

## Congress keeps California water talks flowing

By Michael  
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### MCT FILE

WASHINGTON — Secret California water bill negotiations have a "55% to 60% chance" of success during the fast-fading 113th Congress, Democratic Sen. Barbara Boxer said Thursday.

In her first extended public comments on the closely held water talks, Boxer voiced cautious optimism even as she criticized House Republicans for trying to exclude Northern California Democrats.

"I'm very hopeful," Boxer told reporters. "I would say the discussions are going well."

Some negotiators convened as recently as Sunday in an effort to narrow remaining differences, Boxer revealed. Like everyone else involved in the ongoing negotiations, she carefully avoided discussing any specifics and declined to identify what the major sticking points might be.

But with so little time remaining, Boxer could find herself holding the key card in what she described as "pretty good, often intense" negotiations.

The negotiators are trying to resolve significant differences between House and Senate bills that respond to California's drought. The GOP-controlled House passed a far-reaching bill in February. It would roll back a landmark

1992 law that directed more water to protect the Sacramento-San Joaquin Delta, remove wild-and-scenic protections from a half mile of the Merced River and authorize new water storage projects, among other provisions.

The Senate countered in May with a slimmed-down bill passed by unanimous consent, also without a committee hearing. Since then, there are muffled suggestions that Democratic Sen. Dianne Feinstein of California and House Republicans have moved closer together, while Boxer and the Obama administration have continued to hold concerns about the legislation's potential impact on the Delta and on protected salmon populations, among other issues.

"Water needed for listed salmon runs greatly helps the non-listed runs us humans on the coast and along the Sacramento River depend on," John McManus, executive director of the Golden Gate Salmon Association, said in an email last week.

Democrats who voted against the 68-page House bill, and whose congressional districts span part of the Delta, complain that they have been shut out of the subsequent negotiations. Republicans say the Democrats are never going to vote for the final bill anyway; an argument Boxer does not share.

"I think it's foolish," Boxer said of the exclusion. "A recipe for success is everyone sitting around a table and being sincere. ... We have to be respectful of everyone who has a stake."

Boxer's enhanced role stems, in part, from the congressional calendar and in part from the way the Senate works.

During August, negotiators indicated that a final package would probably have to be wrapped up in September. But September suddenly became shorter when congressional leaders this week declared that both chambers of Congress will effectively depart Friday and not return until Nov. 12.

This means any final package will have to be completed in a lame-duck, post-election session, where the political dynamics can get more complicated. The Senate, in particular, could get even more unpredictable than usual if Republicans gain six additional seats that would give them the majority in January.

Senate rules, moreover, can both help and hinder a bill.

Boxer noted Thursday that if all differences are ironed out, the final California water bill could be passed by unanimous consent, a lickety-split procedure used in May to move the Senate's initial 16-page version. The unspoken converse is that, particularly when time is short, individual senators can stop anything.

"Our goal is to move water where it's most needed, without doing anyone harm," Boxer said.

Separately, the House Natural Resources Committee on Thursday approved a bill by Rep. Tom McClintock, R-Elk Grove, to streamline the approval of Bureau of Reclamation water storage projects. Its long-term prospects are unclear.

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