

Open Letter to Westlands Water District Farmers from Delta Farmers

Dear Westlands Farmers:

Like you, we are farmers. As farmers in the Delta, it is no surprise that we oppose the multi-billion dollar tunnels. The diversions would take freshwater away from 550,000 acres of our farms, and cause new problems, such as increased salinity that reduces our productivity and lower water levels that interfere with our river pumps. With only small levee roads to serve our farms, the tunnels entail major construction and permanent changes that would threaten our farming operations.

But there are also real risks for you to discuss with your water district Board members before they commit you to pay billions of dollars for the tunnels—a project that, in the most optimistic scenario, would not come on line until 2033, even though your risk and financial burden will begin immediately.” We want to work with you on a much better, less risky, and less expensive alternative for protecting your water supplies, and ours, from the Delta.

How Much Water?

In order to sell the tunnels, Governor Brown’s consultants are claiming they would increase Delta diversions an average of one million acre--feet of water per year.

But in the change petition submitted to the State Water Resources Control Board (SWRCB) for the new diversions on the Sacramento River in the North Delta, DWR and the Bureau estimated that with the tunnels the State Water Project would increase exports by 186,000 acre feet, and the Central Valley Project would reduce exports by 14,000 acre feet, for a total increase of only 172,000 acre feet per year.

The SWRCB would also include as yet unspecified conditions on the tunnels, “. . . to avoid injury to legal users and unreasonable impacts to fish and wildlife . . .” further restricting how much water the tunnels could divert. We are only part way through the water rights process, and it will be at least a year before the SWRCB decides whether, or not, to permit the change in point of diversion at all, and, if so, how much water the tunnels will actually divert.

Another significant risk comes from the fact that the recently approved federal permits (Biological Opinions) cover only construction of the tunnels, and not construction of the proposed new intakes themselves, or their operations. It will be years before the federal agencies decide how much water the tunnels could divert.

Putting You at Risk

The July 25th “Approach for Participation” for the tunnels presented to your Board requires that: “Participants would be required to pay their proportional share of the Capital Costs each year, regardless of the water supply benefits received from the California WaterFix that year.” That is known as “take or pay.”

They are anticipating that especially in dry years some farmers might not be able to pay for water they are not receiving. To assure bond holders they will be repaid, contracts would include a provision requiring contractors “to levy on all property in the contractor’s territory not exempt from taxation a tax or assessment sufficient to cover costs under the water supply contracts” if sufficient funds can’t be raised by other means. And we know where non-payment of property taxes leads.

And who will pay for any cost overruns for a project with only 10% of the design completed? Although there are some contingencies, there is no plan if costs balloon as they did for the State-managed Bay Bridge or High-Speed Rail. The only answer given by the consultant at the recent Westlands meeting was, “Once the project begins, it will have to be finished.” That means the cost will be on you.

Watch out for “Deals”

We have heard that you might be offered a “deal.” It might be that you get a discount on water in the dry years and then urban water districts get more of the water in the wetter years. The problem is that in the drier years, when you need the water the most, there will be little to no water available. But you will still be paying a large part of the cost. Then in wetter years, when some water might be available, the urban districts will get the majority of it. Read the fine print.

Better Alternatives

If users cannot afford to pay for the tunnels, what is the alternative for maintaining a reliable water supply? First, we need to maintain the levees. We all depend on strong Delta levees for protecting our water supply; Delta farmers have as much skin in the game as you.

We pay the local match for State bond funds to strengthen key Delta levees. These include projects such as improving the levee on Bacon Island, which will help preserve the Old and Middle River water supply corridor, the main waterway for moving water to the CVP and SWP pumps in the South Delta. These projects are also designed so that they can be further raised if sea level rise does become an issue within the Delta.

We have also fully supported the pre-positioning of rock at key locations in the Delta to allow rapid repair of key levees. This is critically important to you, as water will still need to be pumped from the South Delta, with or without the tunnels.

We all know that declining fish populations have restricted how much can be pumped from the South Delta, though the Water Resources Development Act (WRDA) of 2016 does provide some new flexibility. We also think it’s important to promote completion of ecosystem restoration projects on lands already in public ownership or available from willing sellers. With or without the tunnels, these projects will help facilitate stable water deliveries.

We are also willing to discuss alternative means to allow exports from the Delta that don’t destroy the Delta and our farms. The sooner we can agree that the supposed “Fix” is not one at all, the sooner we can jointly work on better alternatives, and we look forward to that day.

So, What Should You Do?

Tell your Board members that before they vote to commit you to billions of dollars of debt, you would need enforceable guarantees on: (1) Total project costs (the real costs, not a guess) and Westlands’ share; (2) What collateral, possibly including property tax liens, will you have to put up for billions of dollars of borrowing? (3) Who assumes the risks if project costs skyrocket as they have for other State projects? (4) When will all the final decisions be made about how much water Westlands’ farmers will get in wet, average and dry years? and (5) What are the guarantees that Westlands’ farmers will get any additional water, particularly in the drier years?

We don’t think there are acceptable answers to these questions. And we won’t ever accept the Delta becoming a sacrifice area, so the fight will be long if we can’t find joint solutions. We hope you will see that farmers around the state are more alike than not and choose to work with us instead of against us.

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