

Feinstein's bill still not fine for environment

Environmental protections are not creating the drought in California and relaxing those environmental protections will not make it rain. Senator Feinstein's current drought bill (S.2198) continues to miss the mark, doing more harm to our state and environment than good. Senator Feinstein, with Senator Boxer as a co-sponsor – needs to fix her bill to keep existing minimum protections in place for endangered salmon.

Senator Feinstein has stated that it is not her intent for her bill to be inconsistent with existing environmental laws and protections, but it is exactly that. Even with amendments her bill will continue to undermine existing protections for salmon and steelhead.

Specifically, her bill would lock into place a less-protective standard for how much water moves through the Delta to assist migrating salmon in April and May regardless of what type of water year it is. The current salmon biological opinion does not mandate a one standard, but instead gives the agencies flexibility to change operations based on real time water availability and what type of water year it is (e.g., critically dry, dry, normal, wet). Sen. Feinstein's bill locks in the standard used for critically dry years for all water years into the future or until the drought declaration is lifted.

Compounding these negative impacts is the fact that, ironically, the bill will not even provide much relief from the drought beyond what is already happening. The part of the bill that would weaken salmon protections is not even relevant this year and won't even come into effect until next April and May, raising questions as to why it is even in the bill.

Instead of enacting legislation that would undermine the very minimum protections put into place for fish and wildlife, we need to stay focused on real solutions: enacting a water bond that would provide critical funding for water conservation, water reclamation, regional storage options, and habitat restoration; enacting state legislation to better regulate our precious groundwater resources; working with local communities to identify clean, reliable water sources; and carrying out the myriad of actions identified in Governor Brown's State Water Action Plan.

The current and future impacts of California's drought on all users of water – be they fish, fowl or human – are indeed serious, and that is why our leaders must focus on real solutions. The environmentally destructive bill that Senator Feinstein intends next week through the U.S. Senate is not one of them.