



California Sportfishing Protection Alliance Statement of Opposition

Proposition 1: *Water Quality, Supply and Infrastructure Improvement Act of 2014*

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The California Sportfishing Protection Alliance (CSPA) has carefully reviewed the provisions of Assembly Bill 1471, *Water Quality, Supply and Infrastructure Improvement Act of 2014*, presently on the 4 November 2014 ballot as Proposition 1, Water Bond, and concludes that it represents a grave and insidious threat to core environmental values and principles buttressing protection for fisheries and the environment. Furthermore, the Bond paves the way for a new era of dam building, is a pork-filled barrel of special interest subsidies, provides no near-term drought relief and is fiscally irresponsible.

CSPA joins the Pacific Coast Federation of Fishermen's Associations, Restore the Delta, Center for Biological Diversity, California Water Impact Network, Food & Water Watch, Southern California Watershed Alliance and numerous other fishing and environmental organizations in opposing Proposition 1 because:

Prop. 1: Undermines the public trust doctrine.

Water in rivers and streams, like the air people breathe, belongs to the people of California as part of the public trust. Private interests have a right to use the public's water for beneficial purposes, as long as the public's ownership in healthy rivers is protected. The Bond requires taxpayers to enrich a few wealthy water users by purchasing water the public already owns, at inflated prices, to protect the public's rivers and environments. It's a retreat of previously discredited programs that allowed speculators to reap millions in profit selling the public's water back to the public.

Prop. 1: Undermines the principle of beneficiary pays.

The major reason more dams and other environmentally damaging projects have not been constructed in recent decades is the principle, stemming from approval of the State Water Project in 1960, that beneficiaries of water projects, not taxpayers, must pay for new projects. The Bond turns the beneficiary pays principle on its head by requiring taxpayers to pay for projects benefiting special interests. For example, the feasibility study for Temperance Flat dam on the San Joaquin River allocates 73% of costs to taxpayers. If private water users will not fund dam projects on their own, taxpayers should not be required to underwrite their construction.

Prop. 1: Undermines the principle that projects should mitigate adverse impacts.

Projects have long been legally responsible for mitigating their adverse impacts. Many of the watershed protection and restoration projects that will be funded by the Bond are efforts to repair and mitigate environmental damage caused by projects that were constructed by and for special interests. Taxpayers should not be on the hook because regulators failed to require special interest projects to mitigate their adverse impacts.

Prop. 1: Ushers in a new era of big dams.

The Bond includes the largest appropriation for new dams in the state's history. The day after the legislature approved the Bond, the Nevada Irrigation District voted to move ahead with a new dam on the Bear River, a river with existing multiple dams. A number of dam projects that had been abandoned because of low water yield and financial infeasibility are being resurrected in response to the Bond's commitment of billions of taxpayer dollars for dams. If the Bond passes, fishermen and environmentalists can expect to find themselves fighting new dam schemes on rivers throughout the state.

Prop. 1: Is a backdoor subsidy for BDCP's tunnels.

The Bond is not BDCP neutral. Proponents of BDCP have made clear that the tunnels don't pencil out if BDCP cannot tap into additional water supplies to supplement existing water exports from the Delta. The Bond will lavishly fund water purchased from upstream storage or Sacramento Valley groundwater substitution schemes. However, once that water reaches the Delta, it becomes "abandoned" whenever existing inadequate Delta standards are met and available for BDCP to export. The Bond also provides substantial funds to relieve Central Valley Project contractors from their existing responsibility to provide water to the wildlife refuges thereby freeing up water for BDCP proponents to use.

Prop. 1: Provides little cost-effective near-term drought relief.

Funds for recycling, conservation and groundwater cleanup were slashed 36% in the final version of the Bond in order to provide money for expensive water purchases and speculative new dams that will not be operational for decades. In essence, the Bond sacrifices funds for proven near-term projects that would create "new" lower cost water, contribute to regional self-sufficiency, reduce dependency on the Delta and provide drought relief in order to subsidize long-term pie in the sky projects benefiting the hydraulic brotherhood.

Prop. 1: Eliminates public oversight.

The continuing appropriation language in the Bond ensures that questionable projects, like new dams, will be funded on an on-going basis, subject only to approval by politically appointed committees or agencies. The initial amounts stated in the Bond are only the down payment. Like high-speed rail, dams and other projects will ride the gravy train without any legislative oversight or meaningful public accountability.

Prop. 1: Crowds out other critical investments.

The Bond imposes an insidious hidden cost by crowding out critical investments in public schools, roads, public health and safety. California cannot afford to provide lavish subsidies to special interests, while ignoring existing and urgent infrastructure needs. The water Bond scuttled a long needed education Bond this year: 73% of the state's schools are more than 25 years old and are beginning to fall apart. The 2013 report card for California by the American Society of Civil Engineers points out that 12% of California's bridges are structurally deficient, 16% are functionally obsolete and driving on damaged roads annually costs each of the state's

motorists \$586 per year. California has 807 high-hazard dams and only 45% of state-regulated dams have an emergency action plan.

Prop 1: Is fiscally irresponsible.

California is staggering under a \$777 billion debt and voters have already approved \$128 billion in general fund Bonds that must be repaid by taxpayers. The Bond would add over \$7 billion in taxpayer indebtedness that must be repaid with interest, which can easily double the original amount. Subsidies for special interests are inherently fiscally irresponsible.

Prop1: Is a hogfest of projects unrelated to water supply or drought relief.

Bond proponents carefully disguised pork projects by not identifying specific projects in funding allocations to various groups. Associated Press, in a widely published article, reported that Conservancies and other groups have acknowledged they will use Bond funds for pedestrian and bike trails, parkways, interpretive centers, trash cleanups and other projects with no direct connection to the stated intent of the water Bond. Some of these projects are located in desert lands far removed from water.

The fact that the Bond contains a few worthy projects fails to justify sacrificing core environmental principles and fiscal responsibility. Approximately, 6.9% of the Bond will provide safe drinking water and clean water programs to disadvantaged communities. This commitment is long overdue and should have been presented as a standalone proposition. It's shameful to use the long ignored plight of those lacking safe drinking water in disadvantaged communities as justification for eviscerating environmental protection and providing extravagant subsidies to special interests.

Bond proponents claim that they were successful in inserting language that protects the Delta. They say the Bond is BDCP neutral. They say that purchased water must be above and beyond present environmental rules or obligations. They say that Bond funds cannot be used to build tunnels or mitigated impacts. However, many of these Bond apologists also proclaimed that the Bay-Delta Accords would restore fisheries, that "we would get well together" under CalFed and that Delta Vision's "co-equal goals" was a path to restoration rather than the nightmare of BDCP that it spawned.

With respect to claims that the Bond contains restrictive language to prevent abuse, we note that taxpayer-funded flows have a low bar to cross, considering the present grossly inadequate water quality and flow standards that have chaperoned the estuary's collapse. While we acknowledge that upstream purchased water may provide some instream flow benefit, that water provides little ecosystem benefit once it reaches the Delta. The purchased "environmental water" becomes "abandoned" and transforms into subsidized water available for export to corporate farms in the San Joaquin Valley. So while Bond funds can't be used to directly construct the tunnels, they will make the tunnels more economical and increase their yield. Finally, it is unlikely that environmental organizations have the necessary resources to track the myriad funding requests through the bureaucratic maze or the wherewithal to hold agencies legally accountable to ambiguous Bond language.

For the sake of California's rivers and fisheries, CSPA urges a no vote on Proposition 1!