

# Wild & Scenic Designation for the Mokelumne River—Transcript of Supervisor Comments

*Calaveras County Board of Supervisors comments at the July 29<sup>th</sup>, 2014, Special Board Meeting, regarding February 25<sup>th</sup>, 2014 Resolution No. 2014-021 Supporting state Wild & Scenic Designation for a 37-mile portion of the Mokelumne River*  
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[video posted @ <http://calaverascap.com/july-29-2014-board-of-supervisors-comments-and-vote-to-reaffirm-resolution-2014-021-supporting-wild-scenic-designation-for-the-mokelumne-river/> ]

Order of comments: 1) Supervisor Cliff Edson, 2) Supervisor Merita Callaway, 3) Supervisor Darren Spellman, 4) Supervisor Debbie Ponte, 5) Supervisor Chris Wright, 6) Motion and vote.

## 1) Supervisor Cliff Edson:

I'd like to start off by saying that I appreciate everybody being here.

Obviously it's probably one of the most important things, uh, decisions that we're going to make all year, and maybe for my whole term, actually.

So, through this I've learned so much more through this; you know the first time that I read the State Wild & Scenic – I mean, you've got to be a lawyer to read that thing. So, you know I'm not a water person, so I relied on folks that I talked to folks that know more about it than me.

And when we voted on it the first time, I was voting on a Wild & Scenic designation resolution, and to support that. And I still want to support saving, to find some way to save this river. Because I think it's important that, it's a resource for us, it's important to a lot of people. If we could, I guess the key is finding a way to work together to make it happen. I think that's achievable. Just tonight I've heard many people talk about, uh, I've heard, I haven't heard too many people say 'we don't want it at all.' But I heard a lot of people say 'It's possible, but we have to adjust it.'

So one of the things that struck me very deeply was when Mike Dell'Orto got up and he was talking about history. And he was talking about the history of the Moke and then he said something about (how) George Huberty fought for our water rights on the Moke 'way back when. So this is still an ongoing issue. You know, it's been going on all these years. There are people before us that have done it and probably George Huberty, I would imagine he knew every single thing about the Moke and the reasons why he was fighting for it.

So every river in every County is unique and has issues and challenges. So there's been a whole lot of people before me with much better experience than me to make these decisions but the one thing that I know is that a lot of our methods and processes that have worked in the past, with politics, programs, whatever, do not work now. It seems like every time that we do something nowadays it pits one group against another. It's kind of like the river, you've got the Calaveras side, the Amador side, right, and it pits one group against another. And I'm getting just a little bit fed up with that actually.

Because we are one people. And it seems to me like we're self destructive in that way. And the people that pay for it are 'us,' the average citizen. So I just think that there's a better way. And I mentioned this a couple of times – if this bill passes, just like it is, SB 1199, if it passes just like it is, it will divide people. And it won't accomplish the right things that need to be accomplished.

So what's the sense of getting your way if it's taking from somebody else or destroying another person's ability to do the things they need to do to live? I don't get it. And we have 'way too much of that. It's not just the stuff that happens on the river, it happens everywhere, it happens with the forests, our watershed, everything.

I'm not a big proponent of dams. I think that ... there are probably many things that we can do to not have to go there. For example, San Francisco: they take our water, they use it, and 90 percent of it after they use it goes right out into the ocean. How do you think that would affect our reservoir if they didn't have to use that much, if they could re-use it? There's many things we can do but *we* seem to get the restrictions and everything put on us. By the way we send our water down there for free but we pay for it here. I kind of have an issue with that. Can't do nothing about that right now.

I wanted to bring this back to a public meeting because I felt we didn't give everybody got an opportunity, like tonight, to come out and speak and be able to give their considerations for this very important, this very important subject. And there are people that are really passionate about their beliefs; there are people passionate about the river. Chris (Supervisor Chris Wright) obviously lived with this river his whole life; it means a very lot to him. And so I respect that.

But I felt that this can't be a personal choice. This has to be a choice that is based on facts and common sense. It has to be a choice that is based on collaboration and on what is best for our Counties. 'Course I was thinking just about Calaveras (but) now that all you guys (various Amador County officials) are here I'll think about Amador too. But really I didn't know about the Consumes being dried up. I mean that's pretty serious stuff. So we have our challenges.

And one thing that I do not like on these decisions, is how it becomes political. Because this is a – this is water we're talking about. And I know there's a big political battle for water everywhere. Everybody wants to own it – everybody wants to have control over it. But we need it here for us. To be able to sustain us and our counties. We're just small potatoes compared to some of these folks out there with a lot of money that can have a big influence. So if we start placing restrictions on *us*, then I think we're not doing *us* any favors.

I did not know the Resolution would turn into this. It was just a resolution. In my mind. Right? And then all of a sudden it became this political football. Next thing I knew this Senator Hancock had a bill and they were running with it. It passed up our representatives, Assemblyman Bigelow and Senator Berryhill. (I) didn't agree with that. So in my mind it turned political right there and it became counter-productive in my opinion and that divided me from (unclear) Wild and Scenic at that point. That's where I lost it. And I might add I lost some trust, too. So, that's how you divide people. And that's how our country is being divided – take a look at Congress, how's it working? It's not working very well, huh?

So this small little area here, with Country Folk, don't you think we actually can work together to do the things we need to do to help each other out and be productive without trying to take ownership of somebody else's stuff.

So I think it's time to get the past the ideas of working against each other and start working together and solve issues without the politics and self interests.

Just to be clear I want to make sure the River is here forever too. And I think that anybody in any water agency would agree with me. They don't want it to go.

So anyhow I think that, uh, I don't like our old resolution. Because to me it is tainted now. And I'd like to rescind it myself. But I do like the fact that the other water agencies we're talking about having a resolution that has amendments because that is a step towards collaboration and working together to get something solved.

I don't know if I can make a motion right now, can I?

(Chair responds that the other Supervisors should have a chance to speak first.)

So that's all I have to say. I want to thank you, each and every one of you for coming here. I know it's important, otherwise you wouldn't be here this late – pretty good audience, and thank you for being respectful to one another. I know it's a sensitive subject. But we've got to open our minds a little bit and reach across the aisle and start shaking hands so that we can take care of each other up here because nobody else is coming up here to take care of us.

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## **2) Supervisor Merita Callaway:**

I'm very familiar with Amador & Calaveras as it impacts water and the State of California. I have served on the State of California's Water Plan for at least eight years so I'm familiar with the process.

Mr. Graham says that there are 27,000 – is Chris still here? – Chris said there were 27,000 Acre Feet in reservation, I thought it was 22,000. So whether it's 22,000 or 27,000, I'll just say 22, State reservation of water from the Mokelumne for the people of

Calaveras County. It is not designated that it goes to a particular water agency. That was an issue we had with this Board when CCWD at one time was going to try and sell some of the water downhill and we said 'no, you can't do that unless you come to the Board of Supervisors,' and now a former (member of the) Board of Supervisors is going to run for CCWD Board, so I'm kind of interested in seeing where that goes.

So the expansion or diversion could meet the County's demands. It's not impacted by Wild & Scenic. CPUD has two thousand, if I remember, acre-feet of pre-1914 water rights; they have 1800 feet stored at Schaads, I believe it's for power versus consumption, so there is a possibility that there is that water, and CCWD also has 1800 acre feet stored.

Amador County water agency, if I remember my history, wanted 10,000 acre feet of the 22,000 acre feet and they were told 'no.' CCWD and Amador County Water Agency could name a project and invest in it and I don't believe that's been done. So all of a sudden this Board of Supervisor is made to look like we don't know what we're doing and a Supervisor from Amador said we should have read the information – I did read the information before I voted on it. PG&E has storage for power rights so we could park future consumptive rights at one of their sites – we're talking like none of this exists.

Water for the Burson area which has been an issue for years, not only for this Board but for CCWD – the water for that part of the County comes from Pardee and Comanche; it does not come from this stretch of the river. This water flows down into East Bay MUD. So it's not impacted by Wild & Scenic designation. So any water that would go to that end of the County would come from Pardee and Comanche and from an agreement between CCWD & East Bay MUD. I'm not sure why that has not occurred.

So there is enough water. Conjunctive water use implies of course an agreement between ground water and surface water and that's a possibility which gets back to Calaveras County's – the Board of Supervisors. That goes back to our General Plan. They are not going – they CCWD or whomever it might be – does not have the economic resources to expand the water into the west end of the County without a larger population. So we would have to, on a 25 –50 year planning horizon – we would need to have a lot more population to have water be viable. Again, that would come from Pardee & Comanche, not from this stretch of the Mokelumne.

Also, again I'm going from memory, the South Comanche had been talked about going from East Bay Mud to CCWD, that is also an option if those entities want to work together. I really have a problem with this Board being put into the middle of something "all of a sudden" where for twenty, over 30 years, almost, this issue for Wild & Scenic has been discussed. Yes it was discussed as a Federal designation, and it did not occur. We have never had support of our legislators on the Federal side, and I know we don't have it on the State side.

So, I mean, getting all caught up in "some Democrat from Berkeley," I don't have a problem who is bringing it forward—it's brought forward, let's deal with the issue not the personalities.

And per the California Constitution, you have to use the highest and most beneficial use.

So it follows the Act. And those of you who have read it know that the California Wild and Scenic Act says that we need to preserve it for recreation, for the public, to generate economic activity, which was a huge issue when we met in Amador County to discuss Pardee, what was it, the raising or the lowering of Pardee, I don't remember what we were doing, but the place was packed. If I remember correctly, the Amador Board of Supervisors did not support what was going on at that time. They didn't like the formula split. So when (Amador County) Supervisor Forester said it was a collaborative effort, where we all supported what occurred, that was not what occurred. The Amador did not support the proposal that was before the group there.

So there is a huge economic activity for both Calaveras and Amador on this.

The bill—really the bill's not before us, but the Resolution is before us—does not change the water rights. And, whether it's Amador or Calaveras, they can go and request additional water rights if they think they need it.

Now I have been hearing from my water district 'if we don't use it we're gonna lose it, if you don't use it you're gonna lose it.' Well, you know, there's nothing that's been planned on the Mokelumne side, and now all of a sudden we're gonna lose it. Well, we're talking probably 25 or 50 years down the road. So if this is such a big deal – use it or lose it – here we have a way to use it. And it doesn't stop, and it doesn't change the water rights that CCWD or CPUD have on the river.

Let's see ... it also preserves the right for future water development as provided by existing law. So there's nothing changing that. CCWD in my opinion has nothing at risk on this because any water development would come from East Bay Mud, Pardee or Comanche. Amador may, I will grant that, they need the Calaveras County reservation – they need some part of that reservation for development in the up-country area where, by the way, I used to live. So that doesn't limit the future.

So this isn't about the bill, this is an economic development issue for both counties. If I remember shortly after that it was agreed to that there be a three year trial run for rafting... Mr. Wendt (George Wendt, owner of Oars, a large rafting company located in Angels Camp) was that a three-year trial for commercial? I know you haven't done it because of the water level but it was a three year? ... got it. So anyway it was agreed to to do a three year rafting program, commercial rafting, down the Mokelumne, again an economic benefit to both counties. And if I remember correctly the Amador Chamber of Commerce at that time, the Calaveras Chamber of Commerce, this was not very ... two years ago, there was total support of not raising Pardee.

So I don't see how my position has changed in any way on this resolution. I'm not dealing with the Senate Bill, 1199, although I do support it. I am dealing with what's before us tonight, which is whether we should change or modify or rescind the Resolution and I do not support that.

Those are my comments at the moment.

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### **3) Supervisor Darren Spellman:**

I also reserve the right to say something else later, but I tried to write everything down in order so hopefully I'll get everything that I want to say.

First of all I'd like to address statements made by Mr. Williams, Mr. Davidson, and Joe Q. Public as he called himself. I think he was from Mokelumne Hill or somewhere. Mountain Ranch?

The topic there being collaboration. All of them mentioned that word. Collaboration with the water districts, most notably CCWD which Mr. Davidson is a Board member of.

I would have this public audience know as well as the people who may be viewing at home that this Board, including myself, has attempted on numerous occasions to work with CCWD on number of different collaborative efforts. Including but not limited to – they constructed what is now a brand-new two million-dollar administration building without pulling a building permit. You try to add on to your deck and we'll be out there red-tagging you. They built a two million-dollar building without pulling one building permit. And when we red-tagged them, they sicked their lawyers on us. That's how CCWD collaborates with this Board.

So humor me if you will, if I don't buy into the idea that they're just willing to come to the table, and elbow up, and get into collaborative efforts with us. Mr. Stump said he would apologize to me after meeting me at a meeting about the water increase rates, but I've never received that apology to this day.

On top of that I will address Joe Q. Public – he said, the quote was 'demand collaboration' but as I've given with my examples about attempts to collaborate with CCWD they've been met with less than fruitful ventures.

Next I'll move on to what I call the Concerned Cabin Owner. Are you still in the audience? That's owned the cabin since the 1970s – there was a lady here that made a statement. She talked about the rivers and water as liquid gold, and that's what I'll address the statement to, these next couple of bullet points here:

On the Calaveras river, that leads into Hogan and the potential usage that we have there for selling water for CCWD has water rights, and the County, the former Deputy Director and General Manager Pattison went to Washington DC and lobbied Congress to get money so that CCWD could provide funding for surface water conveyance from Hogan and the Calaveras River to do a couple of different things: to do groundwater recharge for the western part of our County that is suffering from failing wells that you're hearing about, to promote agricultural irrigation similar to the new orchards that we see popping up like daisies just over the border in San Joaquin and Stanislaus County who have irrigated water that comes to them from surface water. And also to perhaps provide for increased residential uses for the future population growth of Calaveras County in the western end. He came back from Washington DC, Mr. Pattison, and the Supervisor that

preceded me, as well as another Supervisor here, with the agreement from the federal government saying that they would give them a loan for up to thirty million dollars for a storage and conveyance project for the western part of the County.

But before that could even take foot, and get started on any kind of a major basis, what happened to that man? He was let go. He is now the City Manager for the City of Ione in Amador County. Very intelligent man and brought a lot of potential possibilities for us for water storage and availability for agriculture, ground water recharge, and for residential use, but the CCWD Board canned him.

Next we move on to the Mokelumne River. The Mokelumne River, CCWD and the County have rights to somewhere between twenty-two to twenty-seven thousand acre feet. We'll just say it. As a member myself, of this Board of Supervisors, and also a sitting member of the CAMRA Board -- the Calaveras Amador Mokelumne River Authority -- I was working and collaborating with General Mitch Dion and reaching out to CPUD to try to come to some kind of an agreement where we could take water from the Moke that they had rights to, convey through CPUD to get it down to Hogan where we could store it.

I was making some progress and headway with Mr. Dion on that and we were ready to start crunching the details and maybe getting some traction on that, and what happened? Mr. Dion was fired by the CCWD Board.

I think that the water problems that we have in this County are a direct result of - acts of nature, number one, we're in a drought and none of us can make the clouds rain - but number two, a severe lack of leadership and horrible mismanagement by our water agency, of which Mr. Stump and others are representing here tonight.

Moving on. I'll address statements made by Miss Reinke, representing the Republican Central Committee of Calaveras County. She said that, quote, 'Republicans believe that water is for the use of the people of California.' You know what? I couldn't agree more. It *should* be for the use of the people of California. But the fact of the matter is, there is more water consumed for corporate agricultural activities in Kern County alone, than all the residential water usage in LA basin and the San Francisco Bay Area. And that is a fact. And that water that they use for agriculture in Kern County with those corporate farms that have hundreds of thousands of irrigated acres of desert soil that would be nothing but scrub brush and tumble weeds were it not for the water they're taking from us.

And you know what they're doing with that? Those cantaloupes that you buy for three dollars at Mar-Val at the grocery store? They're putting them on an airplane and sending them to Tokyo where they can get twenty dollars for them in shrink-wrap. That's what they're doing with the water that should be going to the citizens of California. They're using it for corporate-owned farms in Kern County, they're using our water, to make profitable agriculture products that are shipped to the Pacific Rim to Tokyo, Hong Kong, and Taiwan, to name the major ports of destination.

So if you want to make Wall Street corporations rich off of our water, then have it. That's the way to go. Keep sending more water south, and we'll keep putting money in the pockets of people in New York City who have corporate farms in the desert down there in Kern County.

Also, I've asked for this slide to be displayed. This was from the front page of the Sacramento Bee dated July 15, which was just a week and a half ago or so. This shows, by region – we're in the Number Four region, Modesto – our region has reduced our consumption, year over year, let's see the average of the last three years, we've reduced our consumption by ten percent. Sacramento region has reduced theirs by thirteen percent, and I think Amador would be in that region. But our friends down the south coast, in Santa Barbara, Ventura, Los Angeles, Orange County, and San Diego, they seem to think that their manicured lawns and golf courses are more important than ours.

So I really don't have any sympathy for those type of suggestions. And these are indisputable facts that are born out by a legitimate media source that has fact-checked the documents, this is a new release just a week and a half ago. These are irrefutable numbers.

This County derives its income from three major sources: property taxes, agricultural products, and tourism. There's nothing in the State Wild & Scenic designation that says that we can't use the same amount of water that we're using or maybe even more if we need it ... to take care and to do the things that we're already doing.

Is there ever going to be a dam built on the Mokelumne River along that 37-mile stretch? Whether or not the Wild & Scenic ever passed or didn't pass, or even if it never existed or never heard of it, is there ever going to be a dam built on that stretch of the river? The answer to that is 'hell no.' It's never gonna happen. I'm going to be 6 feet under pushing up daisies before anybody even gets a thought about doing that. It's not going to happen. So if we're going to protect the tourism revenue that we have, which is one of the very few little things that we can cling on to that we still have, we need to protect that source.

You know, in 1981 when they dammed the Stanislaus River to create New Melones, they said it was going to bring economic prosperity for all the boating activities and the fishing and these kinds of things that would replace the white water rafting and kayaking and canoeing and all those things. Well guess what. We're about, what, one month away, two months away from all the houseboat people pulling out of town? They're pulling out. They're going to be gone. There used to be a Marina at Hogan. It's gone. So these things come and go. We keep losing things, we have very little revenue sources, and the ones we do have we're trying to protect. *(Supervisor Edson speaks and Supervisor Spellman responds)*

Agriculture, of course, that's one of our big three production items there, and if we have the ability to convey water to the western part of the County maybe we could irrigate some more pasture land for beef cattle or grow some more orchards or things like that, but we don't.

Another concern of mine is safety. If Pardee had been raised to the level they wanted to raise it to, it would have inundated the Middle Bar Bridge. And unlike Mr. Mason who was here earlier, who made a completely erroneous statement at the Republican meeting that I attended, that the Middle Bar Bridge was closed to traffic. I said ‘beg your pardon?’ I just crossed it two days ago. ‘Well, I’ve been here 27 years and I’ve never been to that bridge.’ What relevance does that have to the conversation? I’m sorry. You’ve lived here 27 years and never been to the Middle Bar Bridge. It doesn’t take away the fact that it has value for many different reasons, not alone for safety factor. Think about what happened with the Rim Fire. Think about the fire that just happened in Amador that they’re just winding down, hopefully, now. The Middle Bar Bridge is a place that can be used as an escape route for citizens and others if -- basically from Comanche all the way to West Point, the only crossing other than Middle Bar is at 49. If that bridge were to be wiped out for some reason, or jammed up because of big a fire or something, Middle Bar is the only other place that you could get through there. And I’m sorry if Mr. Mason hasn’t visited the bridge – he thinks it’s closed, or that it’s insignificant. I have visited the bridge. It’s not closed and it is significant.

I could go on for a long time this evening on the reasons why we should keep the river flowing the way that it is. But I’ll end my statement and give my colleagues a chance to weigh in here for a minute.

But I want you focus on that as you’re thinking about the things we’re talking about. We’re making a sacrifice and other people are laughing in our faces. Why are we putting buckets in our shower to water our plants, and letting our lawns die at the Capitol, while people down in the southern coast are living the lifestyle of the rich and famous, you know, OC housewives. I don’t like that. That’s not fair. That’s not equitable. It’s not fair or equitable either for them to use the money for corporate farms to send agricultural products to Tokyo to make a mint off of. I don’t like that. I want the water to stay here in California and be used by California citizens. I agree with that statement. Thank you.

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#### **4) Supervisor Debbie Ponte**

You know, back in February when we supported this resolution it was a 5-0 vote. It was written in such a way that it covered a lot of different items. It was then that – we knew then, that this would be going forward to support a Wild & Scenic designation at the State level.

So everything in the Resolution I supported. I thought it covered a number of things and protected a number of things. I still feel that way. I think no matter what we’re faced with you can always read into many of these kinds of resolutions and acts and so on and so forth.

Probably what saddens me the most from what I’ve heard here this evening is the lack of collaboration. And I’m fairly new to the Board, but I understand this has been twenty years in the making. It dismays me to hear that there’s been this lack of collaboration, and people didn’t know, and this kind of thing, and, which, I find it not true.

Looking at past records of the Board meetings, and looking at past correspondence with the Board, you know it's been discussed here for the last twenty years. And the same in Amador County. So to find out that 'we're just now hearing about this' is just not true. It's been in the hopper, you might say, for a number of years. And so, you know, it was no surprise, and like Merita and like my other counterparts when this came before the Board there was a lot reading and information fact-finding that I did to find out. And you kept hearing that this type of Act for Wild & Scenic was a horrible thing, and most people got very confused between the Federal Act and the State Act, and I find the State Act to be somewhat mild compared to the Federal Act.

I believe that whatever happens we will still have control, and it's our voice that needs to be heard. It's the cooperative effort that we need to work stronger at. There's been many instances when one agency is pitted against the other.

I have a personal situation that I was attending probably about nine months ago with a local water agency and it was called by the Cattlemen's Association and the Farm Bureau when it was taking a look at how we could spread water from one end of the County to the next. In fact here's a very detailed map, there's lots of history here, on the canals that we have, and the ditches we have and the reservoirs we already have in existence to carry water from one point to the next. We're not utilizing those resources. They're out there. We need to do a better job working together to utilize our existing resources because I don't know too many agencies can afford these newer, whether they be dams or reservoirs on whatever river.

I went back to my original comments when I supported this particular Resolution. I think I made note that it was in the 'Seventies when the Stanislaus was being dammed. I wasn't a voting person at that point, I think I was sixteen. It was quite a controversial act for our community, you know, whether we dam the thing or we don't, or whether we fill the thing or we don't, it went back and forth, back and forth. And while the lake is nice, it has ruined the Stanislaus river canyon. It is not what it used to be. As I remember being sixteen and rafting that canyon and seeing the history that's there and seeing the wildlife that's there, and the birds and the bees and the bunnies and how scenic and wild it was at some point. It's not like that anymore. I think this is a great opportunity to save the Mokelumne in this regards because if we don't do something today, years down the line I think the Mokelumne could very much wind up like the Stanislaus canyon. I would just hate to see that.

So I'm all for collaborative and working together and there's been some amendments that have been proposed. You know it's possible that we can still work together on those amendments and come to something. But for right now I'm pretty much supporting the Resolution that we passed in February, and we'll see what might come forward if we have an opportunity to collaborate on anything further.

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## 5) Supervisor Chris Wright:

So I'm still thinking about what I'm going to say, but I'm just going to think out loud now.

I really do appreciate everyone being here tonight. I think that for the most part we did a very good job of being civil. I think that's a really good step forward.

There was one comment that was raised about me having a conflict of interest with the Foothill Conservancy. I'd just like to say I've accepted no monetary gain from that organization since I left them almost two years ago.

My connection to this river, although it doesn't go back as far as Mike Dell'Orto and his family, it does go back a long ways. In fact, 'way, 'way long before the Foothill Conservancy was ever dreamed up, my great-grandfather was mining on a tributary on the Mokelumne River watershed. So this is well beyond the Foothill Conservancy for me and my family. I just want to put that to rest.

I'd also like to say I respect all of you here who have spoken. You're very passionate people, and I respect your leadership on this issue and other issues. I particularly respect Mike Dell'Orto for his work in the community and his understanding of water rights and a lot of history in the County. And so I thank Mike for being here. And I think we're on the same side. We may differ on our tactics, and our issue here. But it's what I was telling Rosemary before, this is what I view as a changing of the guard. A new way of thinking about how to protect our river, how to protect our resources, our water, for future generations for Calaveras County.

You don't have to just say 'no.' That is not always the best tactic. Sometimes you need to think of other strategies. And that's what this is. This is a strategy that protects our water rights, it protects our river, from outside interests that have a lot more power than we do. And I'm hopeful that I can bring you guys along to understand that this is the best strategy. Even if the Foothill Conservancy says it's a good thing -- doesn't necessarily mean they're wrong. I know it's really difficult -- I probably will never convince Mike Dell'Orto of that. But I'm going to give it a shot.

I really support collaborative work on this issue and I think we've come a long way. We're actually pretty close on the amendments out there. I'm not sure if we will reach perfect agreement. There's ones out there that have been written on the Yuba River that have been submitted and they talk about protecting all the water rights and they really solidify the water rights. That's been in use on the Yuba River for over twenty years now without a problem.

The Wild & Scenic Act itself allows for dams and diversions off the streams that are protected. It allows for, and you can see on the American River for instance, that future projects have gone forward upstream of the American River. It also allows for domestic use within those stretches.

Now, Cliff is right, it doesn't allow for that water to go towards Ag, but the use of Ag within those stretches on this river are a very limited base. You're not going to pump up that water to make a new diversion, a new dam there, and pump that water, I mean a new diversion, pump that water up and use it for Ag. It's going to be too costly to do that. You can pull it out of existing dams and reservoirs and diversion points. So that's gonna be – Ag's not going to be any problem. And also, to be realistic, we aren't actually most likely going to divert any water from that stretch, you all have said that.

And so I think we're really close. I think if we don't get it this year then we come back next year. We start talking earlier. And we work out with our local Assembly member, our local Senator, the Amador Board of Supervisors, Mike Dell'Orto, and we all try to understand each other's positions a little bit better. But like I said, this tactic works. It's worked for other communities across the State and it will work for us. You just gotta move your position a little bit and we can do it.

With that I will make a motion to re-affirm this amendment.

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**6) Motion and vote:**

Motion made by Supervisor Wright and seconded by Supervisor Spellman to Re-affirm Resolution 2014-021, Resolution Supporting the Wild & Scenic Designation for the Mokelumne River

[vote] "Motion carries 4-1" (Supervisor Edson No)