



July 22, 2015

Ms. Felicia Marcus, Board Chair  
CA State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

Dear Ms. Marcus:

Actions by agencies seeking to provide balance for water usage during California's drought have left the members of California Citrus Mutual perplexed, frustrated and now angry. Activities designed to prevent fish population declines are failing and yet the same actions continued to be triggered; store more water or make it flow to the ocean. The result is fish are dying and food production is diminishing.

Shasta is storing more than 1.2m a.f. of water than there was at the same time during a severe drought in 1977. The level of fish counts was higher in the late 70's-early 80's than now and this is *after significant acre feet have been reallocated to fish*. That lack of accountability is frustrating.

On July 6, 2015 the General Accounting Office (GAO) found that the Bureau of Reclamation "expended over \$1.9 billion on activities pursuant to a number of legal authorities" in their pursuit of aquatic habitats, improve facilities to reduce environmental impacts and provide water to fish. Three programs, CVPIA, CalFed Bay-Delta, and San Joaquin River Restoration were the beneficiaries of this largess. But still fish counts are less than satisfactory and habitats less desired. Where is the accountability?

In 2013 the Federal Energy Regulatory Commission released a report in conjunction with the relicensing of Don Pedro Dam stated among other things; "93 percent of juvenile salmon on the Tuolumne River perish due to predation." At the time SWCRB was seeking a 35 percent unimpaired flow on the Merced, Stanislaus and Tuolumne Rivers to boost salmon populations. Ignore the predator issue and the population will rebound with water was the proposal. There lies the disconnect that continues to exist.

In 2012 a study was published in *Reviews in Fisheries Science* which stated in part: "No other species currently protected under the Federal Endangered Species Act has declined so dramatically since its listing." It cited the need to take into account other stressors. And yet with SWCRB mitigation steps the Smelt is almost extinct.

Fish are dying, habitats are unsatisfactory, food production is forced into decline and jobs are lost.

Contracts and agreements hold no meaning as the State Water Resources Control Board calls an "oops" and deem more water is necessary for temperature control as technicians *think* fish populations will be saved. Even fish activists have stated their uncertainty. It makes no difference that one agreement led to many agreements followed by many business decisions all of which were undercut. It's no wonder producers are angry.

The two degree decision, as we call it, has forced others to disavow contracts and agreements. Take a step back; is a deal not a deal? Do we truly have a balanced approach? Is there equal accountability for water usage for all facets of our state? Have the decisions been balanced as to effects on agriculture, communities and environment?



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Prior to the two degree decision the San Joaquin Valley citrus industry was bull dozing and topping trees to survive. Now they are selling as well. The nation's number one citrus provider was shrinking because of zero water allocation. Decisions at the state level have exacerbated that trend. I know growers are angrier now because the sanctity of a contract or agreement is no longer the foundation of trust and respect. Mother Nature gave a bit more water but action by the state reduced the gift to zero.

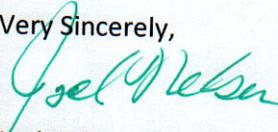
The destruction of the nation's food supply and the forced consolidation of family farming are the results of unbalanced decisions and subjective determinations. I heard Tom Howard, Executive Director for the State Water Board, state at a hearing that a decision made the previous water year was wrong thereby adversely affecting fish counts. I will make the determinations was his concluding statement. He said it – I heard it. He wasn't considering real time data. He wasn't considering balance, he didn't speak to the effect on food producers and he wasn't considering the integrity of agreements made. Is that myopic? The model was wrong therefore he will substitute his judgement.

Take a step back and recall a statement by former President Dwight Eisenhower, "farming is easy when you are 1000 miles away, the desk is your farm and the pencil your plow." Or as a farmer's wife from Canada stated, "Everybody will need a doctor, a lawyer or a mechanic at some time; but they will need a farmer three times a day."

The block for sale in the enclosed photo is a young block destined to produce nutritious citrus for many years. The farmer has had enough. Fighting Mother Nature is one thing. Trying to understand zero allocations, more water in storage than in use, the lack of balance and accountability on all sectors and agreements canceled is a battle he can no longer fight against. The other photo depicts a fully mature block removed from production as a result of government decisions. I am not suggesting that was your intention, only that it is the result.

Take a step back – is the reduction in food production and fish population a result you support?

Very Sincerely,

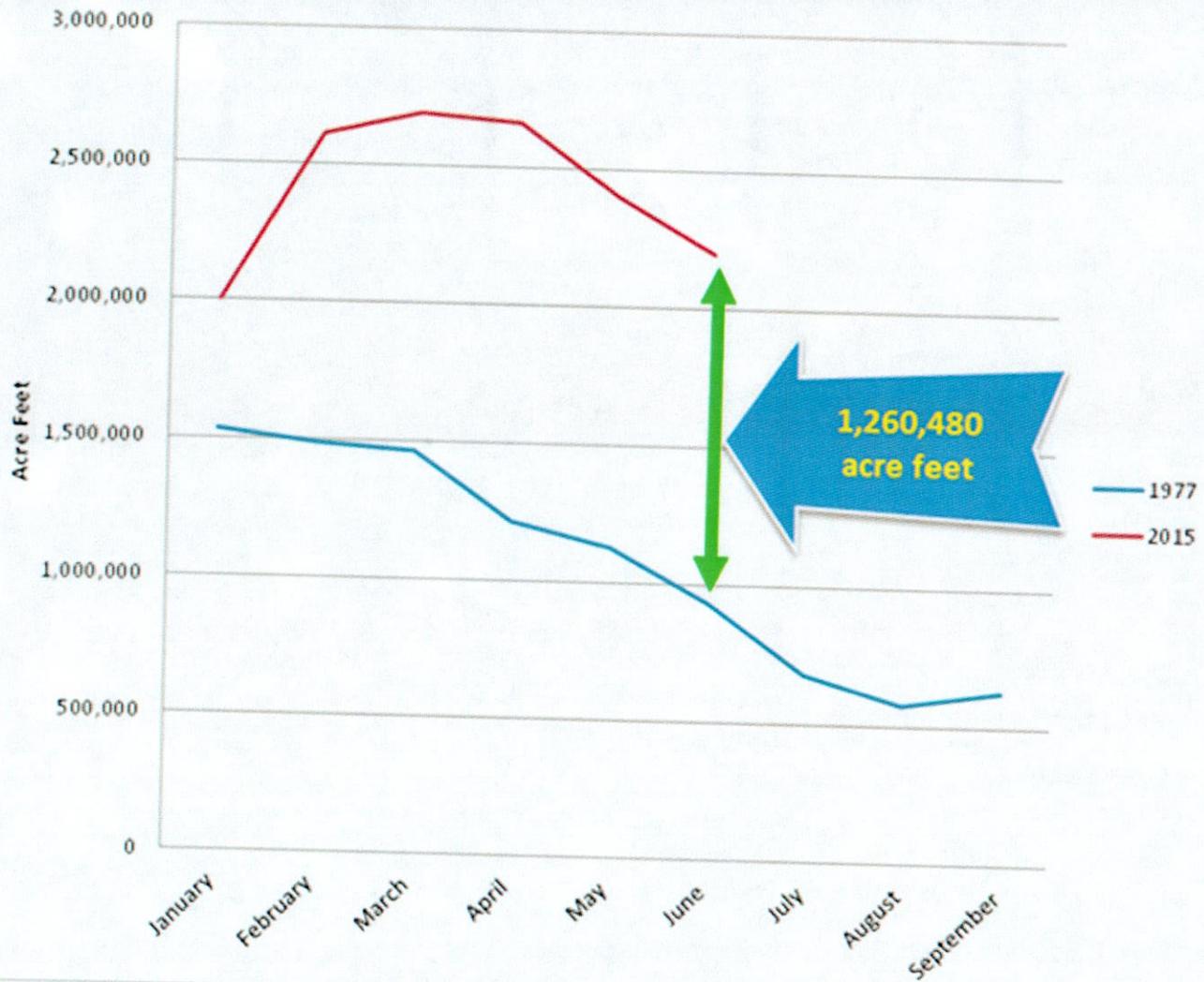


Joel Nelsen, President

Encl: 3

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