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## **Editorial: Lines in the sand**

### **A Hetch Hetchy debate slowly begins**

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An emerging debate on whether to restore Yosemite's second great valley, Hetch Hetchy, is holding true to the history of this valley and of the Tuolumne River, which runs through it.

Proposals to change anything about the river's water resurrect controversy over water rights, over who owns what and whose claim comes first. The controversy began more than a century ago, when San Francisco proposed building a dam in the Hetch Hetchy Valley, a smaller twin of the famous Yosemite Valley. Today, as new evidence suggests that this dam is no longer needed because San Francisco can store this same water elsewhere, there is consternation once again.

If you, like us, are intrigued by the possibility of reclaiming the Hetch Hetchy Valley and restoring this national treasure to the American public, fear not. At this stage in a Tuolumne River water debate, whether the proposal involves building a dam or draining one, lines in the sand go with the territory.

On the facing page, the Modesto and Turlock irrigation districts offer some views on restoring the national park, for changes in Yosemite would directly affect them. Their perspective is important, for they hold the oldest water rights on the river, rights older than San Francisco's. Although the dam in the national park belongs to the city of San Francisco, the dam downstream that is nearly six times the size, New Don Pedro, belongs to them.

This big downstream dam did not exist in 1913, when Congress, believing that San Francisco had no viable alternative, approved the Hetch Hetchy dam. But it exists now and could be used to help supply water for San Francisco. In addition, in the coming years there may be even more storage. San Francisco is mulling whether to build a reservoir even larger than Hetch Hetchy in the Calaveras hills (to replace a smaller, seismically unsafe one).

Since the only argument for flooding Hetch Hetchy nine decades ago was that San Francisco had no alternative, the question is obvious: With all this other storage, is a dam in Hetch Hetchy truly necessary to capture all the needed supply?

Two recent studies, one from the University of California, Davis, and another from Environmental Defense, conclude that the answer is "no." Both studies point to New Don Pedro playing a role in any Yosemite solution.

The studies have intrigued two key water leaders in the California Assembly - Pittsburg's Joe

Canciamilla and Davis' Lois Wolk. They are right in calling for an independent state study to better clarify the possibilities. (Gov. Arnold Schwarzenegger has yet to respond.) An exhaustive independent study, regardless of one's initial views about the idea, would be useful. Facts never hurt a debate. This debate could use more light than heat.

To provide a little flavor on how basic facts can be viewed differently, consider this straightforward question: Who gets to store water these days at New Don Pedro? This isn't a trivial question. If Hetch Hetchy were drained, New Don Pedro would have to play a role in the solution.

Modesto and Turlock contend that "San Francisco does not own any water or storage rights in Don Pedro Reservoir."

Then there is San Francisco's perspective, as lifted straight from its Web site. The city "holds exchange storage rights of 570,000 acre feet in the New Don Pedro Reservoir." (As an aside, that is more water storage than is available at Hetch Hetchy, more water than the Bay Area consumes from Yosemite in a year.)

So does New Don Pedro play any role in San Francisco's water system now? Yes, a big one, according to an analysis of existing agreements by Sacramento water attorney Stuart Somach. (He should know, for he represents the Turlock district.) San Francisco indeed has the right to bank water in New Don Pedro. Modesto and Turlock control this water once it is in the reservoir, but they keep track of what water San Francisco is owed. At the moment, the city makes withdrawals from this bank upstream at Hetch Hetchy.

The rules of this water bank arrangement would need some changes if San Francisco were to store its Sierra supply in reservoirs outside of Yosemite. But regardless of what happens at Hetch Hetchy, these rules are due for a revisiting as the Bay Area prepares to expand how much Tuolumne water it can convey and capture in reservoirs.

Change has never been easy on this river. But change is coming. History tells us that this change will involve acrimony, gnashing of teeth and phalanxes of lawyers. But this time around, it is just possible that what's good for San Francisco, Modesto and Turlock may prove to be great for Yosemite and the American public as well.

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