

UPDATE: California's GOP congressmen flex muscles with new water bill

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After the collapse of secret negotiations that sought to change federal policy to send more water to Central Valley farmers, California's Republican lawmakers have come up with Plan B: a completely new water bill.

It's an early sign of the rising power of Republicans who will control both the Senate and the House in January.

Last night, Hanford Republican Congressman David Valadao introduced the "[California Emergency Drought Relief Act of 2014](#)." Co-sponsors include Majority Leader Kevin McCarthy (R-Bakersfield), Ken Calvert (R-Riverside) and Jim Costa (D-Fresno). Calvert says the measure is "just a piece of the legislative fix that our state so desperately needs."

The measure is designed to bring more water to Central Valley farmers over the next 18 months, but it could also effect taps in Southern California. The bill would make it easier for the Metropolitan Water District, the agency that provides water to 18 million Southern Californians in six counties, to purchase extra water in drought years. But there is also a chance that the state would have to replenish some of the federal water sent to farmers.

MWD gets most of its water two ways: from the Colorado River and from the state water project. Last year, because of the drought, the state reduced MWD's allotment to just 5% of the water it was scheduled to get.

MWD had water in the bank: it's reservoirs. Every year, the MWD tops them off by purchasing small amounts of water - about 10% of the total amount - from other places. Often, it's water sold by rice farmers and others in Northern California.

But in a drought year, while MWD pays for 100% of its water purchase, it only gets about 25% of the water because water managers say it's needed for those with more senior water rights or for environmental reasons. The Valadeo bill guarantees that even in a drought year, when agencies like MWD purchase water, they get every drop.

But the bill could also reduce the flow of water through the state aqueducts to the MWD.

That's because water managers have to balance the bill's requirement to increase water flows from the Sacramento-San Joaquin River Delta with environmental protections.

If federal water flows are increased to Central Valley farmers, the state water project might have to kick in more than its share to protect endangered species - and that means less water flowing to Southern California.

MWD General Manager Jeffrey Kightlinger says that's been one of his agency's chief concerns. While lawmakers say it's not their intent to backfill the federal allocation with state water, MWD lawyers are carefully scouring the bill to be sure.

Environmentalists are not happy.

Doug Obegi of the Natural Resources Defense Counsel calls the bill "a real threat" to migrating salmon and thousands of fishing jobs.

Patricia Schifferle of Pacific Advocates says the bill makes Central Valley corporate farmers the winners and endangered species the losers. "It is no surprise the winners were the ones at the table," says Schifferle.

She agrees with the MWD that it will take "a number of lawyers and possibly the courts to determine the impacts of all the embedded language."

Both the House and Senate have already [passed individual drought measures](#), but there are rivers of differences between them. It appeared that an agreement had been reached on a compromise bill before Thanksgiving, but the deal dried up. Congressman Calvert says this new bill includes "negotiated text" from those sessions between House members and Senator Dianne Feinstein.

So why move a last minute bill? Co-sponsor Doug LaMalfa (R-Redding) says its because no water legislation has gotten through both houses so far. "We need to be throwing every option and opportunity up there to move the ball."

The bill is likely to get a vote - without a hearing - next week, and is likely to pass the House.

Grace Napolitano (D-Santa Fe Springs) says she'll vote no. "There's nothing there for Southern California." She's been pushing for legislation that cleans up the aquifers and teaches conservation.

Jared Huffman (D-San Rafael) also opposes the bill and has put his faith in Senator Feinstein to put the brakes on in the Senate and bring the issue to a public hearing. "Sunlight has a wonderful disinfectant quality," he says. He says hearings allow lawmakers to hear from experts who understand water and not produce "lousy legislation like what we're considering here."

So far, Feinstein has been silent on the matter. Feinstein's office says they saw the bill for the first time last night.

LaMalfa says the legislation reflects agreements on particular issues they reached with Senator Feinstein.

"Some of our other Senators are standing in the way of that, " says LaMalfa, a reference to Boxer, who heads the Senate environment committee.

Late Wednesday, Boxer released a statement that "this measure could reignite the water wars by overriding critical state and federal protections for California."

Pressure from the GOP-led House presents a tough choice for Senators Boxer and Feinstein: They can accept this short-term bill now or face an even less attractive measure in the new year when Republicans control both the House and the Senate.