regulatory restrictions placed on us by the Endangered Species Act (ESA) has reduced our flexibility to respond to natural droughts.

In 2008 federal authorities cut the state's water supplies by 30 percent in an effort to protect Delta Smelt. As a result, California was forced to let 660,000 acre feet of its freshwater supplies run out to the ocean. That was enough water to supply the entire Silicon Valley for two years.

This year, a series of storms beginning in late February 2009 offered some relief from drought, but those same regulatory requirements dictated another 250,000 acre feet of new water be allowed to run into the ocean.

Since the passage of the Central Valley Project Improvement Act in 1992, California has redirected more than three million acre feet that used to serve farms and cities to support fisheries and habitat. We have also invested more than \$1.5 billion in these environmental purposes. The result has been a continuing decline in the delta fishery.

Prior to 1992, roughly 85 percent of California's applied water supply was used for agriculture with the balance going to urban and industrial uses. Today, agriculture accounts for only 41 percent, urban uses for 11 percent, and the largest share, 48 percent, is devoted to these newly defined environmental purposes.

Governor Arnold Schwarzenegger has declared a Drought State of Emergency for the entire state. This mostly artificial drought affects 25 million people from the Bay Area to San Diego, who depend upon water supplies pumped through the Delta. Every urban area in California is being asked to reduce water use by 20 percent. New construction in areas that are dependent on Central Valley Project water may be blocked because communities cannot be assured that they will have a reliable water supply to support it. This regulatory drought affects far more people than those who are engaged in the agricultural industry.

Westlands Water District gave up more than 800,000 acre feet of water for the environment following the passage of CVPIA in 1992. This was supposed to be the extent of their contribution to restore the environment, with promises made to restore some of their losses through Cal-Fed. Today Westlands Water District has a zero allocation of water from the Central Valley Water Project and will have to idle approximately 300,000 acres. The surrounding cities are experiencing unemployment rates as high as 40 percent.

The House of Representatives last week passed similar legislation known as the San Joaquin River Settlement which will soon become law. As a Friant water user, I am concerned the Friant water users will face the same fate as the Westlands water users when this law is implemented. The affected Friant water users include the cities of Orange Cove, Lindsay and the community of Strathmore who are 100 percent dependent on Friant water. The Tulare County Board of Supervisors re-established the Tulare County Water Commission in 2006. The commission is beginning to draw the conclusion that to provide many of our unincorporated disadvantaged communities with safe drinking water we will need additional supplies and not less surface water from the Friant System.

The problem is not the courts or the judges. The problem is the courts are being forced to base their decisions on laws that have not been amended or

changed in decades. The environmentalists have skillfully used such laws as the Central Valley Project Improvement Act (CVPIA) and the Endangered Species Act (ESA) so that judges have no alternative but to order massive releases of water. The ESA and CVPIA have become a primary source of money to fund extreme environmental groups, who use these laws to lower the quality of life our residents.

The regulatory drought issues we are facing in California are not unique. I believe that this hearing was called to help formulate a solution to drought issues that we are facing nation wide. I am therefore asking for your help on behalf of the citizens of our great country to review ESA and to remove all of the unnecessary regulatory road blocks that result in endless litigation which prevents us from solving our water issues.

Green Economy, renewable energy, smart growth planning, and clean air are noble goals, but are empty programs if we can not supply our citizens with water.