

March storms boost State Water Project allocation to 45 percent

By **TIM HEARDEN**
Capital Press

SACRAMENTO — The abundant March storms in California will enable the State Water Project to deliver the most water it's sent to customers since 2012.

The state Department of Water Resources has boosted its allocation for most residents to 45 percent of requests, up from the 30 percent it estimated in late February.

In all, the 29 water agencies that contract for SWP water will receive nearly 1.9 million acre-feet of their requested 4.17 million acre-feet of water in 2016, the state announced March 17. Together the contractors serve about 25 million Californians and just under 1 million acres of irrigated farmland.

While they caution anew that the drought has not ended, water regulators say the boost was made possible by rain and snow that pushed the state's two largest reservoirs — Shasta Lake and Lake Oroville — to slightly above their historic levels for this time of year.

"February reminded us how quickly California's



Crews remove a temporary rock barrier from the Sacramento-San Joaquin River Delta south of Sacramento in October. State officials say the March storms eliminated the need to reinstall the barrier, which was to keep saltwater from intruding in the drought-depleted Delta.

Courtesy of Calif. Dept. of Water Resources

weather can turn from wet to dry," DWR director Mark Cowin said in a statement, referring to the more than two-week period of warm and dry conditions that caused the statewide snow water content

to drop from above normal to 80 percent of normal.

"The lesson of this drought is that we all need to make daily conservation a way of life," he said.

After a series of delug-

es this month, many areas are well above their average rainfall totals for March. Sacramento, for instance, had received 4.97 inches for the month as of March 17, well above its normal 1.66 inches

for the month as of that date, according to the National Weather Service.

Among other benefits, the storms will eliminate the need for DWR to build a temporary rock barrier to keep saltwater

out of the Sacramento-San Joaquin River Delta, as crews did in 2015.

The DWR made an initial allocation of 10 percent of requested deliveries in December but signaled the allocation could increase if a wet winter occurred. The estimate of deliveries was raised to 15 percent on Jan. 26 and to 30 percent on Feb. 24.

Last year's 20 percent final allocation was the state project's second lowest since 1991, when agricultural customers got no water and municipal customers received 30 percent of requests. In 2014, SWP deliveries were 5 percent to all customers.

This year's deliveries will be the state's most since 2012, when 65 percent of requests were met. The last 100 percent allocation was in 2006.

The state's boost comes as federal officials say the March storms could significantly help Central Valley Project deliveries, for which they have yet to make a formal allocation. The U.S. Bureau of Reclamation's initial allocation could be made later this month.

Judge refuses to dismiss pale cyst nematode lawsuit

By **MATEUSZ PERKOWSKI**
Capital Press

A federal judge has refused the USDA's request to dismiss a lawsuit brought by Idaho potato farmers against restrictions related to the pale cyst nematode.

The U.S. wasn't known to harbor the nematode, which can reduce potato yields by up to 80 percent, until the pest was first discovered in eastern Idaho in 2006.

To prevent the nematode's spread, USDA's Animal and Plant Health Inspection Service enacted quarantine regulations that affect roughly 175 square miles in Idaho's Bonneville and Bingham counties.

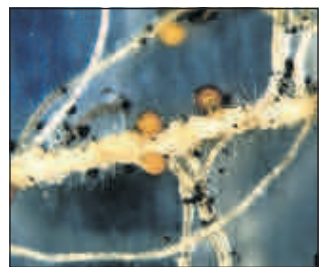


Photo courtesy USDA

Pale cyst nematodes infect a potato plant. A federal judge has refused the USDA's request to dismiss a lawsuit brought by Idaho potato farmers against restrictions related to the pale cyst nematode.

Farmers are prohibited from selling potatoes and other crops that risk carrying the pest in interstate com-

merce unless they comply with APHIS rules for infested fields and those at risk of infestation.

Growers affected by the restrictions have claimed the testing requirements and other procedures are excessive and go further than in other countries where the nematode is found.

A lawsuit filed last year by 13 farms accuses APHIS of violating administrative law by imposing the regulations in an "arbitrary and capricious" manner and failing to follow public notice-and-comment requirements, among other allegations.

"APHIS's ad hoc and ever-changing protocols have

put, and will continue to put, fields owned or farmed by plaintiffs into a circuitous and undefined state of regulation for an undefined period of time," the complaint said.

Attorneys for USDA filed a motion asking U.S. District Judge Edward Lodge to dismiss the lawsuit on jurisdictional grounds because the growers lack the legal standing to challenge the regulations in federal court.

Lodge has rejected that argument, finding that the farmers have plausibly claimed they've sustained injuries from the USDA's actions that can be rectified in federal court.

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