

KFOI Radio - Shasta Environmental Alliance Program Oct. 12, 2018

[David Ledger]: Good afternoon. My name is David Ledger reporting today on KFOI Radio's Shasta Environmental Alliance Program. This is a weekly program that starts every Friday at 1:00 PM. Today after our news stories we will hear from Ron Stork. The Friends of the River, he will be talking about the Bureau of Reclamation plans to raise Shasta Dam.

Shasta Environmental Alliance or SEA, is a nonprofit organization which has 14 supporting groups. You can see our website at ecoshasta.org and we have a Facebook page at facebook.com/shastaenvironmentalalliance.

Now I want to just briefly talk about two propositions that are on the ballot and then we're going to go right into the interview with Ron Stork because he's really an expert as far as water issues. And the first is related to water issues and that is Proposition 3 on the current state ballot and that is an \$8.9 billion Water Bond. And the Sierra Club of California and the California League of Women Voters are both opposing this proposition. The League of Women Voters website states that it is essential that California manage and develop water resources in ways that benefit the environment and the environmental focus emphasizes both conservation and use appropriate high water quality standards. However, this bond is not the way to accomplish those goals. This measure has a number of fatal flaws, including shifting the cost of water from the end user to California taxpayers, reducing state money available for other critical state programs like education, affordable housing, and healthcare, and finally, failing to provide for adequate project oversight and financial accountability.

Next is Proposition 6 and that is the repeal of the gas tax. This proposition will repeal the recently enacted gas tax and it would require future fuel taxes to be approved by the voters. It is opposed by both the California Sierra Club and the League of Women Voters, and here is a synopsis from the League of Women Voters. California is in critical need of highways and local street repairs and maintenance and improvements to mass transit and transportation. Proposition 6 would repeal the recently enacted 2017 package of taxes and fees approved by the state legislature to fund transportation projects, amounting to a loss of \$4.7 billion in annual funding. Should this Proposition 6 pass, the measure would also add a constitutional amendment requiring any fuel or diesel taxes to be approved by voters, limiting the Legislature's ability to address California's serious infrastructure needs.

Today we have with us Ron Stork, who is senior policy advocate for Friends of the River, where he has been working since 1987. He is recognized as a national expert in areas of flood management, federal water resource development, hydropower reform and protection of wild and scenic rivers. He has served on many boards and panels from both private and governmental sectors dealing with water issues. He has won a number of awards for his work. He is here to talk with us today about the prospective plans to raise the height of Shasta Dam by the Federal Bureau of Reclamation. Welcome to KFOI Radio, Ron. And a good day to you, too.

OK, now before we get started, can you tell us briefly what Friends of the River does and a little about the group?

[Ron Stork]: We do statewide river conservation issues. We work on these dam proposals. We work on wild and scenic rivers designations, management plans. We work on forest plans and BLM Land Management plans that affect rivers. I work the floodwater management beat in the Central Valley. We work on licensing hydroelectric dams to see if we can improve operations of dams. So it's a diverse set of things that we do and we've been around for 40 or so years.

[David Ledger]: OK, and now raising Shasta Dam. There was quite a bit in the news up here in Shasta County, you know, about five years ago. And they did some preliminary studies and then everything was kind of quiet. And all of a sudden we read in the newspapers that they're doing core samples on Shasta Dam to check how the strength of the concrete is as far as raising it. Can you tell us a little bit about why is the Bureau of Reclamation recommending raising Shasta Dam?

[Ron Stork]: The idea for raising Shasta Dam has been looked at relatively seriously via Reclamation and even in the beginning stages by the Department of Water Resources of the State of California for some 20 odd years. It resulted in ultimately a final EIS that was completed in 2014, fifteen or so by the US Bureau of Reclamation, which I just call Reclamation. And Reclamation didn't actually have a recommendation because there were a lot of unresolved issues, including the withdrawal of the state of California from the process and the lack of non-federal co-sponsors for the project, and so the project was effectively dead. Until the 2016 presidential election, and that changed things around. The Trump administration has been much more interested in pushing this project over the objections of the state of California, which finds this project to be in conflict with California law. And so they've stated that, and so they're vigorously trying to find some money to put this project together, to find some partners in the state of California to work with. And they may have made a determination that the project is ready for construction and plan to begin construction next year. Whether or not that's a realistic idea, time will tell.

[David Ledger]: OK. Now you mentioned the withdrawal of California and other groups from supporting raising the dam. What is California's objection to raising the dam?

[Ron Stork]: The California Resources Secretary has informed the Congress that the project is in conflict with state law. In this case, it would be the California Wild and Scenic Rivers Act. And so obviously the state is not capable of participating in the project or helping the project. The California Water Commission also found that the project was in conflict with state law and set up the regulations in the final decision making so that there was no real ability for the California Water Commission to hand out hundreds of millions of dollars or even 1 cent to any non-federal sponsor who wanted to take advantage of the \$2.7 billion in funds that voters had set aside for storage projects. So this project, at least with regard to state agencies and the California Resources Secretary, is illegal and not going anywhere.

[David Ledger]: Now I'm just kind of going back a little bit. Why do we need the dam raise from the Bureau of Reclamation?

[Ron Stork]: The idea is that the dam raise will help enhance the cold water pool for salmon and steelhead trout, and that some 51,300 acre-feet of new deliveries to new beneficiaries or old beneficiaries will come from raising the dam. Statewide water use is about 42,000,000 acre-feet per year. The Central Valley project yield is about 7 million acre-feet per year, so this project is a very tiny project. That's a Reclamation story.

The US Fish and Wildlife Service in its Fish and Wildlife Coordination Act report, which had to be pried out of the Department of the Interior because it wasn't released publicly by a Freedom of Information Act report, basically said that salmon benefits for cold water pool enhancements were minimal and that they were counterbalanced by the likely effect of the project to damage riparian vegetation and corridors that are important for salmon downstream. So they were unable to recommend any of the dam raise alternatives. So there's obviously a disagreement between Reclamation and the US Fish and Wildlife Service, although Reclamation is the only one that the secretary is authorized to speak.

[David Ledger]: Now, who would the new beneficiaries be? You mentioned new beneficiaries and current beneficiaries. So is that going to be the current cities and irrigation districts along the Sacramento River, or is that going down to the desert areas of the San Joaquin Valley? Or I guess who would benefit from this as far as getting water?

[Ron Stork]: That's a tricky question because that's one of the unresolved issues that stopped the previous administration from making any recommendations on moving forward in the project and effectively killing it. This is a Central Valley Project project; water normally would be distributed to federal water contractors in the Sacramento Valley and the San Joaquin Valley, and so they would normally be the beneficiary. But this is a project that was conceived of late in the process as whoever the water would go to, essentially to the highest bidder—to the people who were prepared to provide upfront funding for this project.

And the Trump administration has essentially authorized this project under provisions of a statute that was created in 2016, that also essentially demanded upfront funding from the beneficiaries. So presumably the beneficiaries are the people who are prepared to assume at least half and probably much more of the cost of this \$1.3 billion project. So Central Valley Project contractors wrote to Reclamation and expressed their concerns that the highest bidders are likely to be the cities in Southern California and even to some degree the Bay Area, who may be able to outbid the traditional beneficiaries of the Central Valley Project. Where the current administration is on that we don't really know, but we're unaware that anybody in the Sacramento Valley is in competition to come up with the money to get the relatively scarce or small amount of water that this project would generate.

[David Ledger]: Now I thought I had seen somewhere, and correct me if I'm mistaken, that it would cost a lot more than 1.9 billion. Am I mistaken in that, or...?

[Ron Stork]: Well, there's various ways of calculating these projects. In 2014, the estimate was essentially \$1.3 billion, rounding off to two significant figures, but obviously, these costs often escalate as the actual design goes forward and you confront the realities of what the costs of these construction projects are. Most government projects come in over budget, particularly projects like this. Also, you can usually add interest on these projects which aren't part of this 1.3 billion.

[David Ledger]: OK, now one thing up here in this area where I've heard this before is people go, "Well, the water's just going to waste, you know, just goes out to the ocean". And so because I've heard some environmentalists say it will damage the riparian areas and for the fish, what would your response be to that argument that the water is just going to waste?

[Ron Stork]: Well, first of all, this dam raise project is relatively modest and it's not going to stop the Sacramento River from rising in wet years and having significant flows in the river. But let's be clear, these flows now are less than they used to be and they are the critical flows for iconic fisheries like salmon. The ability to get into the bypasses and outside of the river channel has been demonstrated to be really critical and important in providing the food that salmon need to successfully fatten up and be big enough to make it down the river and into the ocean. And you can't get water into the bypasses unless you've got significant flows in the river. And also the ability to have high flows resets riparian vegetation and it makes sure that you can actually have the kind of natural processes in the river that are important for fisheries as well as some of the terrestrial critters that inhabit riparian areas along the Sacramento River.

[David Ledger]: Now I know they have funding, I believe it's 20 million for their preliminary testing, like on the strength of the concrete of the dam. What's the next step? There's a conflict with the state. I mean, what's the current legal status right now as far as—you somewhat addressed that before, but just let's say all the testing goes through, OK, the dam's strong enough to raise it. What's next as far as getting the money?

[Ron Stork]: So there's—the beneficiaries, as I said, they've spent a fair amount of money in the 20 years or so of planning for this dam raise in spite of the fact that it's illegal, or at least that's what the state has concluded. And so those were feasibility studies just to see whether or not the project was constructible and what kind of project designs might be undertaken. And that process finished in 2014 or so with a final EIS and no recommendation for how to move forward because there were unresolved issues that were clearly unresolvable.

The Trump administration and the San Joaquin Valley congressional delegation managed to get \$20 million put in the federal budget to go to the next step, to go to the pre-construction design, which is the actual design in which, you know in detail, they

would raise the dam. And so that's what they're doing this year. Then the next step is what the administration has already done, which is make a determination that the project is ready for construction.

Now that determination was actually made prematurely because, at least as near as we can determine, they haven't complied with some important steps that were necessary to make that determination, like who are they going to cost-share with and whether or not those folks actually have the actual cash in hand to come up with what they need. But they have fully appropriated all the money that was authorized under the program that they're planning to do, and that money falls far short, particularly because it's shared with other projects in Washington and the state of California. So they don't have the money either from somebody else or from the federal government at this point to move forward.

You know, I mean, the Congress has the ability to tap the taxpayers in Michigan and Florida and New York to spend money on some federal water project in California. So if those taxpayers are willing to be fleeced by the folks from the San Joaquin Valley congressional delegation, then that's how they'll probably come up with the money.

[David Ledger]: So in California, is it mainly the San Joaquin Valley politicians that are supporting? And then I guess also a kind of double-part question: what about Jerry Brown, because he really wants his twin tunnels? Is he supporting that too?

[Ron Stork]: Well, he is not saying anything directly, but his resources secretary has informed the Congress that the project is illegal and they shouldn't be funding it. So the governor's administration has been pretty clear that they don't want this project to move forward. But the San Joaquin Valley congressional delegation, which is very powerful—I mean, the Majority Leader is down there and he could be the next speaker of the House of Representatives—has been pushing this dam project, trying to move forward as much as it can.

[David Ledger]: And what is Friends of the River planning to do or what are you doing to oppose this, and what do you plan to do in the future?

[Ron Stork]: So obviously we have done the stuff that informed American citizens are supposed to do, which is to comment in the official comment periods about important aspects of the project, and we have done so. We're speaking to you, but I think more importantly, given the fact that what the state has already said and what Reclamation has said in its final EIS, that the project is in conflict with state law, this is a good time for us to be talking to our attorneys and exploring our options.

[David Ledger]: OK. And what can individuals and groups in this area, and actually Northern California that are opposed to this, do? Or is it like kind of in limbo right now, or is there anything?

[Ron Stork]: Well, I don't think it's in limbo at all. I think there's water districts and egg districts in the San Joaquin Valley that have been very clear that they want to be part of this project. As you might recall, Westlands Water District, the big agribusiness folks on the west side in the San Joaquin Valley, purchased the Bollibokka Fishing Club on the McCloud, at least according to press accounts, because they wanted to make sure that this ownership would not interfere with the raising of the project.

So, you know, I think it's important to stay informed. Congressman LaMalfa, who represents the area, has expressed his support for the project, but it's not been the most vigorous and unqualified support. And so it certainly would be important to talk to your congressional representatives. I understand there's an election coming up and who knows, there may be a change, but in any event, it would be nice if the district's congressman was well-informed and represented his district's views well. And also it may be useful to not only stay informed, but talk to Reclamation, talk to your friends and your media contacts, because public opinion does matter in the end. And it also, I think, would help to join and assist environmental groups that are actively working on protecting the Middle McCloud River, which is a protected river that the state has indicated is the legal problem associated with raising Shasta Dam.

[David Ledger]: Are there any websites? Let's see, friendsoftheriver.org I guess would be one, but any other places you would recommend for people to learn a little bit more about the raising of Shasta Dam?

[Ron Stork]: We have probably the most exhaustive set of materials on raising Shasta Dam on any website that I'm aware of. I talked with CalTrout yesterday; they said that they were going to be devoting more resources in their newsletters and on their website to helping to inform the public on this Shasta Dam raise. So there are organizations that are prepared to help assist the public in getting up to speed on what's going on.

And Reclamation has said that it's going to be doing public relations this year as part of the \$20 million of money that's flowing into them for this pre-construction work. Needless to say, that amount of money is not flowing into environmental groups by any stretch of the imagination. Actually, a little money flowing into environmental groups wouldn't be a bad idea, too. So we're going to be behind on that, but Reclamation is going to be doing their PR efforts and it might be nice to dog Reclamation into making sure that the rest of the story was also told.

[David Ledger]: OK, now your website is friendsoftheriver.org, I guess that's great. Let me ask you one quick question which I had, which was a little preliminary to this interview. Proposition 3 on the ballot, is your group opposed to that or supporting that, or no position?

[Ron Stork]: We're opposed to it. Like the Sierra Club, there are environmental groups that are in favor because this proposition helps fund some of the projects that many local environmental groups are working on. We're opposed to it largely because—well, there's a number of reasons—but one of the key ones is that it breaks the beneficiary-

pays principle, which has kind of been one of the firewalls that have kept bad state and federal water projects from moving forward by imposing some kind of economic test. So there's some big subsidies to the folks in the San Joaquin Valley.

[David Ledger]: I know that the League of Women Voters is also opposed to it based on that same principle, right?

[Ron Stork]: Yes, as are many of the major newspapers of the state. Usually water bonds are supported pretty widely and not very controversial, but so far the Sacramento Bee, the San Francisco Chronicle, the San Jose Mercury News, East Bay Times, Desert Sun, the San Diego Tribune, and the Orange County Register have all so far opposed Proposition 3, largely because of unwarranted subsidies.

I have another reason for opposing Proposition 3, which is that it reinforces, by simply stating this as state policy, that effectively the spillways at Oroville—their reconstruction and having the responsibility to have safe spillways at Oroville Dam—are not the responsibility of the state of California, but they're the responsibility of the federal government. And because of the way the federal government does these projects, the responsibility of the people in the Feather River Basin who were evacuated because the spillways were unsafe—the irony there is deep. And this is, as a person who has been most responsible for jogging the Department of Water Resources that they've got a big problem up there about not having safe spillways. This is one of the reasons why the department resisted for so long our efforts to make them have safe spillways, basically saying, "It's not our responsibility," and that's it. Like a pernicious policy, hopefully the federal government won't agree, and probably won't, it sets up a new state-federal conflict on who's responsible for having a safe dam up there.

[David Ledger]: All right well, Ron, we're running out of time here, but I want to thank Ron Stork from Friends of the River for coming in and discussing this and kind of informing our listeners. Once again, their website is friendsoftheriver.org. Thank you very much, Ron.

[Ron Stork]: Thank you, Dave.

[David Ledger]: OK, this has been David Ledger with KFOI Radio's Shasta Environmental Alliance. Thank you very much for listening.