

Environmentalists: Fish on edge of extinction

- WATER

Lawsuit challenges state's loosening of Delta standards

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State officials' relaxation of water-quality standards in the Delta this year has ushered fish species to the brink of extinction, environmental groups said in a lawsuit released Thursday.

While much of the public debate during this drought has focused on water cuts to urban and agricultural users, the Delta environment as a whole has taken a hit. The State Water Resources Control Board has loosened rules requiring a certain amount of water to flow into and out of the Delta.

Those science-based rules were approved in 1995 after extensive hearings and included provisions for drought years like this. But even those provisions have been temporarily relaxed to save more water in upstream reservoirs or pump more south for farms and cities.

"How does a society function when the rules and regulations that are promulgated through long processes are cast aside whenever convenient?" said Bill Jennings, head of the Stockton-based California Sportfishing Protection Alliance, which filed suit in the U.S. District Court in Sacramento along with the California Water Impact Network, AquAlliance and Restore the Delta.

"The bottom line is we've got fish on the precipice of extinction. I don't know that we can save them — perhaps we can — but by God we've got to try."

Record-low numbers of Delta smelt have been found in thorough surveys this spring. One smelt was found in April and eight were found in May. While small and seemingly insignificant, the smelt's well-being reflects the health of the Delta as a whole.

The environmentalists argue that the state board should not have loosened the standards. They also say that the U.S. Bureau of Reclamation, which operates the vast Central Valley Project in the San Joaquin Valley, still is bound by federal law to meet those standards.

A representative from the bureau declined to comment Thursday. A water board spokesman said the board has taken “extraordinary actions within the bounds of the law to mitigate the effects of California’s ongoing drought and (balance) the competing uses of California’s limited supplies.”

This is the second consecutive year that the Delta standards have been loosened. The operators of the state and federal water projects that export water from the Delta requested the standards be relaxed in January; most — but not all — of their requests were approved by water board staff the following month.

In their latest tweak of the rules in April, board officials acknowledged that fish and wildlife would be harmed. But the tradeoff, they concluded, “strikes a reasonable balance between fish and wildlife protection and best serving other needs for water.”

While the water board has approved most of what Delta water exporters have asked for, board staff earlier this year did place limits on exporters’ plan to allow somewhat higher pumping levels.

And just last week, board staff required more water be held back in Lake Shasta than previously planned, to make sure releases into the Sacramento River later this year are cool enough for salmon to successfully spawn. That decision sparked protests from water users south of the Delta.

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