

## Many snags ahead for California water bills

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Publicly and privately, California lawmakers are pushing to get a big water bill off its current glacial pace.

But history cautions that California legislation this ambitious always takes time, and plenty of it.

The 100th Meridian cuts through the Great Plains and divides America, wet from dry. To the east, annual rainfall averages more than 20 inches; to the west, less than 20. More than ever, in this time of drought, the 100th Meridian also separates how people think about water. This occasional series will look at the economic, environmental and political pressures behind the demand for water. McClatchy



Eight years passed between the introduction of California desert protection legislation and its final approval in 1994. More than a decade was needed to complete a deal protecting the redwood trees of Northern California's [Headwaters Forest Reserve](#). A San Joaquin River restoration bill took three years.

The common denominator to all of these is Democratic Sen. Dianne Feinstein, again going big with a \$1.3 billion California water package. The compelling question is whether negotiators can finally reach an elusive agreement.

"Every year, we've seen the same movie play out over and over again," Rep. Jared Huffman, D-Calif., said Monday. "And every year, it ends in the same way."

[Formally introduced last week](#) by Feinstein and her California Democratic colleague, Sen. Barbara Boxer, the 147-page Senate bill is both companion and competitor to a [170-page bill approved](#) July 16 by the House of Representatives along largely party lines.

I'm hopeful the bill . . . will serve as a template for the kinds of short-term and long-term solutions California needs to address this devastating drought. Sen. Dianne Feinstein, D-Calif.

Though both bills respond to California's sizzling drought emergency, neither has gotten off to a fast start.

House Republicans introduced their package six months into the current Congress, after waiting for Feinstein to go first. Feinstein, in turn, took longer than she hoped.

"I've introduced a lot of bills over the years, and this one may be the most difficult," the five-term senator acknowledged last week.

The Senate bill authorizes partial funding for new water storage projects, including Sites Reservoir proposed for the Sacramento Valley and Temperance Flat proposed for the Upper San Joaquin River. It funds water recycling and desalination projects, and potentially eases the delivery of more water to San Joaquin Valley farms.

Some Senate language resembles what House Republicans wrote, such as expediting reviews of water transfers and mandating more regular monitoring of the threatened Delta smelt.

While I cannot support the bill as written, I remain hopeful we can come to an agreement that can advance through the House and Senate. Rep. David Valadao, R-Calif.

Unlike the House bill, though, the Senate package leaves the ambitious San Joaquin River restoration program intact. The Senate bill ignores a House directive to sell the New Melones Dam to local water districts. Illustrating the broader differences, the House bill explicitly targets the [Endangered Species Act](#) with more than twice as many references as the Senate bill.

“The huge differences are going to be over the ESA and species protection,” Huffman said. “Those are very destructive parts of the Republican bill.”

The Senate bill includes language specifically designed to ensure that additional water deliveries do not unduly harm endangered species.

Republican Rep. David Valadao of California, the lead author of the House bill, countered that while the Feinstein bill includes “some useful provisions” it does “little to deliver more water to California farmers and families.”

Consequently, crucial negotiations ahead will focus on the specific language that deals with exporting water south of the Sacramento-San Joaquin Delta. The closer Feinstein comes to the House Republicans’ position on water exports, the more she risks losing the support of fellow Democrats.

Cost is a second major stumbling block, as a number of congressional Republicans are loathe to spend the kind of money anticipated by the Senate bill.

Some fights, though, are avoided by both the House and Senate bills. Neither version stakes a position on the state’s revised \$15.5 billion plan for building twin water tunnels to carry Sacramento River water under the Delta.

Last Congress, negotiations effectively sank nearly a year after the House passed a far-reaching bill and Feinstein introduced her first version.

“We’ve been down this road before, and we’re trying to learn from experience what not to do,” Johnny Amaral, deputy general manager of [the Westlands Water District](#), said Monday. “We don’t want the clock to run out at the end of the year and lose another opportunity.”

Drafting the legislation, which in Feinstein’s case entailed consulting with a dozen environmental groups and nearly 50 California water agencies, as well as state and Obama administration officials, was only the start.

The day following the bill’s introduction, Feinstein’s staffers held two separate briefings for other congressional staffers. This week, while she remains on Capitol Hill for a [big cybersecurity bill](#), her staff members are briefing Californians and others.

The Senate Energy and Natural Resources Committee will hold a hearing on the water legislation, expected in the third week of September. House Republicans omitted this customary step, aggravating the House Democrats’ complaints about being shut out of deliberations.

The Senate’s committee chairwoman, Republican Sen. Lisa Murkowski of Alaska, wants to move a broader Western states package. This can help politically, by giving other states’ lawmakers a stake in the game, but it can also paint a larger target for opponents if senators get carried away.

“This historic drought,” Rep. Jerry McNerney, D-Calif., and 18 other California House Democrats declared in a July 22 letter, “demands serious compromise.”

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