

Water wars II: Big players in the San Joaquin

A View from the Ranch

By Bob Williams

Most of us have always believed that water flows downhill. We were recently corrected by Len Richardson, Editor of the *California Farmer* who said, "Water tends to flow toward wealth."

Richardson has good reason for this cynical view, and it's time for all Californians to take notice. Wealth has moved to take more and more control of California's waters. The rise of water oligarchs is nothing new and was brought home to anyone who saw the movie "Chinatown." The action has now shifted to the San Joaquin Valley and to maneuvers there for privatizing control of water in the massive State Water Project (SWP). These are not work-a-day farmers we are talking about. One or two may own a broad-brimmed hat, but their offices are in Sunnyvale and Beverly Hills.

The Kern Water Bank is an underground water storage facility, an aquifer, 32 square miles in area. Part of it extends under Interstate 5 below the Grapevine. It was developed by the Department of Water Resources (DWR) with \$74 million in taxpayer money. It stores water in times of plenty to be used in times of drought and cutbacks of state water. The Kern Water Bank stores one million acre/feet of water, the largest such storage in the world.

From its initiation in 1988 to 1995, the DWR was unable to pump this stored water as planned. State law requires the DWR to gain local approval for pumping "local" groundwater. Kern County refused this approval.

In the Monterey Agreements of 1995, the DWR gave the Kern Water Bank to a newly organized Kern Water Bank Authority. In turn Kern County gave up a portion of the water that they had a right to sell to municipal users. The Kern Water Bank Authority consists of five water districts and one private company. The private company is the Westside Mutual Water Company. This company is part of a larger holding company, Roll International Corporation which also owns Paramount Farms, a collection of enterprises irrigating about 115,000 acres of tree crops year-round in the southern San Joaquin Valley. All of this: Roll, Westside Mutual, and Paramount Farms, is owned by Beverly Hills billionaires Stewart and Linda Resnick.

Paramount Farms, through Westside Mutual, owns 48.06 percent of the Kern Water Bank. The Resnicks also own a 40 percent interest in the Dudley Ridge Water District which has 8.66 percent of the Kern Water Bank. This is tantamount to complete control.

The Monterey Agreements permit water contractors to resell the water they receive from the SWP. This means they become middle-men, making profits on state supplied water. If they choose to they can dry up vast areas of productive agriculture and ship the water to municipalities south of the Tehachapi range. A coalition of agriculturalists and environmentalists have brought suit to challenge this.

A major farming enterprise, Sandridge Partners, has filed statements supporting this suit. To quote them extensively: "The State of California could have hardly foreseen that a private individual would own, control, and monopolize such a valuable public asset. The situation as it exists today seems to 'game' the State of California's water policy, meeting in 'closed

sessions', rewriting public policies, tailoring their edits to the interests of monopoly-like agribusiness corporations." But Sandridge is hardly taking the high-road. They go on to recommend that others in the water bank be permitted some of the socially dubious practices which now only Paramount Farms are allowed.

Sandridge Partners is controlled by the Vidovich family centered in the quaint little farming community of Los Altos Hills, where the median home price is \$2.5 million. Their corporate (farm) headquarters in Sunnyvale also includes De Anza Properties, categorized as a peanut farm, and a major developer in the Silicon Valley. They have a 10 percent interest in that same Dudley Ridge Water District where Resnick has a 40 percent interest. There are eight such owners in this 47,000 acre water district where no-one lives. The owners agreed that each could sell their water independently of the others.

Last year Sandridge Partners sold the water rights to 14,000 acre/feet of water to the Mojave Water District for \$5,250 per acre/foot. We're not talking peanuts here. It also means quite a bit of agricultural land will return to semi-desert aridity.

Let's face it, these multi-millionaires are not work-a-day farmers, they are not investors, they are speculators in water. Buying land for its water then alienating the water from the farmland is the next big thing for making millions. Since the DWR seems powerless to control this, the state legislature has the obligation to step in, and soon, before the remainder of the State Water Project is privatized.

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FERC recommends destruction of Kilarc Reservoir

By Frank Galusha

In a draft Environmental Impact Study released this week (June 22), the Federal Energy Regulatory Commission brushed aside common sense appeals by local residents and offers from would-be hydropower operators to recommend destruction of Kilarc Reservoir.

These Inside the Beltway experts, who know little or nothing about eastern Shasta County, have sided with similarly out-of-touch federal and state agencies to vote against the public. To them, to paraphrase Orwell, "some fish are more equal than others" and all are more equal than man.

The needs of the general public, the rights of anglers, and rights of water rights users mean nothing to these far-away bureaucrats. The fact that some property owners have been using South Cow and Old Cow Creeks water for over a century to irrigate their farms and raise livestock means nothing to them.

FERC's recommendations are worst than being "Stuck on Stupid." These folks are mired in silliness at a time when our people need low cost, nearby recreation, and rural towns such as Whitmore are economically stressed. And, when new green renewable sources of energy are being demanded by the State.

Bottom line: Local anglers, including the handicapped, can kiss Kilarc Reservoir and the adjoining recreational facilities goodbye if recommendations by FERC staff to allow this destruction to go forward.

In a 260-plus page EIS, FERC's hard-nosed staff put Kilarc down as not worth keeping because it wasn't used by enough people on an average day and because, as the crow flies, some other fishing facilities are within 12-20 miles. It made no difference that Kilarc offers one of northern California's most unique settings, a reservoir and good fishing hole at 4,000 feet that offers outdoor lovers an opportunity to enjoy a totally different kind of experience, complete with a "on a clear day you can see forever" view including much of the northern Sacramento Valley.

The reference to "crow miles" shows just how stupid these out-of-town experts can be. They apparently think we little people have wings. Up here, driving to one of the other fishing lakes is not a 12 to 20 minute commute. It's more like a one to two hour drive on narrow, curving, sometimes poorly maintained mountain roads.

As far as FERC is concerned, the local residents can eat dust. FERC staff, with their butts parked in comfortable Washington DC offices, have no more idea what this reservoir means to local youth, to families living on low wages or skimpy retirement benefits, or to the elderly or handicapped who simply want to enjoy a close-by, easily accessible recreational facility.

FERC staff even contends there would be a long-term benefit to rate payers from the decommissioning of a facility that is no longer economically viable when, in fact, there are two private suitors willing to step forward and operate the facilities at a profit without destroying all the good Kilarc does for the people.

FERC staff would rather destroy two clean hydropower facilities and spend millions, perhaps many millions, of our ratepayer dollars to tear down dams and fight endless court battles with water rights users who must be made whole if the "takings" clause of the U.S. Constitution is to be respected.

FERC staff makes this recommendation despite clear evidence that the benefits to be created for anadromous fish are highly arguable. They make this recommendation even though the would-be hydropower operators are willing to add to the fishery by creating or enhancing habitat for salmon and steelhead.

The FERC and the U.S. Fish & Wildlife Service, including NOAA, the National Marine Fisheries Service and the California Department of Fish and Game are ganging up on everyone who is trying to save Kilarc. They are, in effect, ignoring the years' long protests by the people of Whitmore and the Save Kilarc Committee; the two would-be hydropower operators, the property owners along Old Cow and South Cow Creeks, and

even our own Shasta County board of supervisors.

All this to provide a tiny bit more habitat for salmon and steelhead that might never be used or which might provide fewer benefits for the listed species than the alternative. To allow private entrepreneurs to step in and keep the hydropower facilities on the creeks operating at a profit is simply unthinkable to the Economics 101-challenged pinheads at FERC.

Evergreen Shasta Power, the group representing the Tetrack Ranch and Hooten Gulch community water users vows to continue the fight. Davis Hydro LLC has already filed four letters of support for their position regarding Kilarc. These letters are summarized at MyOutdoorBuddy.com for those who wish to have a greater understanding of the overall impacts that could come with decommissioning of the Kilarc Cow Creek facility. When comments are received from Evergreen Shasta Power, they will be posted there as well. Davis Hydro and its qualifications to operate the Cow Creek hydropower facility are also summarized on the website.

What's my solution? I'm gradually losing my patience. I've been a law-abiding citizen since I was able to distinguish right from wrong. I'm also a fisherman and conservationist. I want to see the fish saved as much as anybody, but not always at the expense of people, communities and progress. I've come to the conclusion that unless we become civilly disobedient, the courts and the bureaucrats will destroy our rights.

When the wrecking ball arrives to tear down the facilities and drain the reservoir, there should be a swarm of peaceful protesters who refuse to get out of the way. Let them be handcuffed and frog-marched away to jail in front of the TV cameras. And when that happens there should be more squatters to sit down in their place. It's time to remind our government, especially our single-species-oriented, ESA-driven agencies that we, too, have a place in the environment.

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LETTERS TO EDITOR

Mom gives thanks to daughter's 4-H project supporters

Dear Editor:

I would like to take this opportunity to say thank you to folks in the Foothill 4-H Swine Project who made it possible for our daughter Madison to win Reserve Market Hog at the fair this year.

First, thanks to my co-leader Joelle Pope, who without hesitation, solely took over the group and led them through an amazing year [after our son Hunter was severely injured in a vehicle accident]. I thank her from the bottom of my heart!

Another instrumental person in our lives was our swine breeder, Brenda Moore. Brenda is not only an encyclopedia of information for us leaders, but she gives us support and en-

couragement whenever we get discouraged. I can honestly say that this year we were struggling with our dedication to the project. Its not that we didn't want to; its just that our efforts were being challenged.

But one day Brenda came over and gave Madison a talk about dedication and what was really important to her at this point in her life. She knew that Madison was having a difficult year, but that she needed to make a choice. Moore also assured her that either decision was ok!

That was Madison's turning point! She decided to step up to the plate and give it her all. There was no doubt that we had a beautiful pig from the beginning, but it doesn't stop there. You have to work with them, clean and bathe them. There is

more to it than genetics, but good genes definitely played in our favor. Three out of four of the champion pigs were from Brenda Moore.

So I guess you could say that this was another effort of a village coming together in order for Madison to do so well. Thank you Joelle Pope, Brenda Moore, and all of you who continued to encourage us to keep going.

We also greatly appreciate Lassen Canyon Nursery for purchasing Madison's pig and for their continued support over the years at the Shasta District Fair.

Denise Blumenstein,
Palo Cedro

Trout fishing at Kilarc-Current status after lending a hand, rather than criticizing CDFG (or NMFS, or PG&E) staff

Dear Editor:

There has been plenty of hand-wringing and misplaced blame, in addition to misinformation, about why trout are not being planted at Kilarc Reservoir, even before the facility could possibly be *obliterated* (unfortunate choice of terms found in the "Key Actions" proposed for the recovery of salmon and steelhead in the National Marine Fisheries Service (NMFS) public draft Central Valley Recovery Plan). While the laws and regulatory process in place need to be revised to balance competing priorities, many individuals are to be commended for focusing on how to achieve what is best for all.

This past week, time and events inexorably marched forward, and unlike many, I am optimistic that because there are so many people working together and separately to preserve this valued resource, Kilarc Reservoir will soon be stocked (in time for the third annual Whitmore Community picnic to be held August 1, 2010). In spite of two totally separate factors that so clearly demonstrate that fishing opportunities, as well as Kilarc Reservoir itself, will disappear if we remain complacent, I believe progress will be made to achieve the goals of all parties, from the local community that would be devastated by losing its cherished recreational fishing facility, to those work-

ing to generate electricity, ensure the protection of endangered species, or serve the recreational community--ALL who see actions upon PG&E's license surrender as part of the solution.

Dick Ely and I only learned of Kilarc Reservoir in February of 2007, just before PG&E kicked off the license surrender process, after regulatory deadlines were missed and it would no longer be possible to make a smooth transition to another hydropower operator from PG&E's operation of the licensed project. Like other members of the community, we only learned in April, 2010, after the first fish would have already

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