

Feds sued over north-south water transfer plan

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Three environmental groups, including Chico-based AquAlliance, Thursday, filed a lawsuit against the U.S. Bureau of Reclamation calling for environmental review of plans for a 2010-11 north-to-south water transfer.

The planning documents call for up to 395,000 acre feet of water each year, moved through both the federal Central Valley Project and California's State Water Project.

While the deals would be for two years, AquAlliance and co-plaintiffs California Sportfishing Protection Alliance and the California Water Impact Network, have said in court documents that repeated water transfers over the past decade have never included a full federal or state environmental analysis.

This would require a "baseline conditions, comprehensive monitoring and the disclosure of impacts," the lawsuit states. The concern is that the transfers will continue, perhaps each year, leaving the Sacramento Valley exploited "in the same disastrous condition as the Owens and San Joaquin valleys," AquAlliance Executive Director Barbara Vlamis said in a press statement.

The 395,000 acre feet would be the maximum amount, and would include a combination of groundwater substitution, cropland idling and crop substitution.

Groundwater substitution is when surface water is transferred and groundwater used instead. Crop substitution is growing crops that use less water.

The Bureau of Reclamation states National Environmental Policy Act review is not necessary because minimum flows will be maintained for downstream users who don't transfer water. Also, existing temperature requirements for fish would be maintained and operations rules

under the Endangered Species Act will be maintained.

The document states that to avoid adverse groundwater levels and land subsidence, the program will be "coordinated and implemented in conjunction with local rules and groundwater management programs and other local regulations."

"Reclamation will not approve transfers without adequate mitigation and monitoring plans. Therefore, the proposed action will not have a significant adverse impact on groundwater resources," the report states.

The water would be provided by willing sellers in Butte, Colusa, Glenn, Sacramento, Solano, Sutter, Yolo and Yuba counties.

Vlamis said the lawsuit, which is in addition to a previous lawsuit against the state Department of Water Resources, is necessary because state and federal water agencies "continue to transfer without performing environmental review. No one knows the impacts."

Last year the Department of Water Resources conducted a drought water bank transfer with no environmental review, stating emergency conditions existed, she said. That transfer went through, but Vlamis, then working with the Butte Environmental Council, filed a lawsuit against the state Department of Water Resources.

A state court ordered a retroactive environmental review, Vlamis said Thursday, declaring that a review should have been done before the transfer.

A programmatic environmental review was also started jointly by federal and state water agencies in 2003, but never completed, she said.

"The law is very clear. If you have a project you have to analyze it," Vlamis said. "But a lot of agencies and jurisdictions will try to do something on the cheap unless they get challenged."

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