



Why Senator Feinstein's Amendment to the Jobs Bill Is Essential for California's Economic Recovery

Senator Feinstein has proposed a balanced amendment that would modify water pumping restrictions in California. These federal restrictions on water supply, imposed under the Endangered Species Act, have fallowed hundreds of thousands of acres of productive farmland and crippled agricultural communities. Senator Feinstein's amendment does not suspend the Endangered Species Act, but provides temporary relief to these communities while long-term solutions to the state's broken water system are being worked out. Her amendment promotes the co-equal goals of balancing ecosystem needs and water supply needs.

Senator Feinstein's Amendment Will Create Thousands of New Jobs. Federal restrictions on water supply have fallowed hundreds of thousands of acres of productive farmlands and devastated agricultural communities. Senator Feinstein's amendment has the potential to save more than one million acre-feet of water. For farmers within the Central Valley Project, who otherwise would get virtually no water, it would provide enough water to restore production on 288,000 acres of fresh fruits and vegetables. According to experts at the University of California, Davis, a conservative estimate of the farm labor jobs that this much new agricultural production would yield is 7,200 jobs. These workers would come from small, rural communities, many of which are suffering unemployment rates of nearly 40 percent.

How Much Water Are We Losing? The federal restrictions that took effect in late 2008 and mid-2009 reduced California's pumping capacity by 9,200 acre feet a day. The additional restrictions that took effect February 11 are costing the state another 1,600 acre feet a day. And if four more fish are killed, we could lose an additional 10,100 acre feet a day on top of that. That's an overall loss of 20,900 acre feet a day – enough water to serve more than 50,000 families or irrigate more than 8,000 acres of farmland for an entire year.

How Many Jobs and Other Economic Losses Are These Rules Costing California? According to estimates by the University of California, every 100 acre feet of water that is lost costs somebody their job. The cost just to replace the water that is lost under the current restrictions adds up to \$4.4 million dollars a day. But in most cases the water cannot be replaced because those same rules prevent us from moving water to where it is

needed most. If the water cannot be replaced, experts at the University of California calculate that the current restrictions are reducing regional economic output by \$8 million a day.

Senator Feinstein's Amendment Restores Balance. The U.S. District Court has already ruled that the federal restrictions are having a "catastrophic" impact that is endangering public health and safety. But the courts are powerless to prevent further harm unless Congress takes action. The Feinstein Amendment will provide an important measure of temporary relief while long-term solutions to the state's broken water system and the needs of the delta fisheries are being worked out.

Senator Feinstein's Amendment Protects Endangered Species. Senator Feinstein's proposal does not waive or suspend the Endangered Species Act. Rather, her proposal follows the example of an earlier Congressional action that successfully resolved a similar crisis in New Mexico, which was passed unanimously in the Senate. The amendment would modify the application of the Endangered Species Act to ensure that pumping in California is not reduced below the level that numerous scientific studies have shown will be safe for the fish but still enable California's water system to serve the public.

The More It Rains, the More Water Is Lost. The U.S. Department of the Interior admits that its restrictions on California's water supply in 2009 added about a third to the water shortages caused by the drought. But these latest water-wasting restrictions have nothing to do with drought. Because of the federal rules, water from the recent storms that should be going into storage is instead wasting into the ocean to be lost forever. And long after the drought is over, these rules will continue to cut California's water supply by more than a third.

Four More Fish and It Gets Much Worse. If just four more delta smelt are lost, federal fish agencies will reduce the pumping of water supplies for two-thirds of California's population to a trickle. The agencies cannot say how many smelt there are, but they insist that the loss of four more will jeopardize the species. By contrast, federal scientists killed 308 smelt in their most recent survey -- but those losses by federal accounting do not jeopardize the species.

There Is No Evidence the Fish Have Benefited from These Restrictions. The federal government has been imposing more and more limitations on the operation of California's delta pumps for more than fifteen years. But the fisheries have continued to decline. At the same time, these agencies have refused to address or even to assess the impact that industrial pollution, municipal waste, and other factors are contributing to the decline of these species.