



Volume 7, Issue 3, October 2017

This issue includes:

- FOR News
 - California River Awards
 - RATS Resist
 - Read more about Oroville
 - Delta Alternatives Update
- Get Involved! - Rafting & Canoeing
- *River Currents*

Thank you to Denise Karapinar for designing the banner for the *River Advocate!*

FOR News



California River Awards

by Brittney Schilpp, *Development Director*

When I began as the new Development Director two months ago, I strapped on my running shoes and jumped right into the race to gear up for planning the California River Awards. This event was my first chance to meet many of the people who make FOR thrive as a statewide organization. There's nothing quite like getting to know your co-workers, volunteers and constituents in the midst of a big project! The planning was made rather enjoyable by the kind, supportive, and enthusiastic people who lent me their time and historic knowledge of the event.

In its 15th year, California River Awards honored some of the incredible people who have made an enormous impact in the fight to protect our rivers. Harriet Moss, former FOR Board member and staff member, was presented with the

Mark Dubois Awards for her role as a **fearless fundraiser and visionary** who helped FOR build the capacity to win victories for rivers throughout the state. We also honored four volunteers from our River Advocacy Training School, affectionately known as RATS. These RATS have **taken river advocacy far and beyond FOR to their local communities, schools and even to the state** level to prove that ordinary folks from different backgrounds can stand up for endangered river species and clean water with abundant success.

The evening was a lovely affair, held at the gorgeous City Club of San Francisco. With over 165 people in attendance, the room was buzzing with energy. Board member Bob Cushman delivered an outstanding Live Auction presentation, with **bidding wars for several highly sought-after items** such as the 5-day trip down the Yampa River donated by O.A.R.S. or the Whales and Wilderness Glamping Adventure in Vancouver donated by Spirit of the West.

The crescendo of the evening took place during the fire-igniting speech by Executive Director Eric Wesselman. Eric warned that the Trump administration is pushing an anti-environmental agenda and in response FOR is launching the RATS Resistance. **The 2018 goal is to engage in grassroots organizing and sway public opinion in the upcoming mid-term elections in key districts.**

With resistance and political action in the air, our supporters did what they do best: supported a cause they truly care about. Through the generous donations of those in attendance, including the 45 event sponsors, and 56 auction donors, Friends of the River **raised over \$150,000!**

I can't express my gratitude enough for the support you've shown at the California River Awards, and throughout the year. This event served as a warm welcome into the organization. I look forward to more opportunities to get to know those of you who truly keep Friends of the River afloat!



RATS Resistance

by Eric Wesselman, *Executive Director*

FOR is forming the RATS Resistance to hold our representatives accountable. The Trump

administration and members of Congress are pushing a truly disturbing anti-environmental agenda. A handful in the House of Representatives are leading an attack specifically on rivers. Most of these Representatives are right here in California.

Three of the Representatives are especially active in **leading the charge on river-destroying legislation and pushing new dams in California**: Tom McClintock (Sierra Nevada from Tahoe), Jeff Denham (Modesto/Turlock) and David Valadao (Central Valley). They are working to fast-track dam building, take more water from the San Francisco Bay-Delta, and weaken protections for endangered species and clean water. Meanwhile, McClintock keeps talking about resurrecting Auburn dam on the American River.

We are recruiting RATS from across California and especially these 3 Congressional Districts to organize local campaigns to inform thousands of constituents. The River Advocates will knock on doors, register voters, organize community forums, generate local media, and keep constituents engaged in the RATS Resistance. **You can join us!**

Applications available starting 11/15.

[Learn more about RATS](#)

[Intensify your impact!](#)

Oroville Report Released.

Friends of the River, California Sportfishing Protection Alliance (CSPA), South Yuba River Citizens League (SYRCL), and American Whitewater have prepared a report on the Oroville Dam spillway incident and lessons from the Feather River Basin.

In addition to noting that **the state water contractors are financially responsible for Oroville Dam**, the report tries to summarize what is known publicly about the incident, its causes, and our pre-incident unsuccessful effort to persuade the DWR, the state water contractors, and FERC to get the emergency spillway into a safe condition. (In its first use, it nearly failed and caused the evacuation of 188,000 people living and working in the Feather River basin.)

More importantly, the report provides some **substantive recommendations for the reconstruction, dam-safety processes, floodwater-management programs for the Sacramento and San Joaquin River Basins, and warns that other dams in California** may face similar or other design and construction deficiencies that may lead to real trouble.

The report also notes that **neither DWR nor its regulator, the Federal Energy Regulatory Commission (FERC), currently plan to construct an emergency spillway** that, if used, would not throw large chunks of the mountainside into the Feather River/Thermalito Dam diversion pool — just like the erosion that resulted when the main spillway broke in February of 2017.

[Read the Summary](#)

[Learn more | Read the full report](#)



Delta Alternatives Necessary

by Bob Wright, *Senior Counsel*

FOR is a plaintiff in an action filed in August challenging the approval of the California Water Fix Delta Tunnels project by the California Department of Water Resources (DWR). If water is taken upstream from the Delta for export instead of taking the water from the South Delta (as is currently done), the project would complete the destruction of the already degraded San Francisco Bay-Delta Estuary because it would greatly reduce freshwater flows through the Delta.

The lawsuit alleges that the Environmental Impact Report (EIR) on the project violates the California Environmental Quality Act (CEQA) for many reasons, central among them being the failure to develop and circulate for **public review and comment the required range of reasonable alternatives to the project**. FOR has consistently insisted that alternatives like the Environmental Water Caucus and FOR alternative, *A Sustainable Water Plan for California* (2015), that would increase freshwater flows through the Delta by reducing exports, be an included alternative. [Read a copy of the Complaint.](#)

FOR has also filed an Answer in September to DWR's Complaint for Validation. DWR seeks to validate issuance of billions of dollars of revenue bonds to pay for the Tunnels project. **DWR is seeking to have the taxpayers subsidize the project in violation of the Delta Reform Act** requirement that any new Delta conveyance project be paid for by the exporters. [A copy of the Answer](#) (our third and fourth affirmative defenses at pp. 6-8 would be of interest in what is otherwise a technical document).

Get Involved!

- **November 18th--[Salmon Viewing Paddle](#)** on the Lower American River, *speaker Rob Titus of CDFW*, learn more about Chinook Salmon from a canoe (borrow ours or bring your own)!
- The [River Advocacy Training School](#) will start accepting applications on 11/15 for the Jan-May cohort. Keep an eye out for an email with more details. Can't wait? Call Toby Briggs at (916)442-3155 x223 and introduce yourself!
- **Planning for next season is beginning** for the canoe and rafting programs. Want to be involved? We always need motivated and enthusiastic folks to help. Get in touch! Email [Toby Briggs](#)
- **Want to learn about volunteer opportunities?** Email [Toby Briggs](#)

Rafting

Thank you all the volunteers who donated their time and expertise to support rivers through hands-on, personal experiences for our guests and partners! Thank you to Greg (Truck) Ungelbach, Scott Arrants, Richard Weiss and Nick Agazarian who head guided all of our trips.

Many of our guides trained in highwater for the first time. After flows decreased to normal levels, we partnered with New Voices are Rising, Latino Outdoors and Tuolumne River Adventure Club and introduced people to their first ever whitewater rafting. The second year of Paddle to the Capital brought over 50 folks out to raft on the whitewater sections.

By the numbers:

- 10 river trips
- 120 guests
- 43 rafts
- 46 volunteer days (with 13 volunteers giving 2 or more days)
- 1 new NRS raft (Thank you donors!)

Planning for next season begins soon...We are always looking for motivated, enthusiastic and creative volunteers to support our program. Email [Toby Briggs](#).



Canoeing

The Canoe Program started a new style of paddling trip that folks loved! If you paddled on one of the 5 Advocacy Outings, you learned from experts in river restoration, naturalists, engineers and river ecology. Thanks to Brian Wardman, Peter Buck, Tom Gohring, Mary Maret, Dan Airola and Rob Titus for their contributions! We also offered a canoe skills building class called Fundamentals. Keep an eye out for these opportunities throughout the year!

Special thanks to Mark Robinson, Rod Hall, Tom Biglione, Brett Hoffman and John McCasin for coordinating trips for us this season!

By the numbers

- 11 canoe trips
- 72 participants
- 35 volunteer days

Want to volunteer with us? Contact [Toby Briggs](#) to learn more!

River Currents by Ron Stork, Senior Policy Advocate

Counter currents happen too

The news out of Washington is bad. So a little light coming from Auburn, California, is worth noting. Indeed, it looks as if Rep. Tom McClintock (R, Elk Grove) the current Congressional champion for Auburn Dam, has a small-scale rebellion on his hands back in the District.

In the last few months, the City of Auburn, American River Recreation District, and the Auburn Chamber of Commerce all have adopted resolutions favoring a river-based future for the canyons of the American River. ([see article](#))

These resolutions come while the Auburn Dam Council is prodding Yolo, Sutter, Sacramento, Placer, El Dorado, and San Joaquin Counties (and water districts within them) to form a new joint powers agency to help fund or even own Auburn Dam (the old Authority to be the federal partner for Auburn dam has been losing interest). As might be expected, Auburn dam has been popular in some of these counties before (assuming that someone else picked up most of the tab).

If nearby counties prove cooperative, area voters could see ballot measures. It looks as if we may have some political organizing to do.



Question Authority?

Speaking of local governments, the local governments and water districts in the southern San Joaquin Valley have formed the **San Joaquin Valley and Water and Power Authority*** to move heaven and earth to build their local deadbeat dam, Temperance Flat. It would be second tallest dam in California, flood the San Joaquin River Gorge, deliver almost no new water, imperil efforts to manage valley groundwater, and could cost twice as much as the unretired debt of the entire federal Central Valley Project.

A bad idea, but tremendously popular among Valley politicians.

The authority is applying for \$1,330,350,000 from the Proposition 1 bond funds that a big-money advertising campaign sold to California voters to nurture such dams.

Even more successful at this stage, the **Sites Dam Authority** has been signing up supporters and board members throughout the Sacramento Valley (including the state capital) and lining up buyers for its promised water riches. Sites is a proposed offstream dam that the Authority expects to cost a mere \$5,175,000,000, diverting flows from the Sacramento River that would then be sold to the highest bidder.

The Authority also has a new draft environmental impact report on the street with a comment deadline of January 15, 2018.

Although its boosters seem to claim otherwise, the dam's fate will be determined by the generosity of the California Water Commission, the agency controlling the \$2.7 billion Proposition 1 storage bond funds, and whether the proposed Delta tunnels can carve an easy path to the wealthy water districts south of the Delta. [Here's a list of the supplicants for bond funding.](#)

This might be a good time to resist.





*Joint powers authorities (JPAs) are governmental entities usually created by local governments (including public water districts) to share governmental powers to accomplish a common mission not capable of being accomplished by them acting separately. They are either created by a special act of the legislature or under standard provisions established by state law.

Delta Water Battles

South state water agencies have been attempting to build a water-conveyance link around the Sacramento/San Joaquin River Delta to the north state for much of the last century.

The latest incarnation of that effort, the California Water Fix, received some big blows when the Westlands Water District, the heavy hitter in the Federal Central Valley Project (CVP), declined to participate in the project unless much of its potential financial responsibility for the project could be spread to other CVP contractors.

The Santa Clara Water District, a CVP and State Water Project Contractor, chopped its expected funding commitment by two thirds and instructed its staff to find a smaller project.

This leaves the Metropolitan Water District of Southern California (MWD) as the chief booster of the project. It has indicated its willingness to bear up to nearly thirty percent of the project's cost, now estimated at seventeen billion dollars (before cost overruns).

Still, the shaky finances of the Water Fix are being laid bare and recent events could **represent a turning point in the last twenty years of efforts build canals or tunnels around or under the Delta.** For now, we expect a lot of behind-the-scenes pressure will be exerted to fill in the gaps with subsidies, either from other non-benefitting water districts or state or federal taxpayers.

After all, in California success to a water district is avoiding the real cost of water development and operations. That keeps demand artificially high and keeps the pressure on for capturing more and more water from this and neighboring states' rivers and streams.

Speaking of Subsidies

In spite of **Governor Pat Brown's pioneering policy** that state water contractors and not state taxpayers will pay for the State Water Project (Oroville Dam, pumping facilities in the Delta, and the network of canals and reservoirs fed by them that deliver around 10% of the state's annual water demand) and **President Reagan's insistence** that the costs of water and power features of federal water projects be fully reimbursed, **those seemingly durable policies are being forgotten in *both* political parties.**

We see that in various bond measures put to California voters. In 2014, California voters were asked to throw \$2.7 billion dollars of free taxpayer money at a series of speculative deadbeat dam proposals (raising Shasta Dam, Temperance Flat and Sites dams, and who knows what else).

This year, ballot language for the 2018 general election was filed by the Natural

Heritage Institute for an almost \$9 billion bond that would, among other matters, provide California \$750 million in taxpayer support for reconstruction of the federal Friant-Kern Canal (affected by groundwater subsidence from overpumping groundwater by the canal's users and their neighbors) and \$200 million for Oroville Dam reconstruction expenses.

All of these funds disturb the Pat Brown/Reagan policies that certain kinds of water projects are not eligible for taxpayer subsidies. **If they are important enough, they can be funded by the beneficiaries.** Of course, the subsidies do make sense in the context of the pork-barrel politics — spreading the pork around to the powerful no matter what the funding principles are.

On balance, I have to go with defending the principle. For without some meaningful rules to the game, more and more deadbeat dams will be in our future.



And What's Up with the Legislature?

Our bold and progressive legislature still made **some notable fumbles** this legislative season.

They enthusiastically passed **Assemblyman Adam Gray's** (D, Merced) wack at the State Water Resources Control Board for doing its job enforcing state water laws by removing some types of actions from the Board's jurisdiction and handing them to state administrative law judges (AB 313).

The legislative leadership needed Gray's vote on some other priority measures, so in the time-honored tradition of "log-rolling," they delivered him their votes. Fortunately, the governor was not involved in the deal and vetoed the bill.

Assemblywoman **Laura Friedman's** (D, Glendale) AB 975, a measure to make some minor improvements to the state wild and scenic rivers system, energized the California Forestry Association to line up all of the heavyweight business players in the state in opposition. **Legislators wilted under the pressure** and the bill was shelved for the year.

The aggressiveness of the response was not proportional to the actual bill, but it does show the intensity of emotions generated when many of California's north-coast rivers were put into the state wild & scenic river system and the following action by then Governor Jerry Brown and Secretary of the Interior Cecil Andrus to also put them in the federal system in 1981.

Water developers had long had their eyes on the Eel River (for dams and diversions to bring the water to Southern California, and timber companies had long chafed at the minor restrictions on timber cutting that might result from wild & scenic river designations). The double

designations clouded prospects for the dams or more freewheeling timber harvest actions.

Even after forty some years, they aren't over it yet.

[Click here](#) to read the [State Wild and Scenic Rivers Memo](#) written by Ron Stork and Steve Evans

California FERC news

The Federal Energy Regulatory Commission (FERC) is the regulator for non-federal hydropower dams. So happenings there can come to river near you fairly quickly. So here's a quick summary of news.

1) The Commission has a quorum and can act. Some end-of-the-administration resignations meant the Commission could no longer undertake certain actions. The vacancies have been filled by the Trump administration for good or ill.

2) The Commission has failed to respond to repeated filings by Friends of the River and others **about creating a meaningful and transparent process for interested groups** to provide input into Commission decisions around the Oroville Dam reconstruction. At the same time, they have not moved to relicense the project.

3) The Commission, in response to requests from conservation groups (including Friends of the River) in the Eel River Potter Valley Project relicensing, said that dam-safety matters are not the proper subject in a dam relicensing. These matters would be handled largely in secret by the Commission's Division of Dam Safety and Inspections, **the same Division that had missed the problems at the Oroville Dam spillways for half a century.** They did not opine whether physical facilities adequate to sustain the missions assigned a dam was the proper subject of a relicensing proceeding.

4) The Commission is proposing regulations that would make the standard term of a dam licensing forty years, although allowing in certain circumstances today's range of thirty to fifty years. Regardless, a thorough review of a dam's operations, physical facilities (supposedly), and **a dam's very existence would take a generation or two between reviews.**

This may mean shorter license terms on average (it's too soon to tell), but some utilities faced with the rapid integration of solar and wind (competing with hydro and fossil fuel plants) into the market may also support shorter license terms. **In this world, the assumptions baked into their licenses can get stale pretty quickly.**

These uncertainties also mean that outside groups such as Friends of the River who wish to step up their game to affect dam operations will have to cope with utilities who may not feel comfortable making licensing commitments to recreational or environmental operational improvements.

Thank you for supporting rivers by staying informed. We can't wait to see you at our next event or talk!

Sincerely,

the FOR Staff--Eric, Ron, Brittney, Bob and Toby

[Website](#) [About](#) [Our Work](#) [Get Involved](#) [Donate](#) [Contact](#)

