

Petition follows a separate federal lawsuit brought last summer

SUIT from Page 1

the state’s standard of a “reasonable” water diversion because many feasible alternatives exist for diverting the water downstream from Yosemite, such as improving ties to three other reservoirs in the Tuolumne River watershed, investing in groundwater storage or exchanges with other agencies.

“Operating a dam and reservoir in an iconic valley within Yosemite National Park is not, in 2015, a reasonable method of diverting water for municipal uses,” contends the suit, which names as defendants the city and county of San Francisco and its public utility commission as well as the Modesto and Turlock irrigation districts and the Bay Area Water Supply and Conservation Agency.

The suit asks the court to order San Francisco to prepare an engineering and financing plan that results in removal of the O’Shaunessy Dam and restoration of nat-

ural river flows through the valley. It also recommends that the city be given time to make these improvements.

“We are not advocating taking or buying water from agriculture,” Restore Hetch Hetchy executive director Spreck Rosekrans told the Capital Press in an email. “But paying ag districts to recharge groundwater when possible is certainly on the table.”

Federal suit

The petition, filed April 21, follows a separate federal lawsuit brought last summer by the Fresno-based Center for Environmental Science, Accuracy and Reliability (CESAR) that seeks to force the National Park Service to comply with environmental laws in its regulation of the Hetch Hetchy reservoir.

That group, whose founder has ties to the Westlands Water District, claims the more than 90-year-old water project has been allowed to skirt environmental laws while farm irrigation in the Central Valley has been dras-

tically reduced because of imperiled fish.

The complaint alleges the park service failed to consult with the U.S. Fish and Wildlife Service in annually approving in-stream flows for San Francisco’s Hetch Hetchy operations or submit proper documents as mandated by the Endangered Species Act.

Further, the federal suit claims the project itself violates the ESA by degrading fish habitat and withholding water from the beleaguered Sacramento-San Joaquin River Delta, putting it at more risk of saltwater intrusion.

Rosekrans said at the time the plaintiffs “have a point that the Endangered Species Act has not been uniformly applied,” adding that “they’re taking on San Francisco because San Francisco has probably the most environmentally destructive project anywhere.”

City’s response

Tyrone Jue, spokesman for the city’s utility commission,

did not immediately return a call seeking comment about the latest lawsuit. City officials have argued there are no real alternatives to Hetch Hetchy, noting that the gravity-fed water system serves 7 percent of California’s population and generates power for city buildings, streetlights and traffic signals, the airport and the transit system.

Nicole Sandkula, chief executive officer of the Bay Area Water Supply and Conservation Agency, said draining the reservoir would threaten the health, safety and economic well-being of 1.7 million residents of other Bay Area communities, too. Any plan to drain Hetch Hetchy must also provide for reliable alternative water storage, she said.

“The alternative storage and supply must be supported by legally enforceable agreements addressing water rights, ownership, operating responsibilities and other critical issues,” she said in an email. “Without resolution of these issues, no alternative supply would be as reliable

as the existing supply.”

Restore Hetch Hetchy argues the reservoir is only one of nine that comprise the San Francisco Public Utility Commission’s water system and stores less than one-quarter of the system’s water.

The city has a water bank in the Don Pedro Reservoir and has the nearby Cherry and Eleanor reservoirs, to which more water can be diverted from the Tuolumne River upstream from Don Pedro at certain times of the year.

To make up an estimated dry-year shortage of 60,000 acre-feet, the group proposes enlarging Los Vaqueros Reservoir in Contra Costa County, banking groundwater with the Semitropic Water Storage District in Kern County, purchasing the water from other districts which could use the money to recharge groundwater supplies, or recycling the water at Bay Area sewage plants.

However, the Turlock and Modesto irrigation districts, which together provide irrigation for several hundred

square miles of farmland and whose water rights pre-date San Francisco’s, have said their Don Pedro Reservoir can’t take on any more water if Hetch Hetchy’s dam comes out.

Reaction mixed

While environmentalists mostly dismissed the CESAR lawsuit as politically motivated, some have embraced Restore Hetch Hetchy’s case. David Mihalic, one of three former Yosemite superintendents who serve on the group’s advisory committee, said in a statement that restoration of Hetch Hetchy is important “not only to Americans but to people from around the world” who would visit it.

“We have a strong case based on the merits,” Rosekrans said last week. “Other California water agencies have done far more to reduce their impact on the environment. And we are not asking for any reduction in supply — only that it not be stored in Yosemite National Park.”

A study in 2006 estimated the state could support 1,450 wolves

WOLF from Page 1

breeding pairs were counted. Four breeding pairs were confirmed in 2013 and six in 2012.

Ranchers, who with some compensation available bear the cost of livestock attacks and non-lethal defensive measures, expected ODFW to begin drafting rules for delisting. Generally, delisting would give livestock producers more leeway to shoot wolves in order to protect cattle, sheep and guard dogs.

Follow the plan, multiple speakers told the commission during its meeting in Bend.

“We lived up to our promise,” said rancher Todd Nash, wolf committee chairman for the Oregon Cattlemen’s Association. “We wholly expect the agency and this committee to live up to theirs.”

Nash said later he favors statewide delisting of wolves. A partial delisting in only the eastern portion invites complication and lawsuits, he said.

“I think it will delay the process, and I’m not in favor of that,” Nash said.

Meanwhile, conservation groups say the breeding pair count is not an automatic trigger for delisting, and showed up in force to make that point.

Amaroq Weiss, West Coast wolf organizer with the Center for Biological Diversity, arrived from Petaluma, Calif. Suzanne Stone, Northern Rockies representative with Defenders of Wildlife, traveled over from Boise. Quinn Read, Oregon Wild’s wildlife coordinator, was there from Portland, as was Danielle Moser with the Endangered Species Coalition. Rob Klavins, Oregon Wild’s Northeast Oregon field coordinator, attended from Enterprise.

They said Oregon’s 77 confirmed wolves — ODFW believes there may be 90 to 100 — is far too small a population to loosen protection.

Weiss, of the Center for Biological Diversity, said an outbreak of disease could wipe out packs.

“Science tells us we need



Courtesy of ODFW

An ODFW biologist in the process of collaring wolf OR33, a 2-year-old adult male from the Imnaha pack, Feb. 25, 2015 in Wallowa County. Larger wild animals are typically blindfolded while immobilized to protect eyes and to help calm them.

Oregon wolves by the numbers

By ERIC MORTENSON
Capital Press

Some of the highlights from a gray wolf biological status review prepared by the Oregon Department of Fish and Wildlife:

Population — From 14 wolves documented in 2009, the state’s wolf count grew to a minimum of 77 at the end of 2014. Wolf program coordinator Russ Morgan said four more have been counted since then, bringing the confirmed population to 81. Morgan estimates the state may have 90 to 100 wolves.

Range — About 42 percent of Oregon’s landmass is suitable wolf habitat. Wolves now occupy about 12 percent of that range.

Origin — Oregon’s wolves are

descended from 66 gray wolves captured in Alberta and British Columbia, Canada, in 1995 and 1996. Of those, 35 were released in Central Idaho and 31 were released in Yellowstone National Park, Wyoming. An Idaho wolf, B-45, traveled into Oregon in 1999. It was captured and returned to Idaho. Biologists predicted continued dispersement into Northeast Oregon from Idaho, and Oregon’s first pack, Wenaha, was documented in 2008.

Favored prey — Probably elk, although prey selection and kill rate analysis isn’t complete. Oregon has a “robust and widely distributed” elk population estimated at 128,000. From 2009 through 2014, elk population increased in four Northeast Oregon management units that have

had wolf packs for at least four years.

Confirmed livestock losses — 76 sheep, 36 cattle and two goats since 2009. Ranchers believe there have been many more livestock killed, saying cattle disappear and are not found. **Other primary prey** — Mule deer, black-tail deer and white-tail deer. Oregon has an estimated 229,000 mule deer in Eastern Oregon; the other two species are “abundant.”

Wolf deaths — Five wolves have been illegally shot since 2000. ODFW killed four for chronic livestock attacks. One wolf was hit by a vehicle and one died during a capture attempt. At least two pups died of parvovirus. ODFW has not documented any wolf kills by cougars or bears.

The Roza began delivering water to growers in mid-March

WATER from Page 1

The districts — two of the largest in the Lower Yakima Valley — are already rationing water since the Yakima Basin supply is forecast by the U.S. Bureau of Reclamation to be 54 percent of normal. It may go lower next week. Snowfall was insufficient in the mountains last winter.

The Roza began delivering water to growers in mid-March and reduced allocations from 7.1 gallons per minute to 1.8 gpm on April 20 in hopes of saving water

for July and August, Revell said.

It’s a 75 percent reduction and flow is so low that some pumps are having trouble, he said.

The district can’t operate at any lower flow and is considering cutting off all water for 20 days in May to save water for July and August, he said. That would add about 17 days of water to the end of the season, he said.

Effects of the reduction so far vary since wine grapes don’t need as much water and most hops are on drip irriga-

tion systems, which helps, Revell said.

However, he said he’s heard from hop and apple growers “looking at which parts of their operations they can sacrifice. I think some are starting to do those things. It’s very serious. We’re just as worried about next year.”

In the last drought 10 years ago, the Roza leased 24,000 acre-feet of water from SVID and 4,000 from other districts at \$300 per acre, he said.

The Wapato Irrigation Project is the other big irrigation system in the Lower

Yakima Valley. It is operated by the Bureau of Indian Affairs. The Wapato apparently has operational problems and prospects of leasing from it are not good, Revell said.

Roza has also leased from the smaller Naches-Selah and Yakima-Tieton districts in the past and is talking with them, he said.

The Roza serves 1,700 growers on 72,000 acres from Selah to Benton City. The Roza has junior water rights, giving it less claim to water than SVID, which has senior rights. SVID has 11,000 ac-

counts for 94,614 acres from just below Union Gap about 45 miles to just below Prosser.

SVID began water deliveries April 1 and reduced them from 7-7.5 gallons per minute to 6.7 gpm April 20 and then to 5.7 gpm on April 27, Trull said. They may drop more to save water for July, August and September, he said.

At 5.7 gpm “large growers may have to run water on one field at a time instead of two. It requires flexibility, but it’s manageable,” Trull said.

The Kennewick Irriga-

tion District is at the end of the U.S. Bureau of Reclamation’s Yakima Project. It has 23,249 accounts on 20,201 acres and a mix of agricultural crops and residential lawns. The district is urging residential users to water lawns only twice a week.

It’s a return-flow district meaning it gets its water from seepage and spillage from upriver districts, said Chuck Freeman, manager.

“We are concerned about the impact of rationing and conservation by those districts,” he said.