



FALL 2019

HEADWATERS

The Shaping of Water in the Newsom Administration

River Currents

Time for a Fresh Approach in the SF Bay-Delta

Friends of the River: The Voice of California's Rivers Since 1973



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IN THIS ISSUE:

- The Shaping of Water in the Newsom Administration Page 3
- River Currents by Ron Stork Page 4-5
- Wild & Scenic Rivers Update Page 6
- Time for a Fresh Approach in the SF Bay-Delta Page 7

UPCOMING EVENTS:

- Oct. 12 California River Awards
- Nov. 2 Canoe Adventure: Salmon Paddle
- Nov 16. Canoe Adventure: Salmon Paddle



HEADWATERS IS BACK!

It's good to be back!

Any non-profit worth its ducats can tell you that the mission of the organization is what drives those who work there; it's what keeps it going even through the lean years. Friends of the River has been going strong for 45 years, even through many lean years, and it is often through cost-saving measures that we have been able to stay afloat and maintain our focus on protecting rivers.

Headwaters has been a casualty of cost-saving measures many times over the years, in favor of an email newsletter with a wide distribution and relatively low cost. Nevertheless, *Headwaters* has persisted and, with increased staff capacity, it is back in circulation!

THE SHAPING OF WATER IN THE NEWSOM ADMINISTRATION

By Eric Wesselman, Executive Director

The election of Governor Gavin Newsom has brought exciting new opportunities at the state level for river protection through sustainable water management and policy. To gear up, Friends of the River (FOR) organized the One Water Network. One Water is a network of environmental and fishing organizations that developed a water agenda for the Newsom administration last fall that now enjoys more than 100 signatories from organizations across the state. FOR continues to facilitate One Water as we work to advance this agenda.



August Workshop for portfolio recommendations

In his first few months on the job Governor Newsom took four big steps in the right direction on water policy. First, he dropped the plan to build two massive tunnels under the SF Bay Delta to move more water south (the administration is now investigating a smaller plan that could involve a single tunnel, and FOR is engaged at every step). Second, he signed legislation creating a stable ongoing fund for safe drinking water projects to help more than 1 million Californians without access to clean drinking water. Third, the California Attorney General filed litigation against Westlands Water District's illegal plan to raise Shasta Dam the same day FOR filed suit. Finally, he launched the Water Resilience Portfolio Initiative with an Executive Order in April calling on the state to develop a plan to meet the water needs for people and restore watersheds in the face of global climate change.

In the midst of this progress, we were extremely disappointed when the Governor announced his opposition to Senate Bill 1 (SB 1). This bill would ensure the state's authority to protect California's environment in the face of unprecedented threats and rollbacks of federal environmental protections by the Trump administration. SB 1 passed both houses of the legislature by wide margins despite intense opposition by some powerful agricultural and water interests who helped develop the Trump administration's rollbacks of

protections for endangered species and waterways. To pressure the governor to veto the bill, they threatened to walk out of voluntary agreement discussions about standards for water flowing into the California Bay Delta estuary. FOR does not believe that negotiating a water agreement requires aligning with the Trump administration and we are urging the Governor to guard against the unsound decisions coming out of the White House by signing SB 1.

Point Positive

Conversely, we see the Governor's Water Resilience Portfolio Initiative as a strategy to save rivers by investing in 21st century water solutions that support watershed restoration and climate resilience. Over the last few months FOR's Point Positive campaign has focused on generating substantive recommendations on the Portfolio by interviewing hundreds of stakeholders from NGOs, businesses, investor groups, academia, and forward leaning growers and water agencies. We then organized an in-person workshop in August that brought more than 70 of these stakeholders together with Resources Secretary Wade Crowfoot and Cal EPA Secretary Jared Blumenfeld to craft specific recommendations.

The Newsom administration seeks to complete the Portfolio plan by the end of the year and we will be there every step of the way to help develop a plan that is truly resilient.

Resisting Trump

While we work to make progress at the state level, the Trump administration and powerful San Joaquin Valley water interests—including Interior Secretary David Bernhardt—are pushing an elaborate plan to dam and divert 2 million acre-feet of water to the Valley. Having failed to secure funding for several dams and the tunnels, thanks to groups like Friends of the River, they launched an all-out campaign to advance what they call the San Joaquin Valley Water Blueprint—a comprehensive repackaging of water projects and environmental rollbacks they have sought for decades. It's a demolition plan for the San Francisco Bay-Delta and the rivers that flow into it. FOR is working hard to defeat this antiquated approach through our coalition work with the One Water Network, grassroots organizing, policy advocacy, and litigation.

To defend our rivers and advance positive action at the state level, we need FOR running full steam ahead. That's why your support is so important and appreciated. You make all the difference. Thank you!

RIVER CURRENTS

By Ron Stork, Senior Policy Advocate

There's incredible boldness afoot in California, and not all of this is a good thing. The reason is simple. Facing, perhaps, the sunset of this federal administration, the water development interests are moving swiftly and boldly to move their favorite dam and canal projects forward.

Rolling over the state's Wild & Scenic Rivers Act

Northern California's iconic McCloud River was protected by the California legislature thirty years ago by the California Wild & Scenic Rivers Act. Acting as if there is some dispute that putting a reservoir on a free-flowing river still leaves the river a river, both the U.S. Bureau of Reclamation (Reclamation) and the state's largest and most powerful irrigation district (Westlands) have scheduled construction to begin to expand Shasta Reservoir and drown some of the protected McCloud River by the end of this year.



McCloud River. Credit: Col Trout

Arrogant would be one word to describe this since federal law requires Reclamation to follow state law here, and Reclamation found the dam raise to be in conflict with state law back in 2015. And Westlands is subject to even greater restrictions since state law prohibits it from even cooperating and assisting in the planning of this project with the federal government.

Fortunately, this summer, environmental and fishing groups (including Friends of the River), represented by Earthjustice, and the people of California, represented by the California Attorney General, filed suit against Westlands in Shasta County Superior Court. Indeed, the Attorney General persuaded the Shasta Court to issue a preliminary injunction

against Westlands until the cases can go to trial next year. Stay tuned on this one. More arrogance is coming, and we are a long way from resolving this.

For more information, see friendsoftheriver.org
Rivers under threat

If the Feds don't like what the states are doing, throw them out of the room

The Progressive Era at the beginning of the last century had some good ideas. One was that hydroelectric dam owners using the public's rivers owed us something. The other was that every fifty years or so the Federal Power Commission (now the Federal Energy Regulatory Commission - FERC) should take a fresh look at what public responsibilities (like water for fish and recreation) should be undertaken by the dam owners. Since the passage of the Nixon-era Clean Water Act, the states and some tribes have played a key role in this fresh look called relicensing. That role has been affirmed repeatedly by the highest courts in the land. But no longer if the dam owners, FERC, and the U.S. Environmental Protection Agency (EPA) have their way.

Taking advantage of an ill-considered federal appeals court decision and an EPA heavily influenced by dam owners, the EPA is proposing to sharply narrow the jurisdiction of the states and hand to FERC the power to throw states and tribes out of relicensing for the next thirty to fifty years.

In government-speak, the EPA is proposing to change the rules on the implementation of 401 water quality certifications by the states and some tribes. The proposed rule is a hefty 163 pages long. You can check our website frequently for links if you care about the mountain streams in our state.

And lest ye think that the pork barrel is a thing of the past

It's been a long time since we could dam and canal our way to Paradise in California. If a water project made economic sense, it would have been built long ago. Nowadays, it's largely the job of the aspiring dam and river diverters to figure out new ways of picking the taxpayers' pockets.

RIVER CURRENTS, CONTINUED

By Ron Stork, Senior Policy Advocate

Ever creative, the California drought was used to try to revitalize the U.S. Bureau of Reclamation's dam-building hopes for California. Congress handed the Secretary of the Interior that five-year mission in 2016. In California, the Secretary focused on two big expensive projects, one illegal, the other on a river so over-allocated already that no new water rights are available.



Enter Senator Dianne Feinstein's "Drought Resiliency and Water Supply Infrastructure Act" (DRWSIA or S. 1932). This statute makes the five-year mission permanent and provides the Secretary of the Interior with authority to continue to try to kick off a great new federal dam and canal building era. And not only does it authorize lots of money for Interior but a great new loan and grant program for needy dam and canal builders.

And not to be outdone, the Friant Water Authority, which delivers water to a million acres of profitable San Joaquin Valley farmland, is attempting to persuading the California legislature to give it \$400 million to repair a federal canal it is responsible for maintaining and that its farmers damaged. And that is only the beginning: the giant Temperance Flat Dam on the San Joaquin River Gorge, expansions and new canals to bring it Delta water, and a big increase in Delta pumping are all on its agenda — and it intends to do this with liberal doses of state and federal handouts.

And this is just the short list. The state and federal fiscal reformers (Democrat and Republican) that imposed fiscal responsibility on the state and federal water projects fifty years ago have long since passed on. We are facing a brave new world of subsidies for the rich.



KEEP THE RIVERS FLOWING BECOME A SUSTAINING MEMBER

As a Sustainer, your monthly contribution will provide a predictable revenue source, allowing FOR to plan and execute successful coalition campaigns throughout the year while helping us cut down on overhead expenses and staff time.

It's a no-fuss way to keep the rivers flowing!

Use the enclosed envelope and check the Sustainer box, or give online at FriendsOfTheRiver.org.

Contributions to Friends of the River are tax deductible to the full extent of the law. Tax ID 94-2400210



GET THE LATEST NEWS

The best way to stay up to date on our work is to subscribe to our monthly e-newsletter the River Advocate.

Sign up on the homepage at FriendsOfTheRiver.org or send back the enclosed envelope with your email address.

WILD & SCENIC RIVERS UPDATE

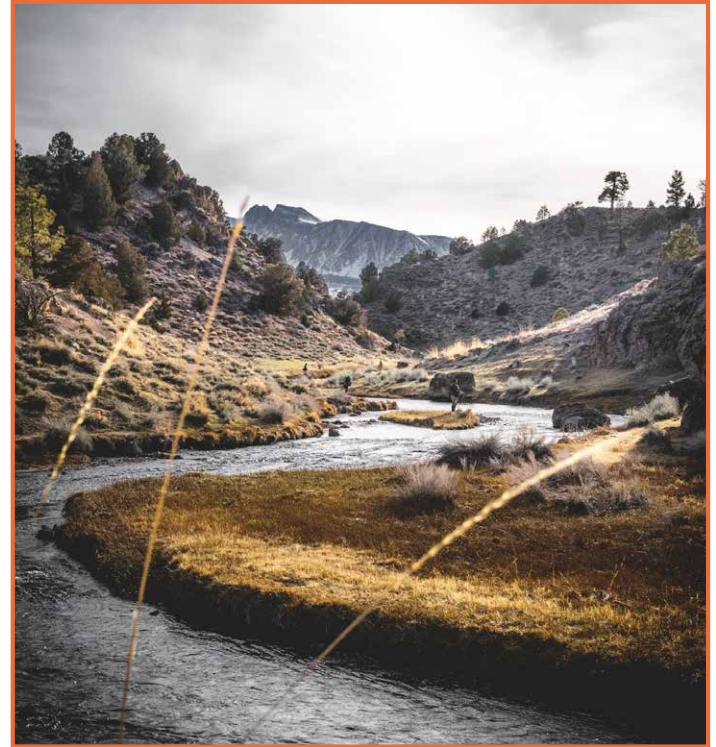
By Colton Johnson, On-River Programs and Wild & Scenic Liaison

Currently there are three federal bills that add new Wild and Scenic miles in California. These bills would collectively add over 650 miles to the state's Wild and Scenic Rivers! Along with the additional Wild and Scenic miles, these three bills would add new lands to our nation's wilderness areas. These protections not only help preserve nature but also stimulate the local economies.

Central Coast Heritage Protection Act is the product of years of hard work and collaboration. Introduced by Representative Carbajal, the bill aims to add more than 200,000 acres to wilderness area designation and 159 miles to the Federal Wild and Scenic system. The bill will help preserve the quality of life for local residents, protect water quality and access to wilderness areas, and help stimulate the local economy.

Northwest California Wilderness, Recreation, and Working Forests Act was introduced by Representative Huffman. Huffman has been a strong champion for the Northwest's lands and water. The bill would add more than 250,000 acres to existing wilderness areas within the region. From the majestic Trinity Alps to the Mad River Buttes, these new and existing wilderness areas would gain a much-needed expansion or wilderness designation respectively. The bill also ensures the addition of more than 450 miles of rivers to our federal wild and scenic rivers system. These rivers play a crucial role in the world-renowned salmon and steelhead fisheries. By protecting these rivers and waterways, we help preserve the free-flowing nature of such places, allowing Salmon to spawn in a natural manner. As many fisheries are collapsing, it is more important than ever to preserve and protect these valuable ecological wonders.

San Gabriel Mountains Foothills and Rivers Protection Act was introduced in April of 2019 and would ensure the enshrinement of the San Gabriel National Monument. This national monument was created by the Obama administration and was immediately put under review by the Trump administration. Should the bill pass, it would add more than 100,000 acres and over 45.5 miles to the federal Wild and Scenic system. This area is in close proximity to one of the west coast's largest population centers. The protection of the San Gabriel Mountains would help preserve cultural, geologic, and wilderness areas so that current and future generations might experience their splendor.



Hot Creek, Mammoth

The Sierra and Sequoia National Forests are working on revisions of their forest plans initially proposed in 2016. Both have released revised draft plans in 2019. The plans deal with many aspects of the national forests they oversee, from fire management to eligible wild and scenic rivers.

The Sequoia National Forest recommended 75 river miles for eligibility in their 2016 draft. The 2019 draft increased that number to an astounding 341 eligible miles! If adopted, the eligible miles would receive temporary protection that would prohibit any projects from altering the state of the river's eligibility. This is an administrative protection under the Forest Service.

The Sierra National Forest listed 640 miles as eligible for Wild and Scenic status in the 2016 draft. However, the 2019 draft revision has drastically decreased that number to 35.5 eligible miles. This is major step in the wrong direction. The public comment period is currently open and will close on September 26th, 2019.

TIME FOR A FRESH APPROACH IN THE SF BAY-DELTA

By Bob Wright, Senior Counsel

Governor Newsom did the right thing by dropping plans to build two massive tunnels through the San Francisco Bay-Delta to move more water south. However, the estuary remains on the brink of collapse and the state is now investigating a smaller plan with a single tunnel. Bringing it back from the brink requires bold leadership and action to scale up ecosystem restoration, reduce demand for delta water exports, and increase freshwater flows from major tributaries. We're far from convinced that a single tunnel is consistent with that approach. In fact, it could very well take us in the opposite direction.

Friends of the River was thrilled to see the Governor's Executive Order in April calling on the state to develop a Water Resilience Portfolio plan to meet the water needs for people and restore watersheds in the face of global climate change. This is the ideal approach for advancing the solutions we need for the estuary and all of California. The Executive Order calls for embracing innovative technologies and solutions to meet water needs for people and restore watersheds in the face of global climate change. That planning effort should serve as the foundation for decision making in the Delta and whether a tunnel is the right approach or even necessary when we have so many new and innovative approaches the state can pursue that are more sustainable and climate resilient.

The unfortunate reality is that the California Department of Water Resources (DWR) is under immense pressure from the Metropolitan Water District and big agriculture in the San Joaquin Valley to ignore new thinking and charge full speed ahead with the Water Tunnel. As I write this, DWR is negotiating contracts with State Water Contractors that include the Water Tunnel. This puts the cart before the horse. And this is all happening with the Trump Administration as the backdrop, which is pushing to roll back environmental protections left and right. California can't afford to march forward with a water project of this magnitude as the safety net is getting pulled out from under us.

Instead, the State should protect and enhance protections for the Delta and complete the required water inventory and assessment being conducted as part of the Water Resilience Portfolio Initiative to accurately determine if there is an arguable need for new large upstream conveyance that could cost billions of dollars and could further decrease freshwater flows through the already impaired estuary.

With the welcome emergence of the Newsom Administration's Water Resilience Portfolio Initiative, it's time for DWR and the State Water Contractors to move past the siloed approaches of the past by suspending these negotiations on Delta Conveyance and investing in the integrated planning effort underway for the Water Portfolio.

THE RIVER ADVOCACY TRAINING SCHOOL

The River Advocacy Training School (RATS) trains people like you to advocate for rivers. In January, with gorgeous weather and a serene Camp Lotus, we trained the 6th cohort of River Advocates (affectionately known as RATS). Nine amazing people dedicated over 4 months to becoming River Advocates. After a 4-day intensive training in California water complexities and advocacy skills, they headed home to recruit other advocates and organizations.

Last fall, Friends of the River led a coalition to develop a Climate Resilience Water Agenda for the new Governor. This spring, RATS reached out to organizations to invite them to sign on to the Agenda. They expanded the list of supporters to 108 endorsees! The culmination of their work came at Point Positive: May 15th – a day of advocacy for rivers at the Capitol.

Even though the cohort completed in May, RATS have stayed engaged with FOR. RATS alum have trained to guide in our whitewater rafting program, while others have participated in our canoe program. A few have participated in the One Water Network meetings to develop recommendations for the Governor's Water Resilience Portfolio. Yet, another is volunteering regularly in the FOR Office. Big thanks to all of them for sharing their time and talent with the FOR community.



Are you ready to fire up your inner advocate? Do you want to train with us? Keep an eye out for fall announcements for the RATS application period in November!

Learn more about the RATS program by visiting our website and checking out the Get Involved tab.



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author of *California Field Atlas* and
The State of Water,

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