

## With fed water bill under the bridge, D.C. legislators look toward 2015 strategy

By Michael  
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Dried lake bottom is seen at the Deer Creek Recreation Area of Pine Flat Lake in October.

ERIC PAUL ZAMORA — The Fresno Bee [Buy Photo](#)

WASHINGTON — California lawmakers' failure to pass water legislation this Congress raises questions about strategy, tactics and the ability to learn from falling short.

It also sets the stage for next year when the whole anti-drought drama returns for an encore.

On Thursday night, the House was expected to conclude its work for the 113th Congress by approving a \$1 trillion omnibus spending bill that funds federal government agencies for nine months. The must-pass bill does not include the California water language sought by some lawmakers and opposed by others.

"The lesson," said Rep. Jim Costa, D-Fresno, "is that there is still a sharp rivalry between the different regions of California."

Costa, House Republicans and Democratic Sen. Dianne Feinstein of California had been seeking last-minute legislative language they could add to the 1,603-page omnibus bill. Among themselves, they seemed last Sunday to have a deal that could boost water exports to farms and other users south of the Sacramento-San Joaquin Delta.

"If they miss this opportunity," House Majority Leader Kevin McCarthy of Bakersfield said of the Senate on

Wednesday, “we’ll be hurt even further in the next year.”

Among Northern California Democrats, though, the latest language still sounded like a water grab hatched in secret. Democratic Sen. Barbara Boxer of California would not relent, and she worked with Senate Democratic leaders to keep the [20-plus pages of negotiated language](#) off the omnibus.

The omnibus package, and the Senate’s related unwillingness to take up a separate House-passed California water bill, leaves up to the state’s lawmakers the job of explaining to their drought-weary constituents why little happened this year. Expect finger-pointing, at first.

Below the surface, Feinstein insisted, “progress toward a bipartisan bill” was made that might inform next year’s work. Some key personal relationships improved. Feinstein and Rep. Devin Nunes, R-Tulare, became more comfortable with each other. House and Senate staffers, too, got to know each other well through months of negotiations.

On Thursday, Rep. John Garamendi, D-Walnut Grove, whose district includes the Delta, said he saw “opportunities” next Congress, particularly if members follow a broadly collaborative process similar to the one that resulted in California’s ultimately successful \$7 billion water bond measure approved in August.

Some on Capitol Hill, though, also nurtured beefs against one another. This, too, might inform next year’s work, in a Hatfield-and-McCoys kind of way. Already, some Republicans are saying they’ll charge ahead next year thanks to GOP control of both House and Senate.

Farmers’ advocates believe the Obama administration deliberately slow-walked negotiations, with administration officials at one point missing a negotiating deadline by about eight weeks. Boxer, the farmers’ advocates believe, did not play a constructive role; Nunes said outright that Boxer “killed” the bill.

“The people of California vote for their senators,” Nunes said, pointedly. “What does the Senate want to do?”

The farmers, environmental advocates counter, were simply trying to jam through a wish list. Negotiations that Feinstein publicly stopped with a Nov. 20 declaration that she’d resume next year under “regular order” instead continued in secret, with an eye toward slipping something into the omnibus bill. House skeptics viewed this as political sleight-of-hand.

The 55-member California congressional delegation’s inability to reach consensus, while not unusual, came even though, for a time, it had the political momentum. On Capitol Hill, the drought was hot earlier this year. Even President Barack Obama felt compelled to swing by a Fresno County farm in February, his first-ever visit to the rural region.

“I hope that Congress considers the legislation that they have crafted soon, (and) work through some of the concerns that have been expressed,” Obama said.

At the time of Obama’s Fresno visit, three California water bills had been introduced. By the end of the Congress, at least eight bills to address various aspects of the state’s drought had been introduced in the House or Senate.

The House acted first, on a bill introduced by Rep. David Valadao, R-Hanford. Largely drawn from a bill previously authored by Nunes, the measure steered more water to farms, authorized construction of new dams and repealed an ambitious San Joaquin River restoration program, among other measures.

Setting the tone for the rest of the year, Republican leaders pushed the Valadao bill to the House floor seven days after it was introduced. No hearings were held. Republicans insisted speed was of the essence; Democrats called it unseemly haste, and voted against it by a 189-7 margin.

“It can’t be Northern California versus Southern California versus Central California,” Rep. Ami Bera, D-Elk Grove,

pleaded at the time. "It has got to be Californians working together."

The House bill did seem to nudge the Senate, which passed a much smaller California water bill in May. Talks began, with those participating swearing themselves to secrecy. Language was swapped back and forth and concessions were made, even as environmentalists in California mobilized and Gov. Jerry Brown's administration publicly opposed it.

The California water bill finally expired with a whimper and not a bang when the final omnibus was posted for public review Tuesday night and farmers could see what was missing.

"We have to come back," Nunes said, "and come up with a plan."

A Northern California Democrat, Rep. Jared Huffman of San Rafael, put it another way.

"There are lessons that should be learned," Huffman said Thursday, "but I can't say they will be learned."

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