

**MESSAGE FROM THE CEO**



**Jason Phillips**  
Chief Executive Officer

February turned out to be a busy month for Friant and California water in general. Governor Gavin

Newsom recommitted to working with water users to develop “voluntary agreements” for achieving habitat and species goals for the Sacramento River, San Joaquin River, and the Delta. President Donald Trump and Interior Secretary David Bernhardt both visited the valley to announce major decisions related to long-term water security for much of the state.

President Trump’s visit to Bakersfield on February 18th was monumental for the Valley. Several of our Friant Board members and staff were able to share the stage with the President in Bakersfield.

[CLICK HERE](#) to watch video from onstage view

[CLICK HERE](#) to watch post Trump visit interview with Fresno Co. Farm Bureau CEO and FID Board Member Ryan Jacobsen.

The President issued a new [Presidential Memorandum on Developing and Delivering More Water Supplies in California](#), which coincided with the Bureau of Reclamation’s (BOR) recent action on the Biological Opinions. More specifically, the BOR signed the Record of Decision (ROD) on the Environmental Impact Statement for the long-term operations of the Federal and State water projects. By signing the ROD, Reclamation finalizes plans that allow federal and state agencies to operate Central Valley Project (CVP) and State Water Project (SWP) facilities in a manner that is protective of listed species while providing greater reliability for the projects’ water users.

[Continued on page 2](#)

**IN THE NEWS**

**NEWSOM, CALIF. SUE TO BLOCK TRUMP ADMINISTRATION’S VALLEY WATER BOOST**

by Alex Tavlian. – The Sun | February 20, 2020

It didn’t take long for Gov. Gavin Newsom and California Attorney General Xavier Becerra to make good on their threat of a lawsuit over the Trump administration’s moves to send more water to San Joaquin Valley farms and Southern California.

Becerra announced that California, represented by his office, the California Natural Resources Agency, and California Environmental Protection Agency filed a lawsuit challenging newly-adopted biological opinions governing the operation of the Federally-managed Central Valley Project.

Among other things, the biological opinions replaced rigid, calendar-based restrictions on pumping water through the Sacramento-San Joaquin Delta by adopting real-time monitoring of fish populations via boat and triggers.

The biological opinions were formally codified on Tuesday when the Bureau of Reclamation issued its record of decision ahead of a visit to Bakersfield by President Donald Trump.

Rules governing the Sacramento-San Joaquin Delta have long been fraught with legal wrangling over the balance of needs between Central Valley agriculture and its communities and endangered fish species – including the Chinook salmon and the oft-maligned Delta smelt.

Becerra argues that the Departments of Interior and Commerce issued the new environmental guidelines while allegedly failing to sufficiently safeguard endangered fish species, violating the Endangered Species Act and National Environmental Policy Act.

“California won’t silently spectate as the Trump Administration adopts scientifically-challenged biological opinions that push species to extinction and harm our natural resources and waterways,” Becerra said of the litigation.

Since Newsom first threatened litigation over the biological opinions in November, shortly after their release, the Interior Department has steadfastly argued it would succeed on the merits in a court battle.

During a water forum in Tulare on Tuesday, Interior Secretary David Bernhardt entertained a question about potential litigation by the Newsom administration.

[Continued on page 2](#)

**EVENTS AROUND THE VALLEY**

**MARCH 4**  
Kern County Water Summit  
Bakersfield, CA  
[CLICK FOR INFO ►](#)

**MARCH 12**  
ACWA 2020 Legislative Symposium  
Sacramento, CA  
[CLICK FOR INFO ►](#)

**MARCH 13**  
Friant Division Managers Group Meeting  
Visalia, CA  
[CLICK FOR INFO ►](#)

**MARCH 26**  
FWA Board of Directors Meeting  
Tulare, CA  
[CLICK FOR INFO ►](#)

**NOT A SUBSCRIBER YET?**

Click here to subscribe to this newsletter!



@FRIANTWATER  
FRIANTWATER.ORG

Speaking on behalf the entire Friant team, we are extremely thankful for the work of hundreds of planners, biologists, engineers, agency staff, stakeholders, and others who devoted more than three years to developing and reviewing these plans. We are so appreciative of two individuals involved in this process. Reclamation Commissioner Brenda Burman's steady leadership on this and other western water issues has been remarkable, and U.S. Fish and Wildlife Service Regional Director for the Pacific Southwest Region Paul Souza. Paul's work ethic has been an example for all while executing on this effort after he was given the responsibility of being designated the project leader in the 2018 Presidential Memorandum on Western Water. Together, they showed tremendous leadership in ensuring these plans are scientifically sound, using the best available science, and were completed without major delays.

Reclamation initiated this consultation process under Section 7 of the Endangered Species Act with the National Marine Fisheries Service and USFWS in August 2016. The existing operational criteria for the CVP and SWP were established in the late 2000s, just before California experienced a record, multiyear drought and listed species in the Sacramento-San Joaquin Delta (Delta) experienced further population declines. In the intervening years, the best available science on the needs of Delta-dependent species also progressed. The new operational plans finalized through the signing of the ROD incorporate this new understanding while allowing Federal agencies more flexibility in their actions to both protect fish and meet the needs of California water users and the communities they serve.

We know that the operational criteria for the CVP and SWP under the 2008 and 2009 Biological Opinions failed on many levels. They failed to protect listed species, and they failed the water users of California, creating water shortages up and down the state. The announcement by the Bureau of Reclamation provides hope for the future

Article continued from page 1

"If I were [Newsom and his team], before I would [launch a suit], I would read the opinions – I'd read them personally," Bernhardt said of the then-hypothetical lawsuit. "Because if he does that he'll find out that these are grounded in reliable science, that they were well thought out."

"I honestly think that translates to another reality: that they're likely to be defensible."

Shortly after California's lawsuit was announced on Thursday, Bernhardt stuck to a similar message.

"Our team of career professionals did a great job using the best available science to develop new operational plans for the coordinated operations of the Central Valley Project and State Water Project," the Interior Secretary said in a statement. "The governor and attorney general just launched a ship into a sea of unpredictable administrative and legal challenges regarding the most complex water operations in the country, something they have not chartered before."

"Litigation can lead to unpredictable twists and turns that can create significant challenges for the people of California who depend on the sound operation of these two important water projects."

Congressional advocates for the newly-adopted biological opinions expressed little surprise in Newsom and Becerra's legal volley.

"After suffering decades of man-made drought, Central Valley communities finally have relief on the way. And so, like clockwork, the bureaucrats, Democrats, and radical environmentalists are teaming up to rip these communities' water away from them," Jilian Plank, chief of staff to Rep. Devin Nunes (R-Tulare), said in a statement Thursday night.

"It's a textbook example of prioritizing fish over families and farmers."

Newsom has long tried to maintain support from a strong environmental lobby that is ardently opposed to the new guidelines for the Central Valley Project.

Meanwhile, he is also attempting to keep major water users and agencies at the table to negotiate a resolution to Delta environmental concerns via so-called "voluntary agreements."

"Our goal continues to be to realize enforceable voluntary agreements that provide the best immediate protection for species, reliable and safe drinking water, and dependable water sources for our farmers for economic prosperity," Newsom said in the release announcing the suit against the Trump administration.

Based on a framework released by Newsom's administration, the voluntary agreements would require water users to cough up \$5 billion for environmental work and habitat restoration and sacrifice 800,000 to 900,000 acre-feet of water.

*Reprinted with permission from The Sun, February 20, 2020 edition.*