

Wild & Scenic River bill gaining support

By Nick Baptista/ The Valley Springs News/ Friday, March 27, 2015

Recent amendments to Assembly Bill 142, the latest Wild and Scenic bill concerning the Mokelumne River, are pleasing to Friends of the River and Foothill Conservancy.

The group earlier this year came out in opposition to the legislation authored by District 5 Assemblyman Frank Bigelow, Republican of O'Neals.

The amendments were approved Monday (March 23) by the Assembly Natural Resources Committee as the bill was passed out of the committee on an 8-1 vote.

Those amendments move the Mokelumne River toward permanent protection as a state Wild and Scenic River, according to Friends of the River and Foothill Conservancy.

"The amendments addressed our major concerns with AB 142 by transforming it into a legitimate, meaningful and useful Wild and Scenic study bill, said Steve Evans, Wild Rivers Consultant for Friends of the River. "Assemblyman Bigelow accepted the strongest interim river protection measures ever included in a state Wild and Scenic River study bill. We were also pleased to hear Mr. Bigelow say before the committee that he could support Wild and Scenic protection for the Mokelumne if recommended by the Natural Resources Secretary following the study."

As amended, AB 142 calls for state Resources Agency to study the suitability of the Mokelumne River upstream of Pardee Reservoir for protection as a state Wild and Scenic River. Among other things, the study would be required to analyze whether designation would affect local water agencies' ability to meet water demand, based on "feasible projects and foreseeable demand," as well as document the effects of designation on water rights of previously designated state wild and scenic rivers.

"We'd still like to see a real Wild and Scenic River bill without further delay," said Cecily Smith, Foothill Conservancy executive director. "The Mokelumne has been studied extensively, and we know this study is not yet a done deal. It will be a challenge to fund and complete within the short time frame called for in the bill, and the legislature may not want to spend money studying river protection during a drought. But we're pleased that Assemblyman Bigelow wants to do the right thing for the river and recognizes its importance to our communities."

"The Mokelumne has been the subject of two federal wild and scenic river studies, a watershed assessment and most recently, an interregional water planning process that has cost nearly \$900,000 – all paid for by the taxpayers," Evans said. "But if this study will help allay the

concerns expressed by local water agencies last year while making progress toward permanent Mokelumne protection, that would be real progress for the river.”

State Wild and Scenic River designation for the Mokelumne would prevent new dams and major diversions on the protected river sections, with some exceptions for local water use. As it will be amended, AB 142 will provide that same protection until the Natural Resources Secretary’s recommendations are implemented. It will also prohibit state funding, cooperation or other assistance for water projects that could harm the freeflowing condition and natural character of the river.

Friends of the River and the Foothill Conservancy sponsored a bill last year authored by Sen. Loni Hancock, Democrat of Oakland, to protect 37 miles of the Mokelumne as a Wild and Scenic River. After passing the Senate and the Assembly Natural resources committees, the bill was suspended in the Assembly Appropriations Committee at Bigelow’s request over alleged costs to the state.

The Calaveras County Board of Supervisors and local water agencies have come out in support of AB 142.

The East Bay Municipal Utility District recently approved resolutions asking the California Legislature and Gov. Jerry Brown to protect the Mokelumne as a Wild and Scenic River and urging that AB 142 be amended to provide interim protection for the river while a study is conducted.