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November 5, 2009

Record Submission for Senate Subcommittee on Water and Power Hearing
S. 1759 (H.R. 3750) - The Water Transfer Facilitation Act of 2009

On October 7, 2009, I joined with Congressman Cardoza in the House of Representatives and Senators Feinstein and Boxer in the Senate to introduce the "Water Transfer Facilitation Act of 2009." This legislation builds upon and makes permanent the language that we passed in the Energy and Water Appropriations bill, which was originally limited to only two years. The Water Transfer Facilitation Act of 2009 is one step in a host of efforts to bring more water to the San Joaquin Valley amidst of a three-year drought and ongoing water crisis. Given the severity of California's water crisis and the need for short-term solutions to prepare for the coming growing season, I thank Chairwoman Stabenow for moving quickly to hold this hearing and I am pleased to participate by submitting this testimony today.

The immediate impacts of the Delta smelt biological opinion have directly contributed to the devastation of the Westside of the San Joaquin Valley in my Congressional District. Water supply reductions coupled with an economic downturn has led to overwhelming unemployment in Valley cities, reaching as high as 30% and 40%. With tens of thousands of jobs lost and approximately 500,000 acres of some of our nation's most productive farmland fallowed, the Westside has been absolutely devastated. Given that this region supplies the nation with nearly half of its fresh fruits and vegetables, this is a crisis that not only threatens our local communities, but also the security of our nation's food supply. Of equal concern to the farmers and farmworkers in the San Joaquin Valley is the shadow of the salmon, green sturgeon and steelhead biological opinion that will reduce future water deliveries, and the livelihood they depend on.

This legislation is intended as a critical lifeline to reduce unnecessary delays in water transfers at a time when San Joaquin Valley farmers have been hardest hit by water supply reductions due to both changes in hydrology and regulatory restrictions. It would allow for new water transfers of an estimated 250,000 to 300,000 acre-feet of water per year, depending on the water year. The bill would grant the Bureau of Reclamation the authority to approve voluntary water transfers between sellers and buyers within the Valley. It would also streamline environmental reviews for water transfers by ensuring that they occur on a programmatic basis, instead of the current project-by-project basis.

Transferring water between and within counties is a vital tool for water districts and individual farmers during periods of drought. While I have consistently maintained that the best solution would be to have the federal and state pumps fully operational, the inflexibility of the Endangered Species Act has left us with limited solutions until it can be successfully modified. This legislation makes permanent the ability to transfer water to our Valley's farms when it is most needed, therefore providing our farmers with interim solutions and allowing them to continue to grow crops and support our local economy. More will need to be done to protect the Valley's water on a short, mid, and long-term basis, and I will continue that fight.