COMPETING DROUGHT BILLS

Two bills in Congress are starkly different in dealing with the drought; the Senate bill would expand water supplies for all Californians. 5E

Drought relief bills reveal stark differences

BY RICHARD M. FRANK
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As California enters the fifth consecutive year of unprecedented drought, Congress is debating two competing bills designed to provide federal drought relief to California agriculture. The proposals reveal stark differences in proposed federal water and environmental policy.

That Congress is considering federal drought assistance for California is welcomed – and most appropriate, given the federal government's substantial role in the state's water and environmental policies.

The federal government operates the Central Valley Project, a massive water storage and transportation system upon which much of the state depends. And federal regulators administer a host of environmental laws – most prominently the Endangered Species Act – vital to preservation of California environmental values.

Rep. David Valadao and fellow Republican House members from the San Joaquin Valley are sponsoring HR 2898, which has passed the House of Representatives and is pending in the Senate. Simply put, the bill would shift water resources devoted to California's environment to agricultural users in the Valley. It would do so by modifying the ESA and other federal environmental laws, and suspend the government's obligation under a recent, Congress-approved litigation settlement to restore water flows to the San Joaquin River.

While it's been reported that California agriculture weathered the drought quite successfully, the environment has suffered disproportionately.

In response to the House bill, Sens. Dianne Feinstein and Barbara Boxer have introduced their own, competing drought relief proposal, S 1894. That bill takes a very different approach.

Rather than suspend or repeal key environmental laws to accommodate agricultural interests, the Feinstein/Boxer bill seeks to expand available water resources for *all* Californians. It does so by offering federal support for water recycling efforts, desalination projects, stormwater capture, and agricultural and urban water conservation.

To be sure, the House and Senate bills share some common features. Both would require expedited economic feasibility studies for new, surface water storage projects long advocated by agricultural interests. And both would require that environmental review of federal drought relief projects be expedited, a sensible strategy.

But the Senate bill is superior: It goes further to similarly mandate fast-track feasibility studies for proposals to expand *existing* surface storage facilities and for much-needed (and less expensive) groundwater basin storage and replenishment projects, along with expanded water conservation strategies. Moreover, the Senate bill expressly rejects the waiver or repeal of federal environmental laws to accommodate water demands of California farmers and ranchers.

In sum, the House bill would simply reallocate a portion of California's finite water resources from one important use – preserving the environment – to another: agriculture. The Senate bill, by contrast, would expand the pie of available water supplies through federal support of a wide array of worthwhile water storage and conservation initiatives.

The competing drought relief bills are before the Senate Committee on Energy and Natural Resources, which held a heavily attended informational hearing on both measures last month. Committee votes on the House and Senate bills are pending.

Meanwhile, California state officials have been strangely silent on the competing congressional measures. Since operation of the Central Valley Project and State Water Project requires close coordination between federal and state water managers, one would think the Brown administration would have a major stake in these starkly contrasting federal legislative proposals.

Enactment of the House bill would reignite the water litigation wars and cast further uncertainty over Gov. Jerry Brown's proposal to build twin tunnels through the Sacramento-San Joaquin Delta. It's in the administration's interest – and that of 39 million Californians – for Brown to weigh in on the congressional debate over the House and Senate drought relief bills.

During last month's Senate committee hearing, senators from both political parties expressed hope that a political compromise could be forged. But a better result for California agriculture and state environmental values in these water-starved times would be enactment of the Senate bill.

Richard M. Frank is a professor of environmental practice and director of the California Environmental Law & Policy Center at the UC Davis School of Law.