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## California

# State may curb pumping near aqueduct

By **TIM HEARDEN**  
Capital Press

SACRAMENTO — Water regulators are considering restricting groundwater pumping in the San Joaquin Valley near the California Aqueduct and other man-made canals because of subsidence.

State Department of Water Resources officials say they're considering legal options for preventing facility damage in light of a new National Aeronautics and Space Administration report on subsidence — the sinking of land as the water table drops.

The Feb. 8 report asserts that two main "subsidence bowls" covering hundreds of square miles grew wider and deeper between spring 2015 and fall 2016 and that a seven-mile area in Fresno County has settled up to 20 inches.

Scientists say subsidence threatens flows in the aqueduct, which supplies water to nearly 25 million Californians and nearly 1 million acres of farmland. The canal has dropped more than 2 feet in one area of Kings County, losing 20 percent of its carrying capacity, the report said.

The DWR is considering



Courtesy of Calif. Dept. of Water Resources

A truck approaches the West Washington Road Bridge over the high water in the Eastside Bypass west of Chowchilla, Calif., on Jan. 25. The bridge is buckling because of subsidence, which state officials say is causing wear and impeding flows in canals and aqueducts throughout the San Joaquin Valley.

measures to curtail groundwater pumping, create groundwater management zones near critical infrastructure, and developing county ordinances, officials said. Some of these measures may be enacted through legislation, said Jeanine Jones, the agency's interstate resources manager.

Thousands of wells exist near state facilities that could be contributing to subsidence, state officials contend.

"The question for us is, what's the status of those wells?" Jones said. "Are they

all causing subsidence? ... That's the due diligence we need to go through.

"Perhaps the remedy is some kind of infrastructure protection zone" in which drilling couldn't occur within a certain distance of a canal or could only go a certain depth, Jones said.

The DWR is conducting its own study of the effects of subsidence along the 444-mile aqueduct, the State Water Project's main artery, and other facilities and will identify potential actions in the coming

months.

Much of the effort will likely be done through local entities as part of the Sustainable Groundwater Management Act, a 2014 law that requires local governments to regulate pumping and recharge.

Local leaders face a July 1 deadline for setting up new groundwater management agencies.

NASA scientists compiled their latest report using radar satellite maps and additional aircraft-based images focused on the California Aqueduct, according to a news release.

The report follows the agency's August 2015 study finding that all the drought-related groundwater pumping in the valley was causing land to sink at historic rates. That study showed land in the valley was sinking by nearly 2 inches per month in some places.

Since then, the University of California and others have begun numerous groundwater-recharge projects in the valley, and storms this winter have provided as much as double the normal rainfall in some places.

But whether the wet winter helps groundwater recharge in an area depends largely on

the soil, Jones said. With "inelastic" surfaces such as fine grain clay soils, the groundwater that's removed can't be replaced, she said.

Groundwater recharge projects wouldn't necessarily help the aqueduct or other at-risk facilities unless they're close by, she said.

A comprehensive rebuild of the aqueduct to its original capacity would likely cost hundreds of millions of dollars, and even a focused triage to fix the most affected parts of the canal could cost tens of millions of dollars per location, officials said.

Already, subsidence-related repairs have cost the SWP and federal Central Valley Project an estimated \$100 million since the 1960s.

The DWR set aside \$10 million from the \$7.5 billion water bond voters approved in 2014 to help communities with depleted aquifers enact pumping ordinances and conservation plans. But no Proposition 1 funds were set aside for repairs of existing facilities, Jones said.

"The bond was really about building new things, not" operations and maintenance, she said.



Tim Hearden/Capital Press  
U.S. Rep. Tom McClintock, left, talks with Bruce Ross, field representative for California Assemblyman Brian Dahle, after making a presentation Feb. 9 at the Sierra Cascade Logging Conference in Anderson, Calif.

## McClintock: Congress can use funding authority to curb bureaucracy

By **TIM HEARDEN**  
Capital Press

ANDERSON, Calif. — The chairman of a federal lands subcommittee says Congress can use its funding authority to wrest control of land management and other government functions from an ever-expanding bureaucracy.

U.S. Rep. Tom McClintock, R-Calif., said Congress is forbidden to fund unauthorized programs and must reauthorize them every few years, which enables lawmakers to fight back against administrative overreach.

"There's a movement in the House (of Representatives) that's gaining steam to use the reauthorization process to take back the legislative and judicial powers that we've given the executive branch over the past century," McClintock told the Capital Press.

"In some cases the bureaucracy has exceeded its legal authority," he said.

A person is 10 times more likely to be accused of breaking an administrative rule than of breaking a criminal law, said McClintock, who chairs the House Natural Resources Committee's federal lands subcommittee.

His comments during an interview followed his presentation Feb. 9 at the Sierra Cascade Logging Conference's kickoff breakfast, where he said a turning political tide is improving chances of passing bills that open up federal lands to more logging and other uses.

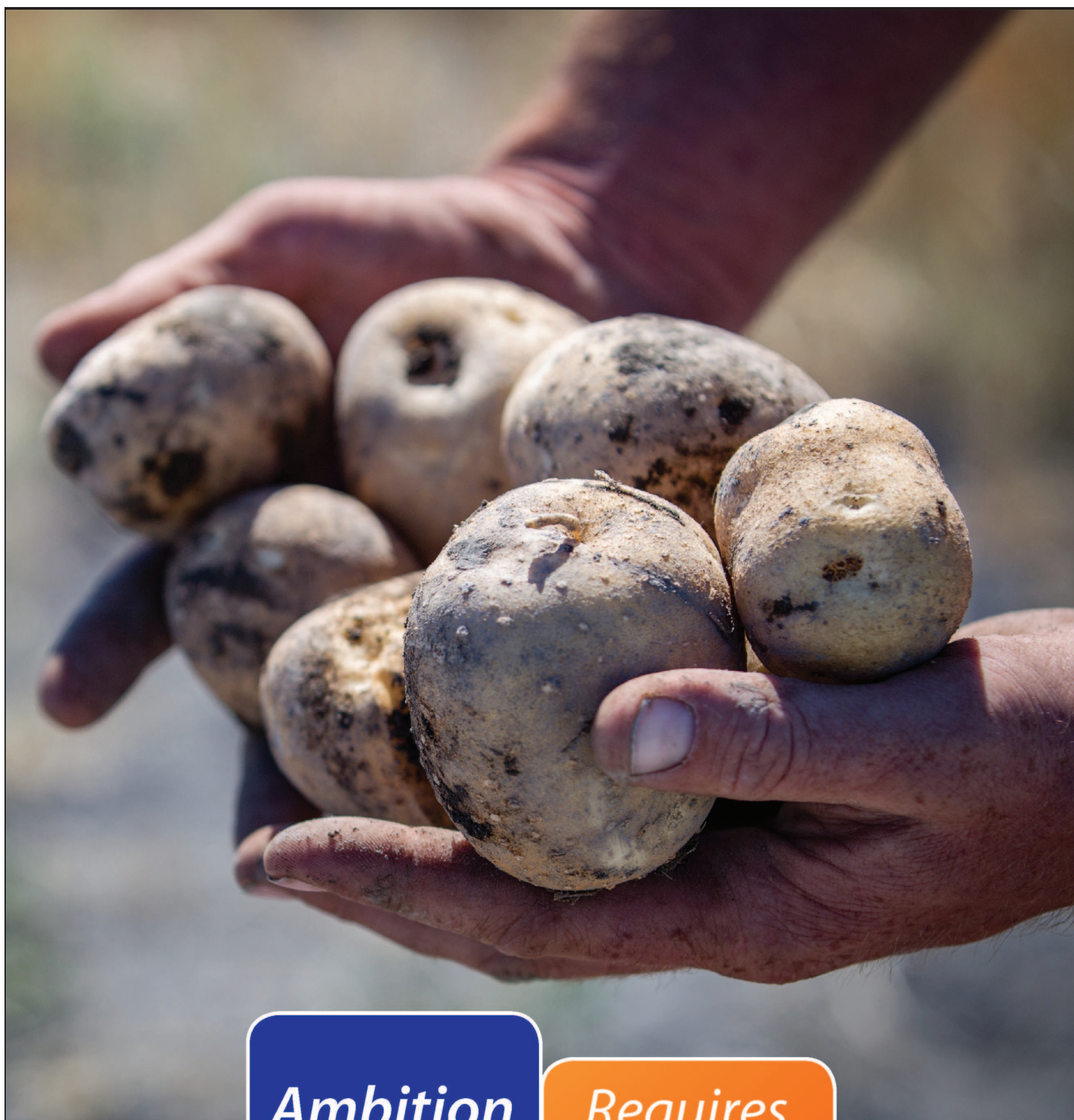
Already, water legislation approved in December included environmental waivers for Lake Tahoe Basin forest thinning projects of fewer than 3,000 acres to prevent catastrophic fire, said McClintock, whose district includes a vast swath of eastern mountains and foothills stretching from Sacramento to Fresno.

With Republican majorities in Congress and President Donald Trump, McClintock sees a better chance of passing the Resilient Federal Forests Act, which would enable federal agencies to use disaster funding for firefighting, and his own Emergency Forests Restoration Act, which would fund the removal of dead trees from forests.

Lawmakers may also seek to amend the Antiquities Act to divert funds from the acquisition of new lands to better managing existing ones, he said.

"The mood (in Congress) is, 'Please, God, don't let us screw this up,'" McClintock told the breakfast gathering. "This is our one chance to save our country. ... We're going to be judged on the success of the policies themselves."

Often referred to as the "fourth branch of government," the federal bureaucracy has increasingly been accused of usurping powers delegated to Congress or the courts. U.S. Supreme Court nominee Neil Gorsuch wrote in one recent opinion that "executive bureaucracies" can "concentrate federal power in a way that seems more than a little difficult to square with the Constitution of the framers' design."



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