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Lawsuits filed against Calif.'s Delta Plan

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FRESNO, Calif. (AP) — Several opposing groups have filed lawsuits against a broad, long-range plan to manage the ailing Sacramento-San Joaquin River Delta that was adopted in May.

The four suits, filed over the course of the past month by environmental groups and water users, argue the Delta Plan does not fulfill its two co-equal goals of providing a more reliable water supply for millions of Californians and protecting and restoring the delta ecosystem.

Environmental groups say the plan would cause more water to be siphoned from the delta, causing further fish declines. Water contractors say the opposite would be true: that the plan would limit the water pumped, reducing water deliveries to cities and states.

Three of the lawsuits were filed on Friday, including two filed by environmental groups and one by the State Water Contractors. They follow a lawsuit filed by the Westlands Water District, one of the nation's largest water contractors, at the end of May.

The lawsuits seek a halt to and a redo of the plan.

In 2009, spurred by the delta's rapid deterioration and the curtailments imposed on water pumping, the state legislature created the Delta Stewardship Council to come up with a plan to manage the estuary.

The Delta Plan does not call for specific construction projects but contains policies and recommendations. The \$14 billion twin tunnel project, which is being developed through a separate federal and state initiative, will be incorporated into the plan if the tunnels are approved and permitted.

The plaintiffs in one of the suits, including AquAlliance and Friends of the River, say the plan failed to incorporate flow criteria, which specify the amount and timing of water necessary to restore the delta's fisheries.

The group says the plan also fails to analyze the impacts of the twin tunnel project on the environment, even though those tunnels will be incorporated into the Delta Plan once approved.

In another suit, the North Coast Rivers Alliance, Pacific Coast Federation of Fishermen's Associations and other groups say the plan accommodates unsustainable increases in water exports from the delta, which will thwart protection and restoration of the ecosystem.

Water contractors, on the other hand, say the plan goes beyond its intended scope and would result in substantial reductions in water deliveries.

In their lawsuit, the State Water Contractors say the Delta Plan could impede implementation of the twin tunnel project, which would carry water underground, replacing the delta's current pumping system and stabilizing water supplies.

They say the plan also fails to identify feasible replacement water sources for water users who will be required to reduce their reliance on delta water — and does not analyze the impacts of the plan outside of the delta region.

In a statement released on Monday, the Delta Stewardship Council defended its plan and said it was in line with what the Legislature intended.

“Environmental groups want us to be more restrictive; water agencies believe we're too restrictive. The Plan, however, actually walks the very careful line specified in the Delta Reform Act,” said Chris Knopp, Executive Officer of the Delta Stewardship Council.