

California's congressional delegation can't agree on response to drought

By Noah Bierman

Farmers have watched fields turn fallow. Residents have skipped showers and ripped up lawns. But four years into California's epic drought, Congress is status quo: gridlocked.

The state's splintered congressional delegation — despite its size and influence — has been stymied by fundamental disagreements over the causes of the drought and the role of the federal government in mitigating its consequences.

FOR THE RECORD

8:49 a.m.: An earlier version of this report referred to Rep. Jim Costa as Robert Costa.

8:18 p.m.: An earlier version of this report quoted Rep. Devin Nunes saying, "But I do know this: If they don't do something soon, they're going to get the whole damn state out of water." He actually said, "But I do know this: If they don't do something soon they're going to run the whole damn state out of water."

Irrigating a farm

Sprinklers irrigate a farm near Bakersfield. House Republicans have been pushing for more water to be pumped to hard-hit farmers in the Central Valley. Democrats are reluctant to further drain the state's rivers and hamper efforts to recover endangered fish. (Mark Boster / Los Angeles Times)

If anything, recent fights have only hardened positions, with both sides questioning each other's motives.

"I have not seen anything yet that both Democrats and Republicans have said 'These seem like sensible ideas,'" said Jeffrey Kightlinger, general manager of the Metropolitan Water District of Southern California. "Both sides have been attacking each other's proposals."

House Republicans, led by Majority Leader Kevin McCarthy of Bakersfield, have been pushing for a plan that would pump more water to hard-hit farmers in the Central Valley. But they have run afoul of Democrats who are reluctant to further drain the state's rivers and hamper efforts to recover endangered fish.

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Many Democrats, including Sen. Barbara Boxer, favor an approach that would devote more money to conservation and reuse projects. "My guiding star is no water wars," Boxer said Tuesday, saying she would oppose "bills that turn one stakeholder against another."

She and other Democrats have released proposals that would spend \$1 billion to \$2 billion in the next few years on a variety of projects including desalinization, incentives for water-efficient products, and research — measures Republicans have criticized as inadequate and costly.

GOP lawmakers are looking to Sen. Dianne Feinstein, a Democrat known for deal-making and connections to agribusiness, to bridge the gap by crafting a proposal that can pass muster with Gov. Jerry Brown and President

Obama. She is working quietly on a bill that has not been widely viewed by her colleagues, including Boxer.

Feinstein, in an email sent by her office, acknowledged the difficulty "given the fraught political climate in which we must work."

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She said she hopes to craft a bill "in the coming weeks" that will focus on short-term and long-term relief, including provisions to increase flexibility for water delivery, improve wildlife habitats and build water storage. She said the bill would be more comprehensive than a measure she worked on last year that failed to get a vote in the Senate.

"Can Sen. Feinstein get to Jerry Brown? I don't know," said Rep. Devin Nunes, a Republican from Tulare who is close to McCarthy. "But I do know this: If they don't do something soon they're going to run the whole damn state out of water."

Nunes and other Republicans refer to a "man-made drought." They argue that policies designed to replenish endangered fish stocks in the Sacramento-San Joaquin River Delta are depriving farmers, especially those with low-priority water rights.

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"The people that are opponents are the same opponents there's always been, and they want to idle over 1 million acres of farmland in the San Joaquin Valley," he said.

Rep. Jeff Denham, a Republican from Turlock, said the latest GOP bill, expected to be released in the next few days, would be different from others that drew scorn from environmentalists and the Brown administration. He said the bill would create stricter timelines for federal review of water projects to avoid bureaucratic holdups that have driven up costs without negating the existing protections under federal law for endangered fish.

"Our goal is not to change the Endangered Species Act," he said.

But he and others have called for changes to current practices — such as altering the way endangered fish are counted to give water managers more flexibility in pumping water to farmers — that environmentalists said would do just that.

Such proposals "fundamentally change the Endangered Species Act," said Kate Poole, a senior attorney with the Natural Resources Defense Council who has read draft Republican bills but not yet seen a final version.

The Brown administration has been noncommittal while Feinstein drafts her legislation, but has generally taken the side of liberal Democrats in Congress who argue against plans that would pump more water to the Central Valley. Even if Congress passes a bill, Obama is unlikely to sign it without Brown's sign-off.

The problem for Republicans and Central Valley Democrats who have aligned with them is that many Democrats, though eager to spend money on longer-term projects, do not see a need for a dramatic change in policies that promote environmental protection of the delta, sometimes at the expense of water deliveries to farmers. They say the overriding problem for farmers is a lack of rain, not the government's environmental policy.

"Congress has been having the wrong conversation," said Rep. Jared Huffman (D-San Rafael). "The conversation has been dominated by a focus by a very narrow group of interests in the San Joaquin Valley, and their agenda to weaken the Endangered Species Act, water quality standards, and — frankly — the California water rights system, in order to redirect more water to themselves."

The Obama administration insists that it is trying to give farmers as much water as it can under the current law, by installing more monitoring equipment and other scientific tools to check the health of fish populations.

"We're getting better. We're making changes," Michael Connor, deputy secretary of the U.S. Department of the Interior, testified Tuesday at a Senate hearing.

But Rep. Jim Costa, a Democrat from the Central Valley who is working with Republicans, said Congress has to come together to give farmers more help. Many lack the irrigation to plant crops that have long sustained their livelihoods, a concern not just for the local economy but for the nation, he said.

"The last time I checked," he said, "I think most Americans like to eat."