

## Latest California drought bill causes new dust-up

By Michael  
Doyle



Drought in California

AL SEIB — Los Angeles Times/MCT

WASHINGTON — A new California water bill slated to hit the House floor next week would boost irrigation deliveries to farms south of the Sacramento-San Joaquin Delta, nudge along planning for new dams and capture more storm runoff for human use.

It would not authorize dam construction, repeal an ambitious San Joaquin River restoration plan or last longer than the state's current drought.

And whether it survives or dies will almost certainly be up to the Senate, where California's two Democrats are feeling the heat from every corner.

"I have carefully studied the Republican water bill and I am dismayed that this measure could reignite the water wars by overriding critical state and federal protections for California," Democratic Sen. Barbara Boxer said late Wednesday.

Dense with technical language best understood by the bill's potential beneficiaries, the [26-page California Emergency Drought Relief Act](#) introduced in the House on Tuesday night marks the latest, and presumably last, shot for a water bill during the current 113th Congress.

Preceding steps have included House approval in February of an ambitious 68-page bill, Senate approval in May of a

16-page alternative and subsequent months of closed-door negotiations that ended just short of the finish line last month. The end of negotiations intensely frustrated California water users weary of rhetoric and thirsting for tangible help.

On Wednesday, a procedural hearing scheduled before the House Rules Committee foreshadowed the new House bill's passage prior to the scheduled Dec. 11 congressional adjournment.

Backed by the likes of House Majority Leader Kevin McCarthy, the Republican from Bakersfield, the new bill introduced by freshman Rep. David Valadao, R-Hanford, is effectively guaranteed approval by the GOP-controlled House. But while Valadao insisted the bill "contains no controversial measure for either party," Northern California Democrats disagree.

"There are some problems with this," Rep. Jared Huffman, D-San Rafael, said in an interview Wednesday, "and there are a number of provisions that would do real harm."

Sacramento Democratic Rep. Doris Matsui on Wednesday characterized the bill as "nothing more than a water grab."

With House approval will come the real test in the Senate, where Boxer and her California Democratic colleague, Sen. Dianne Feinstein, hold sway. It will be a test, moreover, of both congressional process and legislative substance.

Boxer said last month that she wanted a California water bill to move next year through the standard committee hearings and public mark-ups. Feinstein, too, said she intended to utilize the "regular order" that has been at least partially bypassed during months of closed-door negotiations this year.

"We have communities across the state that are hurting from this drought, so we need a balanced approach that doesn't pit one stakeholder against another, and meets the needs of all of California's water users," Boxer said Wednesday.

Pointedly, McCarthy on Wednesday blamed some of the drought's consequences on "years of inaction by Senate Democrats" as well as on "ill-conceived policies." The finger-wagging at Democrats raised the possibility that more could be on the way if the bill fails. Whether such blame-casting helps or hinders future negotiations is an open question.

For either senator, returning to the water bill during the lame-duck Congress could prove an embarrassment.

"I do think (Feinstein) is a person of her word, and I do think this goes against everything she committed to do," Huffman said, adding that Boxer, too, voiced strong support last month for following a less-rushed process.

Substantively, the House bill starts by adopting some language previously introduced by Feinstein. This includes, for instance, a mandate to keep the "Delta Cross Channel gates" open as much as possible. Closing the gates protects salmon. Opening the gates boosts water exports.

The new House bill, like Feinstein's, also orders speedier Interior Department processing of applications for water transfers and certain projects.

The new House bill, its Republican authors say, also includes language similar to what Feinstein reportedly agreed to during negotiations. The House bill provisions, for instance, include a directive for increased pumping from the Delta during the early storms of the water delivery season.

"Cities, towns, rural homes, schools and churches are running dry," said Rep. Devin Nunes, R-Tulare.

Unlike previous versions, the new House bill is cast as temporary, with its provisions lasting for 18 months, or for as

long as the California drought remains a declared emergency.

"It is not clear that the bill does much to solve water shortages caused by the drought, but it clearly alters how environmental protection statutes are implemented and enforced," said Patricia Schifferle, a California-based environmental activist and critic of the bill.

Contact Michael Doyle: [mdoyle@mcclatchydc.com](mailto:mdoyle@mcclatchydc.com), (202) 383-0006 or [@MichaelDoyle10](https://twitter.com/MichaelDoyle10) on Twitter.

#### Copyright

© 2014 [www.fresnobee.com](http://www.fresnobee.com) and wire service sources. All Rights Reserved. <http://www.fresnobee.com>