

PV agency battles for water source

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WATSONVILLE — The Pajaro Valley needs an act of Congress to hang onto a crucial water source that seemingly was assured by another act of Congress 27 years ago. *

At issue is a reservation of 19,900 acre feet of water in the San Felipe Water Project.

That project, authorized by Congress in 1967, included a contract between the water agency that then represented the Pajaro Valley and the state Board of Reclamation to reserve the water, even though a pipeline to carry the water from San Luis Reservoir hadn't — and still hasn't — been built.

That agency, known as the Watsonville Subunit, ceased to exist in 1984 when the Pajaro Valley Water Management Agency was formed. Because it wasn't party to the original contract, the PVWMA lost the water.

It can't get the water back by signing another contract because Congress in 1992 passed the Central Valley Project Improvement Act, making it illegal for the state Board of Reclamation to commit water from the project (which includes San Luis Reservoir).

"It'll take an act of Congress to get them an exemption," said Dan Fultz, deputy director of the state water board

in Sacramento. "That's because there's an act of Congress telling us what we can do."

Fultz and other state officials will meet with the Pajaro Valley water agency on Oct. 5 to determine their next move. Fultz said the state is committed to helping the agency keep at least some of the water in the 1967 contract.

The state has granted the agency several extensions since 1984 to do studies to show the water is needed. The latest extension expires in November 1995, and if other jurisdictions prove they need the water more, they could take the water that was reserved for Watsonville in 1967.

Because of salt water creeping in from the ocean and overpumping of wells, the Pajaro Valley uses more water than it generates.

The water agency estimates that by the year 2040 the Pajaro Valley will need 30,000 acre feet of water annually, according to agency director Mike Armstrong. An acre foot is roughly the amount of water used by a family of four each year.

"We can get roughly a third of that through conservation," he said. "The other 20,000 acre feet will come from three projects, the largest of which is this pipeline. It's a significant part of

the solution."

Armstrong says it is neither imperative nor likely that the PVWMA can keep its entire 19,900 acre-foot allotment, but it will need at least some water from the San Felipe project.

"We've had an ongoing, drawn-out dialogue with these guys (the state Board of Reclamation)," Armstrong said. "This is an important matter to us. We don't want to lose this water."

Almost from its inception, the water agency has been trying to get the federal government to recognize it as a party to the 1967 contract. The state's position: there is no contract.

The state, however, has helped the agency develop a plan to build a 22-mile pipeline over Pacheco Pass tying it into the network that transports water from the San Luis Reservoir. A tunnel for the pipeline was completed in the 1970s, but the pipeline remains on the drawing boards.

The plan was adopted last December — after the 1992 law that made new contracts illegal.

"Here we are set with this historic reservation," Armstrong said, "and now we see the doors bureaucratically shutting. It's a very small amount of water in terms of the big picture, but we've been unable to create the kind of exception we were looking for."

Fultz of the state water board, meanwhile, said the agency must comply with the 1992 law. An analysis being prepared by the agency and the Board of Reclamation probably won't be complete until next October, leaving the agency very little margin for error before its extension expires.

While the Pajaro Valley's water needs have increased over the past 27 years, so have those of other areas in the state, Fultz said.

"They've got to do their studies and see if they really need it (the San Luis water)," Fultz said.

The water agency has sought the help of U.S. Rep. Sam Farr, D-Carmel Valley, to get a congressional exemption from the 1992 law.

"We're doing everything we can to ensure that they get a contract for the 19,900 acre feet," said Linda Delgado, a Farr aide in Washington. "Realistically by the middle of October we want something significant to happen, but that's really dependent on the Board of Reclamation."

"Right now I'd say our outlook is cautiously optimistic."

If the agency loses the San Luis water, Armstrong said, it could still build the pipeline and then try to buy water from another source.