

The Modesto Bee

House OKs plan that could increase Merced River storage

By Michael Doyle

mdoyle@mcclatchydc.com Tuesday, Jun. 19, 2012 Tuesday, Jun. 19, 2012

WASHINGTON -- A divided House approved a bill Tuesday that could increase water storage in the Merced River by taking away some long-standing "wild and scenic" river protections.

Backed by farmers and local lawmakers but opposed by environmentalists and the Obama administration, the bill sponsored by Rep. Jeff Denham, R-Turlock, passed as part of a larger public lands measure package tailored by conservatives.

"It's a small step," Denham said. "We need thousands of jobs in the Central Valley, and we need many more projects like this."

The bill would allow the Merced Irrigation District to raise New Exchequer Dam spillways, temporarily expanding Lake McClure some years into a part of the river currently protected as free-flowing by federal law.

The House approved the legislation 232 to 188 and sent it to the Senate, where it faces an uncertain future.

Although Democratic Sens. Dianne Feinstein and Barbara Boxer have not endorsed the Merced River language, neither has publicly opposed it. Behind the scenes, both senators and their staffs are reviewing the idea.

Denham's legislation is designed to help the Merced Irrigation District plan the future of New Exchequer Dam and McClure. By raising two spillway gates 10 feet, the irrigation district would increase potential storage by as much as 70,000 acre-feet and boost hydroelectric power production by as much as 10,000 megawatts.

An acre-foot is the amount of water it would take to cover one acre 1 foot deep.

Currently, the irrigation district cannot allow McClure to expand beyond a point 867 feet above sea level. The bill would allow the lake to reach 877 feet above sea level.

In doing so, the district temporarily would inundate about a half-mile of the river that is protected under the federal wild-and-scenic law. The inundation would occur during wetter-than-normal years, for as long as 60 days.

"We should be able to adjust these boundaries, especially if it improves the greater good," Denham said.

It's a significant milestone in the effort to enhance area water supplies, Bryan Kelly, the irrigation district's director of regulatory affairs, said in a news release. "However, there is still much more work to be done."

Kelly said that the irrigation district recognizes that conservation groups are concerned about altering Wild and Scenic boundaries. "We take those concerns seriously," he said.

"We're discussing ways to address them in a manner that would allow the spillway project to get a fair hearing before FERC," Kelly said.

"The wild-and-scenic protections for 122 miles of Merced River have helped to ensure that (the irrigation district's) water source is one of the most pristine in California. The half-mile boundary change made by the legislation will not diminish those protections," he said.

It's a local concern, but it sets a national precedent. As described by opponents, the legislation marks the first time Congress would allow the inundation of a river segment protected under the wild-and-scenic program.

"Never before has Congress reversed course and eliminated federal protection to allow this kind of harm to a previously protected river," Friends of the River and other conservation groups wrote this week, adding that "our wild and scenic rivers are as important as our national parks and equally deserving of truly permanent protection."

The temporary inundation could harm habitat for the limestone salamander and the elderberry longhorn beetle, two creatures protected under state or federal laws, federal officials say.

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<http://www.modbee.com/2012/06/19/2249338/house-oks-plan-that-could-increase.html>

Annotations:

The article states that the legislation would only permit inundation of the current wild & scenic river for a limited time (60 days). This was a provision of HR 869. HR 2578 does not contain a provision to limit the time of inundation. Instead, it simply moves the wild & scenic river boundary upstream.

The existing powerhouse is a 94.5 MW powerhouse. Thus the contemplated dam raise could not boost "hydroelectric power production by up to 10,000 megawatts." Rather, Merced ID claims it would increase, presumably average, annual energy production by 10,000 megawatt hours.