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16 **Attorneys for Central Delta Water Agency,**
17 **South Delta Water Agency (Delta Agencies),**
18 **Lafayette Ranch, Heritage Lands, Inc.,**
19 **Mark Bacchetti Farms and Rudy Mussi Investments L.P.**

20 **BEFORE THE**

21 **STATE WATER RESOURCES CONTROL BOARD**

22 **HEARING REGARDING PETITION REQUESTING**
23 **CHANGES IN WATER RIGHTS OF THE**
24 **DEPARTMENT OF WATER RESOURCES AND U.S.**
25 **BUREAU OF RECLAMATION FOR THE**
26 **CALIFORNIA WATERFIX PROJECT**

27 **TESTIMONY OF MARK**
28 **BACCHETTI**

29 I Mark Bacchetti, declare as follows:

30 My name is Mark Bacchetti and I am owner and President of Marca Bella Farms, Inc.,
31 located in Tracy, CA. I have been farming for the past 40 years, and am a 3rd generation farmer.
32 I am also a Protestant in this proceeding as part of the South Delta water Agency and Central
33 Delta Water Agency parties.

34 1.

Testimony of Mark Bacchetti

1 I currently farm approximately 3,400 acres of alfalfa, processing tomatoes, field, silage
2 and sweet corn, almonds, asparagus, and several grain crops. These crops have varying
3 irrigation needs which means that depending on the year type, I may need to irrigate in any or
4 every month of the year. I farm on Fabian Tract and surrounding areas known as the south rim
5 Delta. Our only sources of irrigation water are from Old River, the Grant Line Canal and Tom
6 Paine Slough.
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8 Attached hereto as Exhibit SDWA 122 is a copy of three licenses under which I divert
9 water onto Fabian Tract. We also claim riparian and pre-1914 rights for the parcels benefitted by
10 these licenses, but for purposes of this hearing on the DWR/USBR Petition I am only presenting
11 information on these licenses. Attached as SDWA 123 is a map showing the parcels of land I
12 currently farm on Fabian Tract on my behalf or as a tenant, with the above-referenced Licenses
13 also indicated.
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16 Over the years I have become aware of the salt problem in the area. I do not keep
17 records of applied water electro-conductivity (EC), chlorides or boron, but I regularly review
18 public data on the water quality in Old River as reported by the Department of Water Resources
19 or other sources. Especially in the area of my diversions from Old River, EC levels are regularly
20 above the 1.0/0.7 EC set forth in the salinity standard which I am informed is more accurately
21 described as the water quality objective for agricultural beneficial uses.
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23 My Fabian Tract diversions are generally between the monitoring station at Old River at
24 Tracy Blvd. Bridge and the location of the temporary barrier installed and operated each year a
25 few miles downstream on Old River.
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1 During irrigations at certain times of the year, the salt levels are so high that they stain the
2 concrete ditches white. I have not personally tested any residue on such ditches, but do believe it
3 is the result of the excessive salt in our applied water. The salt level in our applied water affects
4 our crops in different ways and some impacts may occur later than the season of application.
5 This is due to the buildup of salts in the soil. We do attempt to implement best management
6 practices to leach salts from the soils when believed necessary but that is not always successful.
7 Of course any diversion for the purpose of leaching is an additional cost we incur. The net result
8 of having Old River as the only source of water (and the source under our water rights) means
9 that we are forced to divert water which in excess of the standard and which necessarily
10 adversely affects us and reduces yields. Included in our submittal as Exhibit SDWA 18 are a
11 number of DWR printouts supplied by my counsel showing the water quality associated with Old
12 River for for the time frame 12/10/12 – 8/6/13. Though a drought period, this data shows how
13 often are forced to use water with a quality much worse than the standard.
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17 My Fabian Tract diversions are also only a few miles from the export intakes for the
18 Central Valley Project and the State Water Project. As such, water levels in our area are lowered
19 during the times the export pumps at those intakes are operated. I understand that the temporary
20 rock barriers (one of which is installed downstream from my Fabian Tract diversions) are
21 installed and operated each year to partially mitigate the lowering of water levels by the CVP and
22 SWP intakes. Although the barriers for the most part do artificially hold the high tide as
23 designed, we do experience problems both during times when the barriers are in and when the
24 barriers are not in. These problems do not generally result in me having to shut down diversions,
25 but the lowered water levels can impact us by decreasing the amount capable of being diverted,
26 and by causing more wear and tear on the pumps. When lowered water levels alter the amounts
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1 being diverted, it prevents the irrigators from operating a consistent set of siphon pipes off the
2 main ditch, which increases our costs by requiring more labor to constantly change the numnbgner
3 of siphon pipes being used. I am not aware of what conditions may be the cause of these
4 problems other than the export pumps of CVP and SWP, but the problems exist nonetheless.

5 I have observed the deterioration in water quality in our area during the past 20 years.
6 This ecosystem is a very delicately balanced system and even minor changes will drastically
7 affect water quality, especially in the south delta. Most crops in our rotation are very sensitive to
8 increased salt, especially in drought years, which dissuades us from planting increased acres of
9 those crops.
10

11 We are faced with many diverse issues here in California that make farming a difficult
12 job. If the California WaterFix project (or twin tunnels) results in increases in salinity in my
13 applied water it will necessarily cause me some level of additional injury to that I am already
14 experiencing. The addition of any more salt (or the further concentration of the salts) will
15 greatly affect our ability to produce high yield, quality crops, and the financial toll will adversely
16 affect our ability to continue farming. Similarly, any further degradation of local water levels
17 will also cause us additional harm. There are many, many people and industries that depend on
18 the success of farming and the protection of any area already impacted by the CVP and SWP
19 should be of special concern.
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22 Executed on this 30th day of August, 2016, in Stockton, California
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25 
26 Mark Bacchetti