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Citizens Challenge Unconstitutional Water Use by State of California

Camarillo, CA USA - June 19, 2015 - Citizens associated with the conservation, religious, and animal rights communities have sent a comment letter to the California State Water Resources Control Board (SWRCB) decrying the waste and unreasonable use of water to grow livestock feed crops during the current California drought.

These citizens argue that such water use not only conflicts with the “waste or unreasonable use” section of the California Constitution but also that the wasteful, unreasonable use of irrigation water for livestock feed production is manifest within four areas of California water use and policy: 1) hay exports, 2) continued flood irrigation of alfalfa and irrigated pasture, 3) the April 6, 2015, Temporary Urgency Change Order (TUCO), and 4) the extreme groundwater depletion within the San Joaquin Valley.

Since crops used for livestock consumption require large quantities of water, these citizens believe that such water use is wasteful when a small fraction of that irrigated water could be used to grow equivalent amounts of plant-based protein. These livestock feed crops also contribute to climate change when fed to the 2.4 million head of California livestock that produce meat, milk, and cheese. Livestock produce significant amounts of methane, a gas that holds eighty-four times more heat in the atmosphere than an equivalent mass of carbon dioxide (CO₂) over a 20-year period.

“Scant water resources used to irrigate feed for California's 2.4 million dairy cows and beef cattle are every year being turned into atmospheric methane emissions equivalent to carbon pollution from five coal-fired power plants,” said Todd Shuman, Executive Director of Wasteful Unreasonable Use (WURU).

Shuman stated, “It is no longer reasonable to use water to grow crops that ultimately cook the planet. While prominent political and economic figures have thundered that Californians should not tell farmers what to grow, we believe that it is reasonable to say what crops should not be grown.”

Mike Hudak, former Chair of the Sierra Club national level Grazing Team (2008–2013) and primary author of the Sierra Club’s “Grazing on Public Lands” policy, stated, “Sixty-one thousand dairy cows fed with crops grown by farmers within the San Joaquin River Exchange Contractors Water Authority (SJRECWA) are every year discharging heat-trapping methane into the atmosphere equivalent to burning 600 million pounds of coal.”

The farmers in the SJRECWA—including powerful heirs to the Henry Miller cattle baron dynasty of the 1800s— currently hold very strong senior water rights in California, and it is likely that much of the surface water supply these farmers are receiving this year from the Central Valley Project is being used to grow livestock feed crops, such as alfalfa. (In 2014, nearly 60,000 acres of land within the SJRECWA service area were “flood irrigated” in order to produce alfalfa.)

While most of California’s junior water-rights holders have received very little or no surface water allocations over the last two years, the SJRECWA constituent water districts have received nearly 90,000 acre-feet of water during the February–April 2015 period, approximately 50 percent more than the amount they received during the same period in 2014. It is also likely that the farmers served by the SJRECWA will be the primary beneficiaries if the SWRCB adopts a new TUCO in response to the June 8, 2015 petition by the California Department of Water Resources and the U.S. Bureau of Reclamation.

Ara Marderosian, Executive Director of Sequoia ForestKeeper said, “SWRCB's Emergency Drought Orders, which have decreased water supplies to cities and junior water rights holders yet still allocated water to other powerful farmers growing livestock feed crops, will ultimately threaten the human environment and all other species, including Sierra Nevada sequoias.”

Marderosian also lamented the continued overdrafting of groundwater resources for livestock feed production in Tulare County: “It is likely that roughly a million acre-feet of groundwater in 2014 was used to grow livestock feed crops in Tulare County. That is groundwater that may never be recharged due to a drought that is partially fueled by the dairy cattle methane emissions of the San Joaquin Valley.”

Connie Hanson, on behalf of Christians Caring for Creation, stated that “The SWRCB should deny the petition to continue water allocations that would promote further irrigation of alfalfa.” She said, “The Delta smelt and other native fish populations are part of God's creation and their biological viability should not be put in jeopardy.”

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