

# Amid complaints about secrecy, California water bill bogs down again

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A California water bill that skeptics say has been cloaked in excessive secrecy will probably miss its Capitol Hill train this year.

Facing criticism from fellow Democrats, and with key details still unresolved, Sen. Dianne Feinstein conceded Friday that the water legislation needs additional work despite “significant progress.” Her call for more time undermines efforts to add the water provisions to must-pass legislation to fund the federal government.

“Significant issues remain,” Feinstein said in a statement, adding that “I understand the urgency to pass a bill. We can’t let that foil good policy.”

Tellingly, Feinstein stressed “it is important to vet the compromise language” with all interested parties, including “environmental groups and numerous other stakeholders.” That seems likely to take more time than Congress has left to act in 2015.

Any delay would disappoint Valley farmers and lawmakers who have been maneuvering to slide the proposals onto an omnibus appropriations package needed to keep the federal government operating after next Friday. House Republicans such as Rep. David Valadao, the Valley Republican who introduced this year’s House bill, vow to keep fighting.

“This latest proposal is largely a product of bipartisan negotiations following passage of legislation in the House and introduction of legislation in the Senate,” California’s House Republicans said in a statement Friday, adding that “we must act now.”

We are so completely in the dark. Rep. Jared Huffman, D-Calif.

For Northern California’s House Democrats, among others, thwarting the farmers’ omnibus strategy would count as a victory after months of complaining about being shut out of the high-stakes water negotiations.

“The process is unacceptable,” Rep. Jared Huffman, the Democrat who represents coastal communities north of San Francisco, said in an interview, not long before Feinstein’s concerns became public. “Here we are, in the eleventh hour, and we still have not seen a draft. We can’t just be steamrolled.”

On Thursday, Huffman joined nine other House Democrats in writing congressional leaders from both parties to urge that the drought legislation be kept out of the omnibus funding bill.

Citing the “magnitude and gravity of this legislation for all Western states,” the lawmakers whose districts span the environmentally sensitive Sacramento-San Joaquin Delta declared that the proposals need more public scrutiny than they would get if folded into an omnibus bill likely to exceed 1,000 pages.

“The process has almost entirely excluded the members of Congress who would be most affected,” Rep. Jerry McNerney, whose district include Stockton, said in an interview Friday. “What they need to do is work with us.”

One of the few Democrats to support the GOP-written water bill, Rep. Jim Costa of Fresno, countered in an interview Friday that legislation is needed “whether it’s on the omnibus bill or stand-alone legislation.”

The latest plot turn in California water politics bears a striking resemblance to past Capitol Hill narratives.

Last year, too, after House Republicans pushed through an ambitious California water bill on a nearly party-line vote, Northern California Democrats blasted subsequent negotiations as excessively secret. Republicans counter that Democrats have been party to the talks and are simply finding excuses.

It is important to vet the compromise language with Governor Brown's administration, federal agencies, water districts, environmental groups and numerous other stakeholders, following regular order. Sen. Dianne Feinstein, D-Calif.

Nonetheless, in November 2014, after coming close to an agreement with GOP lawmakers, Feinstein pulled the plug on negotiations and vowed to follow "regular order."

That's meant, in part, convening a hearing of the Senate Energy and Natural Resources Committee. The House hasn't held a similar hearing on the legislation, [which spanned 170 pages](#) when reintroduced this year.

Offered by Valadao, and based on past work by Rep. Devin Nunes, a Republican representing the Valley, and others, the House bill would repeal an expensive San Joaquin River restoration program and replace it with something smaller. It spurs completion of studies of five potential water-storage projects, including construction of a new dam on the Upper San Joaquin River. It steers more water to farms south of the Sacramento-San Joaquin River Delta.

Subsequent negotiations have had some technical input from the Obama administration, such as a 10-page memo dated Nov. 25 and marked confidential.

Late Thursday night, Feinstein said, the negotiations over the omnibus took a stranger turn with the offering behind closed doors of a 92-page "drought relief and water storage" package supposedly backed by her and House Majority Leader Kevin McCarthy, R-Bakersfield.

"I am told it was proposed in my name, which I did not approve," Feinstein said Friday. "This is regrettable, not only because I believe we remain close to an agreement on a broader bill, but also because it stands in opposition to my desire to do a bill in an open and public manner."

Feinstein's Democratic colleague, Sen. Barbara Boxer, added in a statement Friday that "it is outrageous" that Republicans were "making a last-minute attempt to place a complicated and unvetted water bill" on the omnibus.

Republicans suggest there may have been some confusion over what was being proposed.

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