

Dam shame

It's time that San Francisco let go of Hetch Hetchy

- Tim Holt

Sunday, January 16, 2005



San Francisco, tear down that dam.

But the hometown of the Sierra Club dithers over the fate of Hetch Hetchy, the main holding tank for city water in Yosemite National Park, while a Republican governor takes the lead by default. The city's fearless leader, Mayor Gavin Newsom, is a study in equivocation, and Sen. Dianne Feinstein, confusing dams with rivers, makes ludicrous statements about the "destruction" of the source of the city's water.

If the prologue is any indication, we're in for some great political theater.

Imagine Gov. Arnold Schwarzenegger in a real-life action-adventure drama, tearing down O'Shaughnessy Dam high in the Sierra while Bay Area leaders gape from the sidelines. Far-fetched? Well, it took Richard Nixon, not exactly one of the great nature lovers of all time, to get the Endangered Species Act passed.

In my region of the state, the Klamath and Trinity rivers and their fisheries have been devastated by the same mentality that produced the dam at Hetch Hetchy. It's all about the heroic triumph of man over nature, the draining of rivers to grow cotton and potatoes in arid climates, the drowning of a magnificent alpine valley to store municipal water.

Up here, I'm happy to report, things are changing for the better. In our own vacuum of political leadership, these issues are moving inevitably into the courts. And the rivers, their fish and those who depend on them are starting to win.

After legal victories by the Hoopa and Yurok Indians, higher flows will start in the Trinity River as early as this spring.

The Bay Area can continue to hem and haw, or even fight a rearguard action. Already a business alliance, the Bay Area Council, has emerged with a save-the-dam effort; it is clearly alarmed by the growing momentum of the take-down-the-dam campaign.

The inevitable removal of O'Shaughnessy Dam may take decades if you allow the supporters of the status quo -- the Bay Area Councils and the Dianne Feinsteins -- to dictate your position.

But you will discover, sooner or later, that you have no more right to flood a valley in Yosemite than farmers do to drain rivers and destroy fisheries. There is a bull's-eye on O'Shaughnessy that is growing by the day.

Logic and reason should tell you that with the state's population projected to reach 50 million in the next 20 years, there will be an even greater need for, and more value attached to, a restored Hetch Hetchy Valley, optimally placed in a national park.

Sure, you can delay the day of reckoning. Los Angeles managed to hold out for 16 years before it was forced to restore Mono Lake.

A precedent-setting decision by the state Supreme Court and a battery of related lawsuits finally forced Los Angeles to stop diverting two creeks and let them flow into the lake.

In making its decision, the state Supreme Court cited the public trust doctrine, an ancient legal principle arising out of English common law, which says public waterways must be managed by governments for the public. The Mono Lake decision expanded the definition of "public trust" to include benefits to the environment.

So Los Angeles unintentionally performed a great service to the environmental cause by getting the Mono Lake decision on the books. If Hetch Hetchy does go the legal route, San Francisco's case is pretty weak. Under public trust doctrine, Los Angeles was forced to give up the water it was diverting from two eastern Sierra streams.

No one's suggesting that San Francisco stop diverting Tuolumne River water -- after it runs through the Hetch Hetchy Valley.

But we, the public, are saying that we should be able to hike and boat and generally take our recreation in a valley that was never San Francisco's in the first place. It is owned by the people, and should be managed by their government for their benefit.

Any court will almost certainly take into account the alternatives to O'Shaughnessy that are now available. These have been spelled out in a lengthy study published in September by the group Environmental Defense.

Bay Area leaders would do well to take a close look at this study, as a \$3.6 billion revamping of the region's water delivery system gets under way. Some of the alternatives suggested in the study could actually improve that system.

With the removal of O'Shaughnessy, the Bay Area's share of Tuolumne water -- what it can't directly tap during high-flow periods -- could be allowed to run all the way down the river to where it meets the San Joaquin River.

This would provide the Bay Area with a direct link to the statewide delivery system. Such a link would allow the Bay Area to purchase water from Central Valley irrigation districts and tap into groundwater sources throughout the state.

And the Bay Area certainly needs to diversify its water portfolio. Currently, it gets 85 percent of its water from a 150-mile system of pipes and tunnels that crosses three major earthquake faults.

Moreover, it is drawing water from a river system in which it holds "junior" water rights, standing in line behind two irrigation districts with which it has a history of stormy and litigious relations.

In dry years, most recently in 1991 and 1992, the San Francisco Public Utilities Commission has to scramble to find additional sources of water.

Another alternative to drowning Hetch Hetchy is an expansion of the Calaveras Reservoir, which San Francisco is already considering. This could provide nearly the same storage capacity as the Hetch Hetchy Reservoir and would move the stored water 125 miles closer to its consumers.

Pro-restoration forces, and one hopes these will eventually include a number of the Bay Area's elected officials, can persuasively argue that the federal government should pitch in to help with the costs of reworking the Hetch Hetchy system and restoring its valley. These costs are estimated by Environmental Defense at between \$500 million and \$1.65 billion, not including the cost of taking down the dam.

Hetch Hetchy's restoration, after all, will benefit national park visitors from all over the United States and around the world.

Restoration of Hetch Hetchy will be a difficult, complicated and arduous task. It will involve intricate new arrangements between San Francisco and its water partners, new agreements with the State Water Project and a host of other agencies, as well as changes in the original 1913 law, the Raker Act, that allowed the flooding of the valley and allocated water among the competing interests in the Tuolumne watershed.

And there is the complicated matter of whether, and how, to compensate San Francisco for its loss of Hetch Hetchy hydropower, estimated at 20 to 40 percent of current generation levels, and how that lost power is to be replaced.

But it's a task worth undertaking. The original fight over Hetchy Hetchy, the plight of John Muir's "grand landscape garden," started a national debate over whether natural resources should be exploited regardless of the consequences. The outcome, 90 years ago, reflected the dominant thinking of that earlier era.

Now, you have a new opportunity to address this issue. You can, of course, fight for your dam -- right to the bitter end -- and get dragged through the courts until you're forced, like Los Angeles, to do the right thing.

Or you can start right now to actively engage in the difficult process of finding an alternative to O'Shaughnessy, and in so doing demonstrate what the home of the Sierra Club has learned in the last 90 years about building a truly sustaining relationship with the world around us.

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Page C - 1

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