



# Press Advisory

April 11 Congressional Field Hearing in Tulare on Water Storage, Dams, and HR 215

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## Background

This coming Tuesday, April 11, the House of Representatives\* is holding a field hearing in Tulare to discuss water storage (more dams) and HR 215, which FOR has affectionately dubbed the “Frankenstein Bill.” This bill is a resurrection of many bad ideas that would harm California rivers.

This hearing is not an opportunity for public input. Instead, testimony will likely only be provided by a handful of hand-selected witnesses. U.S. Congressional Representatives will be in attendance, most of which represent Districts with some of the largest water users in the state. Several represent the southern Central Valley, an area with groundwater overdraft so severe that drinking water wells are drying up and the ground is sinking.



District 13 (Duarte)



District 1 (LaMalfa)



District 5 (McClintock)



District 22 (Valadao)

## HR 215 – High Level Analysis

- This bill does not create new water. Instead, it would essentially take water from other users, Delta farmers, and the environment.
- It proposes expensive water projects and policy ideas which will damage California ecosystems and communities – which will only add a drop in the bucket in few years.
- It challenges state sovereignty to manage its own land and waters.

## Sustainable Water Solutions – HR 215 Alternates

There are no silver bullet solutions to solve California’s water woes. However, the following suite of solutions increase the State’s resilience to climate change, increase water security for *all* users, and protect ecosystems and communities.

- Nature-based solutions and multi-benefit solutions
- Floodplain restoration
- Groundwater recharge
- Water recycling
- Ecological and functional flows
- Demand management

## HR 215 – Broken Down

The below table itemizes key provisions of HR 215, and describes the damaging and negative impacts these provisions will have on California rivers.

Bill Provision	Issues
Free up federal funding for the Shasta Dam raise project.	<ul style="list-style-type: none"> <li>• Seeks to supersede state sovereignty by overriding the California Wild and Scenic Rivers Act.</li> <li>• Would flood a portion of the McCloud river, including pristine trout fishery.</li> <li>• Would destroy cultural sites and resources of the Winnemem Wintu tribe.</li> <li>• Extremely expensive for taxpayers (\$2 billion), but only adds ~0.13% to CA water supply.</li> </ul>
Extends Water Infrastructure Improvements for the Nation Act of 2016 (WIIN) Act through 2028.	<ul style="list-style-type: none"> <li>• The original WIIN Act established a slush fund controlled by the Secretary of the Interior for dam projects (rather than congressional authorization). The Secretary could therefore provide funding for up to 50% of project costs for federal dams and 25% for non-federal dams.</li> <li>• The original drought emergency WIIN Act expired in 2021. Extending the Act gives additional dams more time to get a</li> </ul>

	<p>Secretarial feasibility determination, thereby creating a lifeline for such dams to become eligible for federal WIIN funds.</p> <ul style="list-style-type: none"> <li>• Remaining dams that have not qualified are the Temperance Flat Dam on the San Joaquin River Gorge (although it would be built on a river with no more available water rights. (fully appropriated)), and the controversial Centennial Dam on the Bear River.</li> <li>• Dams grandfathered under the terms of the WIIN, and thus not benefiting from a WIIN extension, include the following: the proposed Sites, and Del Puerto dams and the reservoir expansions of the San Luis, Los Vaqueros, and purportedly the Shasta Reservoirs.</li> </ul>
<p>Prevent the state from curtailing non CVP/SWP water rights to address adverse the environmental impacts of provisions in HR 215.</p>	<ul style="list-style-type: none"> <li>• This is an attempt to prevent the state from exercising its authority to address the adverse impacts on California water systems of this bill.</li> <li>• In essence, the bill seeks to increase deliveries to water contractors, and this provision seeks to prevent the state from offsetting impacts from these increased deliveries onto other water rights holders – in effect leaving environmental flows to be sacrificed.</li> <li>• Combined, the CVP and SWP deliver almost one quarter of water used in the state. This is a blatant attack on state sovereignty to manage its own waters.</li> </ul>
<p>Mandates use of the 2019 Biological Opinions (BiOps) for coordinated operation of the CVP and SWP, and creates barriers to updating BiOps (including congressional approval).</p>	<ul style="list-style-type: none"> <li>• The Trump-era Biological Opinions have been struck down by the courts due to being damaging to the environment, and federal agencies are currently working on new BiOps.</li> </ul>
<p>Dramatically increases water deliveries to low-priority Sacramento Valley agricultural water service contractors.</p>	<ul style="list-style-type: none"> <li>• Attempts to guarantee the following water deliveries as percentage of contract amounts (based on water-year type): <ul style="list-style-type: none"> <li>○ “Wet” and “above normal” – 100%</li> <li>○ “Below normal” – 75%</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ “Dry” and “critically dry” – 50%</li> <li>• For reference these contractors received 0% in 2022 (critically dry).</li> <li>• Seeks to take more water than what falls from the sky, which means it will be taken from other water users.</li> </ul>
Ceases legally-required Delta and Delta tributary restoration by September 2025.	<ul style="list-style-type: none"> <li>• The Central Valley Project Improvement Act (CVPIA) set ambitious targets for restoration of the State’s anadromous fisheries and Delta ecosystems.</li> <li>• This provision would, essentially, end those efforts by calling the CVPIA complete.</li> </ul>

**Resources**

[FOR blog post on HR 215](#) | [HR 215 Bill Text](#) | [Notice of Field Hearing](#)

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