Editorial

NO TUNNEL OF LOVE

Good news: there may be more water in Stockton's future. Then again, maybe the Delta smelt or the Stanislaus River steelhead will get most of it.

Still, a ruling by the U.S. Court of Appeals that the federal government is liable for water promised but rarely delivered to the Stockton area is no small victory.

For years, area residents have been paying off the cost of a $65 million tunnel that was supposed to bring water into the Stockton East Water District.

An agreement was reached with the U.S. Bureau of Reclamation in 1983 and construction on the Goodwin Tunnel was started. It took years to finish.

Times changed and so did the rules, in this case environmental rules that caused the Bureau of Reclamation to severely turn down the water spigot. That left local taxpayers on the hook for a multi-million dollar water tunnel through which very little water flowed.

But the appeals court said last week that the Bureau's breaking of the water delivery contract was not justified, because most of the withholding of water was due to new policies and not because of drought, dam failure or some other act of God.

Just don't get your straw out so you can enjoy some clear water from the Sierras.

Now the Obama administration has asked the National Academy of Sciences to look into how endangered fishes in the Delta can be maintained while still giving people water to drink and farmers water for the farm.

This comes as the Schwarzenegger administration pushes for a peripheral canal, an around the Delta ditch that enjoys the enthusiastic disdain of area politicians and environmentalists alike.

If the science comes back in favor of the fish in the Delta (leaving aside for the moment fish in the Stanislaus River), the court's ruling likely won't result in much water flowing through the Goodwin Tunnel.

What it might do is help force the federal government to pay for the tunnel project locals built with federal blessing. After more than two decades of planning, cost, work and fighting, that would be at least something.