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Delta legislators hardening against water plan

By **Malcolm Maclachlan** | 10/22/09 12:00 AM PST

Assemblyman Roger Niello, R-Sacramento, and Sen. Lois Wolk, D-Linden, don't agree on much. But both are against the water plan being negotiated between the Legislature and the governor — and both think they have the votes to kill it.

Their opposition stems from one thing they do have in common. Each represents a district within the Sacramento-San Joaquin River Delta, the water-rich region at the center of the water policy and bond package.

"Absolutely there is bipartisan opposition," Niello said. "Lois' concerns are not the same as mine, but she is nonetheless every bit as opposed as I am."

"It is absurd to suggest there is unanimous opposition to a package that will provide the Delta region with billions of dollars for restoration, mitigation, and economic development," countered Alicia Trost, a spokeswoman for Senate Pro Tem Darrell Steinberg, D-Sacramento, a key architect of the package forming in the legislature.

Niello isn't the only Northern California Republican speaking out against aspects of the plan. While the package does not explicitly contain a peripheral canal — a major project to divert water around much of the Delta for use in Southern California — there is widespread feeling that the policy portion of the plan would allow a canal to happen. Assemblyman Bill Berryhill, R-Stockton, has spoken out against allowing a peripheral canal. So have a prominent pair of announced Republican Assembly candidates, San Ramon Mayor Abram Wilson and former San Joaquin County Supervisor Jack Sieglock.

Both Wolk and Niello also agree that the package—not yet in print—will face its toughest challenge in the Assembly. Niello said "I'm not sure there is a single Republican vote for the deal, at least in the Assembly."

Another thing these legislators have in common is a feeling of being snubbed by Steinberg, also a Delta legislator. Niello sent a letter to Steinberg on Sept. 4 raising concerns: "As members of the legislative delegation from the Sacramento region, we are very concerned….As currently drafted, these bills will require the region's communities to effectively pay to have water taken from them." The letter was also signed by a trio of other Delta Republicans: Sen. Dave Cox, R-Sacramento, and Assemblymen Ted Gaines, R-Roseville, and Dan Logue, R-Chico.

When the next draft of water language came out a week later, Niello said, his concerns were ignored.

"It's an interesting position for the Delta," Niello said of Steinberg's stance in ongoing negotiations. Obviously, he has a perspective that is statewide and not just local, and I wouldn't expect him to be parochial. But certainly the opposition of his constituents seems to be about as unanimous as it could be."

Trost said Steinberg is motivated by the pressing needs of the Delta, which is already in serious decline.

"Who is protecting the Delta if we do nothing?" she said. "The fact is that the Delta stands no chance of survival if we don't start to fix it now. Naysayers of the current plan favor a status quo approach, which the science indicates only makes the Delta more susceptible to further degradation or a possible catastrophic event that would bring economic and environmental calamity to the Sacramento region's residents and businesses."

Wolk, meanwhile, said that she raised concerns back in August that the water plan would ship a growing percentage of the Delta's water to the south. As chair of a select committee on the Delta created back in March, she also held a hearing looking at the potential cost of the water package, a key point of contention for many skeptics.

In response, she said, Steinberg left her off the conference committee that began putting together the legislation, even though she is one of the most experienced sitting legislators when it comes to water issues. She charged that too many of the negotiations are happening behind closed doors, and that too much of the process is being driven by large water districts like Westlands and the Metropolitan Water District of Southern California.

"You only get let into the room if you agree with them," Wolk said.

Wolk said she is putting together a "Plan B" for water. This will leverage many decentralized projects, she said, emphasizing groundwater cleanup, recycling, desalinization, and increasing the flexibility in the overall system to allow

short-term emergency transfers between water districts. The current water package, she also warned, is likely to end up "in court for the next 25 or 30 years" even if it does pass.

"The interesting part is that the process has resulted in the unity of northern California water interests where there might not have been unity," Wolk said.

She added: "Southern California has to do away with its dependence on the Delta."

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