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Calif. lawmakers reject hurdle for delta canal

By SAMANTHA YOUNG Associated Press Writer

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SACRAMENTO, Calif.—California lawmakers on Tuesday rejected a bill that would have required the Legislature to approve or deny plans for a canal that routes water around the delta, sidestepping a dispute over who will have the final word.

At issue is whether the state could one day sign off on a proposed canal now being studied by Southern California water contractors and farmers who want to divert Sacramento River water around the delta. The Schwarzenegger administration has said it doesn't need the Legislature's blessing to approve a canal as part of the state's sprawling water delivery network.

Assemblyman Jared Huffman, D-San Rafael, said lawmakers can intervene at any point.

"If the administration or anyone else proposes a facility as big as what some are pushing for ... I think it would require legislative approval right now," said Huffman, who chairs the Assembly Water, Parks and Wildlife Committee.

The committee killed the bill by Democratic Assemblywoman Alyson Huber, D-Lodi, after Huffman gave assurances that he and other lawmakers already intend to scrutinize any plan that calls for a canal or tunnel to bypass the Sacramento-San Joaquin Delta.

A maze of rivers, islands and sloughs where mountain runoff collects before spilling into San Francisco Bay, the delta supplies drinking water to some 25 million Californians and irrigation water to thousands of acres.

Water contractors say a canal or tunnel could ensure future

water deliveries to Southern California and Central Valley farmers, which have been curtailed in recent years because of drought and federal pumping restrictions in the delta to

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protect threatened fish.

Huber, who represents a district in the delta, has argued that a canal would siphon fresh water out of the delta, making it too salty for farmers, native fish and other species that rely on the estuary. She said the Assembly's failure to act on her bill leaves unclear who has the final say over any new facility that diverts water from the delta.

"I would rather avoid the lawsuit that you have to have to find that out," Huber said after the vote. "The governor says they have the authority and the Legislature says they don't."

The Legislature last year created the Delta Stewardship Council to draft a comprehensive plan to manage the delta as part of a sweeping \$11.1 billion bond package that will go before voters in November. That plan must include a canal if one is approved by state wildlife and water agencies and it doesn't violate other state statutes that protect wildlife. Otherwise, the council could reject it.

Critics say the seven-member council—of whom the majority are appointees of the governor—has too much power. The law does not mention any legislative approval for a canal, even though Huffman and other lawmakers say any large project would come before them.

Estimates for building a canal around the delta range as high as \$9 billion, while an underground pipeline could cost as much as \$11.7 billion, according to the Department of Water Resources.

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