



Testimony of Jack J. Pandol to SWRCB Regarding the Allocation of Kern River Water

My ancestors immigrated to the San Joaquin Valley early in 20th century and have been engaged in the production of high value crops until today. The majority of the land that they farmed and continue to farm is located in Tulare and Kern County. Most of it is served by the Friant Water System and water originating from the Kern River.

I am a graduate of UC Davis in Plant Science. My education has been invaluable in my career long quest to use all resources efficiently and sustainably. Our family farms were on the cutting edge of high efficiency irrigation starting in the mid 70's with one of the first drip irrigation systems. We installed the first computerized irrigation control system in California in the mid 80's.

I was privileged to serve as Undersecretary of Cal EPA from 1993-1996. In that capacity I was a member of the Governor's Water Policy Council. I worked closely with the SWRCB, the Regional Boards and DWR to improve water quality and supply in every region of the state.

Currently I own, lease, manage or consult on 2,000 acres of permanent crops in Kern and Tulare Counties. I also serve on the Board of Directors of Pandol Brothers Inc., a major sales company of California fruits and vegetables. We export close to half of our crops to markets around the world. I am also a co-founder of International Fruit Genetics, a company that breeds and licenses table grape and cherry varieties worldwide.

The southern portion of the San Joaquin Valley where we operate is a worldwide marvel of God-given natural resources, public investment and private endeavor. No other region in the world produces the abundance and quality of wholesome fruits, nuts, fiber and vegetables. We are the nation's and the world's fruit and vegetable basket. Thousands of jobs directly and indirectly are supported by the agricultural industry in the area.

Sadly, there are many misconceptions and misguided policies in water supply that threaten to undermine agriculture. The current dispute that is the subject of this hearing is only one of many issues that continue to threaten critical water supplies and jobs.

There is clear history that the water of the Kern River has been used principally for irrigated agriculture. The efficient use of this water has increased steadily over the years as the agricultural industry has invested substantially in high efficiency irrigation. (The pace of

improvement has exceeded urban and industrial efficiency gains). The mix of crops that utilize Kern River water has also evolved over time to higher value crops that are exported in greater volumes. Both of these trends have substantially increased the economic value of the water in the form of higher paying jobs, balance of trade and general economic growth to the area.

Recent decisions regarding water flows through the Sacramento/San Joaquin Bay Delta and the San Joaquin River/Friant Dam system have significantly reduced water deliveries to the area. Further reductions in supplies as a result of these decisions are expected. Agricultural water users are being highly impacted by these policy changes. Any reductions in Kern River availability will further exacerbate the loss of jobs and revenue to an area that is already experiencing high unemployment. It is pure folly to go down the path of continuing to take water from the principal job creator of the region.

Some will say that agriculture just needs to use the water more efficiently to cover these shortfalls. While it is true that greater marginal efficiency could be achieved the technology does not exist today to squeeze out enough water savings to compensate for the total losses occurring and anticipated from all sources.

The continued loss of water will result in greater groundwater use which will strain the electrical grid further and contribute to greater air pollution in an area struggling to reach compliance under the federal Clean Air Act and state regulations. Ground water pumping adds significantly to the cost of production that has experienced significant cost increases over the last four to five years. We are in a competitive global economic environment that is brutal and unforgiving. Continued cost increases will drive production to foreign countries resulting in a precarious food supply, balance of trade problems and higher local unemployment.

Uncertainty of the water supply is limiting capital investment in high value agricultural production and processing. We need stable supplies to convince investors that the land and permanent crops will have water. Without that assurance the money will go elsewhere to our detriment.

Thank you for the opportunity to comment.

Jack J Pandol
Gravery, Inc.
International Fruit Genetics
Pandol Brothers Inc.

900 Mohawk St., Ste. 220, Bakersfield, CA. 93309 info@gravery.biz www.gravery.biz off: 661-326-8004

WATER RIGHT HEARING REGARDING PETITIONS TO REVISE THE DECLARATION
OF FULLY APPROPRIATED STREAM SYSTEM OF THE KERN RIVER – SCHEDULED
TO COMMENCE ON OCTOBER 26, 2009

PROOF OF SERVICE LIST

STATE OF CALIFORNIA, COUNTY OF Kern

I, Jack Pandol, declare: I am and was at the times of the service hereunder mentioned, over the age of eighteen (18) years, and not a party to the within cause. My business address is 900 Mohawk St., Ste 220, Bakersfield, CA 93309

On Oct. 18, 2009, I caused to be served the below listed document(s) entitled as: Jack Pandol testimony, on the parties and participants in this action, as listed below.

Division of Water Rights
State Water Resources Control Board
Attn: Paul Murphey
P.O. Box 2000
Sacramento, CA 95812-2000
Email: wrhearing@waterboards.ca.gov
With subject of "Kern River FAS Petition Hearing
And U.S. Mail (Original)

CITY OF BAKERSFIELD
c/o Colin L. Pearce
Duane Morris LLP
One Market, Spear Tower, #2200
San Francisco, CA 94105-1127
clpearce@duanemorris.com

CENTER FOR BIOLOGICAL DIVERSITY
c/o Adam Keats
351 California Street, Suite 600
San Francisco, CA 94104
akeats@biologicaldiversity.org

KERN COUNTY FARM BUREAU
c/o Mike Young
19000 Wildwood Road
Buttonwillow, CA 93206
michaelyoung@sbeglobal.net

KERN WATER BANK AUTHORITY
c/o Kevin M. O'Brien
Downey Brand LLP
621 Capitol Mall, 18th Floor
Sacramento, CA 95814
kobrien@downeybrand.com
jsehofield@downeybrand.com
ikuntz@downeybrand.com

KERN DELTA WATER DISTRICT
c/o L Mark Mulkay
501 Taft Highway
Bakersfield, CA 93307
mulkay@kerndelta.org

BUENA VISTA WATER STORAGE DISTRICT
c/o Gene R. McMurtrey
McMurtrey, Hartsock & Worth
2001 22nd Street, Suite 100
Bakersfield, CA 93301
gene@mcmurtreyhartsock.com

JACK PANDOL
900 Mohawk Street, Suite 220
Bakersfield, CA 93309
jpandolsr@grapery.biz

WESTERN GROWERS ASSOC
c/o Thomas Nassif
17620 Fitch Street
Irvine, CA 92614
tnassif@wga.com

KERN COUNTY WATER AGENCY

c/o Nicholas Jacobs
 Somach, Simon & Dunn
 500 Capitol Mall, Suite 1000
 Sacramento, CA 95814
njacobs@somachlaw.com

CITY OF SHAFTER

c/o Jason M. Ackerman
 Best, Best & Krieger LLP
 3750 University Avenue, Suite 400
 Riverside, CA 92501
Jason.ackerman@bbkllaw.com

WESTERN GROWERS ASSOC

c/o Gail Delihant
 1415 L Street, Suite 1060
 Sacramento, CA 95814
gdelihant@wga.com

NORTH KERN WATER
STORAGE DISTRICT

Scott K. Kuney, Esq.
 Law Offices of Young Wooldridge
 1800 30th Street, Fourth Floor
 Bakersfield, CA 93301
skuney@youngwooldridge.com

(BY ELECTRONIC MAIL) on _____, at Kern County California,
 pursuant to Pursuant to the State Water Resources Control Board letter dated September
 16, 2009, for this hearing all participants have agreed to accept electronic service of
 hearing-related materials.

(STATE) I declare under penalty of perjury under the laws of the State of California
 that the above is true and correct.

Executed on Oct. 18 2009, at Bakersfield, California.

