

Editorial GOP water bill in Congress should be rejected

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By **THE TIMES EDITORIAL BOARD**

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The latest version of a bill by House Republicans to override California's management of its water system and undermine environmental protections — in the name of emergency drought relief and food security — is longer and more detailed than the ones that preceded it, but much the same in its substance: It offers little in the way of actual drought relief and even in years of abundant supply would serve Central Valley agricultural interests with new taxpayer-financed dams.

Like several previous iterations, H.R. 2898 by Rep. David Valadao (R-Hanford) is moving forward with no public hearing. The Republican-controlled House, which ought to reject the bill as a big-government boondoggle, is instead likely to pass it and quickly send it on to the Senate.

A competing Democratic bill, H.R. 2983 by Rep. Jared Huffman (D-San Rafael), has some areas of overlap. Like the Valadao bill, it reasonably calls on the federal government to accelerate feasibility studies for a number of proposed dams that have been stuck for years in the planning phase. Republicans, of course, have faith that the dams will pencil out and will be funded. Many Democrats are convinced that the yield numbers — the amount of additional water that would be stored and the associated dollar cost — would be so paltry as to finally put an end to the discussion.

In other areas, though, the Huffman bill is starkly different and frankly much smarter, focusing on updating federal water policies and practices that today are firmly rooted in outdated, mid-20th century knowledge and technology. It would keep on track a court settlement requiring gradual restoration of an essential state resource, the now dried-up San Joaquin River (Valadao's bill would attempt, somehow, to supersede the agreement), and would keep intact a process under which scientists rather than politicians determine how much flow through the Sacramento-San Joaquin River Delta is needed to protect endangered fish species (Valadao's bill would grant Congress micromangement power over the process; Valadao has acknowledged that his ultimate goal is to repeal the Endangered Species Act). Huffman's bill would demand that a good business case be made for any new infrastructure.

In the upside-down world of California water, where conservative Republicans often sound like

liberal Democrats and vice versa, the fate of any federal legislation to help the state deal with its water crisis is likely in the hands of Democratic U.S. Sen. Dianne Feinstein, who introduced and then withdrew her own bill last year. It had many elements of the House Republican package. She set forth her case for this year's version, which is not yet public, in a Times op-ed last month.

In the article, Feinstein, like Valadao and Huffman, called for quick completion of feasibility studies for dams and other infrastructure. And yes, by all means, it is high time that federal engineers and number-crunchers complete their work and tell us how much new dams would cost, how they expect to fill them using the same number of rivers that can't currently fill the dams we already have, and how their costs and projected yields compare with the bevy of local recapture, recycling, desalination and conservation projects that are coming online all over Southern California and are financed mostly by the ratepayers who reap the benefits.

The rest of the federal government's role in water — not just in California but throughout the West — could stand some rethinking. Through much of the 20th century that role was in building monumental storage projects, usually based on grossly underestimated costs but often deemed worth the deception and expense — and the government-subsidized windfall reaped by a few lucky landowners — because of the agricultural abundance and urban growth that resulted.

That role should not continue unchallenged. California certainly grew, likely beyond its capacity to produce and deliver water using the techniques and relying on the goals of the past. Now Westerners need federal assistance in understanding, planning for and coping with the widely predicted continuing climate volatility and the loss of water supplies that were once deemed limitless but can no longer be taken for granted. Local governments could perhaps use federal help with the kinds of alternative projects that Feinstein proposed in her op-ed, such as wastewater recycling — if, that is, federal investments can be reasonably justified as benefits to the public, broadly, and not merely as subsidies for particular communities or interest groups that want water but don't want to pay what it costs to capture and deliver it. There may well be a federal role in building dams and other infrastructure, if the numbers support them. California and other states may need federal assistance in brokering interstate water transfers. But federal “help” based on outdated needs, technologies and interests is no help at all.

Crises like California's drought can force positive and productive change. Last year offered two such examples: Gov. Jerry Brown demanded and lawmakers passed a bill to finally begin a process to measure and govern the use of groundwater, despite seemingly eternal resistance to such a move by water rights holders. And Brown and the Legislature finalized, and voters approved, a water bond that had been kicked around Sacramento for nearly a decade before coming to the ballot.

But crises can produce bad ideas as well, through panic, opportunism or inattention. The Valadao

bill is chock-full of such bad ideas. California is counting on Feinstein not to embrace them, because whatever federal role in water is crafted now, during the drought, will shape the state for decades to come, for good or bad, and whether or not the rains return.

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