

Valley growers take fight against water cutbacks to Supreme Court

By Mark Grossi



A file photo of the U.S. Supreme Court

San Joaquin Valley growers Wednesday [filed an appeal with the U.S. Supreme Court](#), hoping to reverse an appellate court's rejection of their claim that flawed science was used to cut back water pumping in Northern California.

The case already has been through U.S. District Court in Fresno, which sided with growers in a decision that would have forced federal leaders to rewrite 2008 protections for the threatened delta smelt.

The dwindling fish population lives in the Sacramento-San Joaquin River Delta where pumps divert water for Valley farms and Southern California cities. Federal wildlife agencies say water pumping is harming the fish.

Growers say that stopping the pumping is harming their businesses and the surrounding economies in the Valley. West Valley growers in such areas as Westlands Water District rely on the water to irrigate their crops.

After losing in Fresno district court, federal officials and environmentalists appealed in the Ninth Circuit Court of Appeals, which sided with the government in March.

The Sacramento-based Pacific Legal Foundation filed the Supreme Court appeal. In the case, growers say the U.S.

Fish and Wildlife Service violated its own regulations by ignoring potential harms, including economic hits to businesses relying on the water from the delta.

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