



The Week in Review

October 8, 2004

CALFED Authorization Sent to the President

On October 6, the House of Representatives approved the Senate-amended version of HR 2828, legislation to federally authorize the CALFED program. The legislation, which was originally introduced by Representative Ken Calvert and shepherded through the Senate process by Senator Dianne Feinstein, authorizes federal participation and \$395 million in spending for the CALFED program. The bill has been sent to the President for his signature. All indications are that he will sign the bill.

The passage of the legislation will increase federal funding for the program and increase the scrutiny for land and water acquisitions. The bill contains a number of sections requiring increased reporting and analysis of the program activities as well as a list of activities that federal agencies will be able to perform. The bill requires that the program move forward in a balanced manner, with progress occurring on all program elements. The legislation also authorizes the advancement of the South Delta Improvements Program to increase the State Water Project export limit to 8,500 cfs. The development of integrated regional water management plans is also supported by the legislation.

The water storage section of the legislation authorizes work on the planning and feasibility studies for projects including Sites Reservoir and the raising of Shasta Dam. This section also includes direction that upon completion of a feasibility study for a project, the Secretary of the Interior will submit the study to Congress. If Congress fails to authorize construction of the project by the end of the next full session following submission, the Secretary and the Governor will "prepare a written determination making a finding of imbalance for the CALFED Bay-Delta Program." After submitting the finding of imbalance, the Secretary and the Governor have 180 days to submit a report on the measures necessary to bring the CALFED program into balance, including the resubmission of the project to Congress.

In a Thursday San Diego Union Tribune article, David Guy cautioned that all of the work expended for the federal legislation could be for naught. "If they [CALFED] impose fees and taxes on people that make people run away from CALFED, we've accomplished nothing."

CALFED Fee Opposition Letters Sent

During the last three weeks, a number of organizations with close ties to the Sacramento Valley have submitted letters to state and CALFED officials registering opposition to the inclusion of user fees in the CALFED 10-year Finance Plan.

The Sacramento River Conservation Area Forum (SRCAF), California Waterfowl Association, California Rice Commission, and Ducks Unlimited have all sent fee protest letters.

In its September 23 letter to Patrick Wright protesting the user fees, the SRCAF warns, "As you would expect, local support from landowners could be severely damaged if such a tax or fee is imposed. Any lack of support from landowners as a result of the implementation of fees and/or taxes will not only be detrimental to the efforts of CALFED, but will have a significant impact on the SRCAF to continue the beneficial relationship between landowners and the public interest."

California Rice Commission Chairman Don Bransford's October 6 letter to Resources Secretary Mike Chrisman states, "A diversion fee on rice producers will have a negative impact on a number of different environmental and habitat programs supported by the California Rice Commission. This action would affect the industry's needs for rice straw decomposition and its contributions to valuable waterfowl habitat programs benefiting the Pacific Flyway, state and national wildlife areas, and other managed wetlands throughout the Sacramento Valley....Any increased costs of delivering water (including fees) will only serve to deter landowners from participating in programs that enhance wildlife habitat on ricelands."

The October 6 letter from Ducks Unlimited to Mike Chrisman points out that the CALFED fee to fund environmental programs will take away from programs that are currently being implemented on the ground. "This would be, in effect, one hand of the federal and state government implementing programs in the name of ecosystem and species restoration that would undo past and thwart future proposed work of another hand of the same state/federal government that has and expects to continue implementing state-federal-private programs in the name of wetlands enhancement and species conservation."

The California Waterfowl Association sent a letter to Department of Fish and Game Director Ryan Broddrick on October 7 relaying their concern with the effect the fees could have on waterfowl habitat. "Our Association believes a diversion fee would adversely impact the ability of State Wildlife Areas and National Wildlife Refuges—many of which, as you are aware, have only limited wetland management resources available—to purchase water for the benefit of wildlife. In addition, we fear a new fee would serve as a major financial disincentive for private landowners in the Central Valley to voluntarily flood their managed wetlands for waterfowl, potentially putting up to two-thirds of our remaining wetland habitat base at risk."

In related news, at the October 7 CALFED Working Landscapes Subcommittee, CALFED staff Kate Hansel provided the subcommittee with an update on the 10-year Finance Plan Activities and proposed schedule. Todd Manley commented at the meeting regarding concerns NCWA has with the effect the fees will have on the working landscapes program. In a written rendition of his comments submitted after the meeting, Manley reiterated the concerns raised in the meeting, stating, "Any action that increases the cost of delivering water will have a direct affect on the enthusiasm and ability of water users to increase and sustain working landscapes and the habitat they provide through means such as deliveries to wildlife refuges and the waterfowl habitat/rice decomposition program. As a result, CALFED will be effectively 'robbing Peter to pay Paul.' Increases in funding for the CALFED ecosystem restoration program would come at the cost of decreasing deliveries to wildlife refuges and participation in environmentally-friendly working landscapes programs such as winter water deliveries for waterfowl habitat and rice decomposition."

CALFED staff will be updating the Bay-Delta Authority on the progress of the 10-year Finance Plan at the Authority's October 13-14 meeting.

AB 303 PSP Released

The FY 2004-2005 Proposal Solicitation Package (PSP) for AB 303 projects was released on the DWR website October 5. Copies of the document are available at: http://www.grantsloans.water.ca.gov/docs/LGWM_2004_Application_100504_final.pdf

DWR is scheduling workshops later this month, including one in Sacramento October 19 at 10:00 a.m. at the Bonderson Building (901 P St., 1st Floor Hearing Room) and October 22 at 10:00

More general PSP information is available at: <http://www.grantsloans.water.ca.gov/grants/assistance.cfm>