

Beautiful river, growing thirst, looming battle over the Eel River

The group Friends of the Eel wants dams removed on the grounds that they interfere with recovery of the fish population, while water users oppose removing the dams, arguing that it would inflict great economic damage.

By Susan Sward - Special to The Bee – July 6, 2014

In the third-largest watershed in California, the Eel River rambles through some of the state's most stunning landscape. Nothing about the river, with its clusters of redwoods along its sandy banks, hints at the looming battle over its blue-green water.

In about three years, though, a federal commission will begin reviewing an application by Pacific Gas & Electric Co. to re-license its Potter Valley Project. The project includes a mile-long tunnel that began diverting Eel water to the Russian River more than a hundred years ago.

That Eel water becomes part of the Russian River flow now relied upon by 650,000 people in Mendocino, Sonoma and Marin counties and by farmers in Sonoma and Mendocino counties who irrigate millions of dollars' worth of crops. Water users say the diversion project is vital for them. Environmental groups, however, want the project's two dams removed to restore access to many miles of prime fish-spawning territory on the upper Eel, saying the project's presence undermines recovery of fish in the river.

This license review follows more than a century of harm – including extensive timber harvesting, the Potter Valley Project dams and destruction of an estuary that functioned as a nursery for juvenile salmon. This has imperiled the river's fish: The National Marine Fisheries Service has classified coho salmon, Chinook salmon and steelhead in the Eel as threatened.

“There is nothing quite so bad as preventing the salmon and steelhead from gaining access to their spawning grounds,” Gordon Becker, a senior scientist with the Oakland-based Center for Ecosystem Management and Restoration, told me.

“In some cases, political circumstances trump the fish habitat argument for

removing a dam, at least for a while, and in those cases we try to do mitigation to leave the fisheries in the best condition we can.”

This is a quintessential California drama. You have two of the state’s loveliest rivers, environmentalists, PG&E, water agencies and a growing, thirsty band of powerful urban and agricultural water users.

At the heart of this disagreement is the strikingly beautiful Eel, named by settlers who mistook the river’s Pacific lamprey for eels. Though the river is not well known to many Californians because it flows through sparsely populated land in Northern California, the Eel is a mighty waterway: Its watershed includes portions of Lake, Mendocino, Humboldt, Trinity and Glenn counties, and, in all of California, only the Sacramento and San Joaquin rivers’ watersheds are larger than the Eel’s.

The Potter Valley Project, consisting today of the diversion tunnel and the Cape Horn and Scott dams, has been draining water from the Eel River since 1908. The Eel water diverted to the Russian River amounts to 1.8 percent of the river’s flow at its mouth and 22 percent of the Eel’s main-stem fork where the water is diverted, according to PG&E. Scott Dam, according to federal estimates, blocks fish from 100 to 150 miles of spawning habitat.

Here is how the diversion project works: It generates little electricity, enough for about 6,900 homes, but delivers Eel water for hundreds of farmers in Potter Valley, about 100 miles north of San Francisco. Downstream, the Russian River – with its infusion from the Eel – is relied upon as a crucial municipal water source for many communities from Mendocino County on the north to Marin County on the south, and as irrigation water for vineyards and other crops in the Russian River Valley.

For a sense of the value of crops in the region, consider this: Sonoma County’s 2013 crop production was valued at \$848 million, with wine grapes constituting \$605 million of that total. At the same time, more people have moved to the area: Sonoma County’s population is up by 142 percent since 1970, Mendocino County by 71 percent and Marin County by 25 percent.

During the Federal Energy Regulatory Commission review of the project, those affected – including PG&E, cities, irrigation districts, Indian tribes, farmers, vintners, fishermen, ranchers and environmental groups – will be voicing their

views. One issue certain to be raised by diversion foes is their argument that the Eel region has never been compensated for its diverted water.

In the tug-of-war, Friends of the Eel wants the project's dams removed on the grounds that they interfere with recovery of the fish population, while water users such as the Sonoma County Water Agency and the Potter Valley Irrigation District oppose removing the dams, arguing it would inflict great economic damage on municipal and agricultural users dependent on the diverted water. Whether there is a way to deal effectively with both concerns will play out in years to come.

Environmentalists tend to see what has happened to the Eel as part of a larger picture.

"The entire state and the West have been re-plumbed to deliver water to people who can pay for it," Becker said. "Environmentalists can't afford to pay for water the fish need, but fortunately the laws of California mandate that fish get the first water."

Becker, whose 2009 study for the California State Coastal Conservancy found the Eel's steelhead and rainbow trout in a perilous state, added: "This issue is more than 100 years old and the proportions of the problem are staggering. Look at this like the canary in the mine. If a stream can't support fish, it can't support other life, including us. That's why we have the Endangered Species Act."

Becker made his comments as I set out to talk to organizations and water experts in an attempt to assess whether the project is headed for litigation or a possible compromise.

My look into the conflict over the Eel was prompted by my admiration for the river: Since the 1990s, I have camped with my family in state parks along the river. I know how the Eel looks at dawn, dusk and midnight. I know how cold its deep pools are on a hot summer day. And if I close my eyes, I can hear the river's murmurings.

Loving the Eel as I do, I wish the diversion project had never been built. But I am a realist and tend to believe those who say they doubt the diversion will be halted completely, given how many influential municipal and agricultural entities have come to depend on it. So let's hope the federal relicensing process – leading to a

2022 decision – can be a catalyst for a compromise that would result in improved fish habitat and an approach acceptable to all sides.

Of particular interest is what I heard from experts who have been involved in some of the state’s major water wars, including the fight over siphoning Trinity River water into the Sacramento River; the battle on the Klamath River; and court fights over water in Mono Lake and the Owens Valley.

First, consider the view of Dick Butler, who recently retired as the U.S. National Marine Fisheries Service’s supervisor overseeing much of the Eel. During his 18-year tenure, his agency issued two opinions on the Eel and Russian rivers – one in 2002 that considerably reduced Eel diversions and another in 2008 requiring lower flows on the Russian in the interest of creating better salmon habitat there.

Butler said that “whether through the Eel River Forum or other collaborative efforts, I have faith people can come to an agreement, balancing their interests and the use of the water in the Eel. When people understand the needs of fish, they usually want to do the right thing.”

In the case of the Trinity River, Congress authorized the electricity-producing diversion of water to the Sacramento River in 1955. When Trinity Dam was constructed near Weaverville a decade later, “an average of 82 percent of the Trinity Basin’s water volume was diverted into the Sacramento Basin,” said Scott McBain, a hydrology consultant who for 25 years has represented the Hoopa Valley tribe, which relies on salmon from the Trinity. He added, “When the dam came in, flows were reduced, the river changed and the salmon population started to plummet.”

The 9th U.S. Circuit Court of Appeals eventually upheld a U.S. Interior Department decision made in 2000 that only about 52 percent of the Trinity could be diverted, and since then work has been done restoring fish habitat, McBain said. Each year, he added, flows are set by federal, state and tribal agencies, which consult with Trinity River stakeholders.

Looking at the Trinity outcome, McBain said he thinks a resolution could be reached on the Eel. “The first thing is to develop a science-based solution that results in an improvement in the river and tries to strike a balance between water usage and the fish,” McBain said. “The second part is implementing it: So much depends on the decision-making process and how individuals work together.”

On the Klamath River, which flows from southern Oregon to the ocean, court fights dragged on for years. Finally, 42 parties signed agreements in 2010 calling for removal of four dams, with the costs to be paid for by PacifiCorp ratepayers and the state of California; guaranteed water deliveries for farmers; and habitat restoration, said Curtis Knight, a CalTrout conservation director. Legislation approving these agreements is pending in Congress.

The trigger for the agreements was a federal court ruling mandating that PacifiCorp, which owns the dams, build fish ladders to enable fish to get around the dams to spawn, Knight said. That cost proved enormous, and settlement talks got underway.

“We found a way to sit down and work out our differences that wasn’t focused on the courts, and that seems to be working out fantastically,” Knight said. “It is remarkable to see the tribes, farmers, ranchers, conservation groups and fishermen all as a team saying, ‘This is the right thing to do, and yeah, we gave up some things, but it’s the right thing to do.’ ”

East of the Sierra Nevada, bitter fights over water that the Los Angeles Department of Water and Power took from the Owens Valley and streams in the Mono Lake Basin lasted for decades. Today an agreement among environmental groups, Inyo County and the L.A. water department requires flows in the Lower Owens River and other habitat improvements; in the Mono Lake Basin, a recent settlement “requires DWP to build infrastructure and collaboratively manage their facilities to provide more natural creek flows to improve fish habitat,” said Peter Vorster, a consultant to the Mono Lake Committee and also a consultant to the Sierra Club and the Owens Valley Committee for the Lower Owens River Project.

Vorster, a hydrologist for The Bay Institute in San Francisco, added: “Nothing ever succeeded in California water fights without litigation or the threat of litigation. But once stakeholders are willing to go through a consensus process and develop a common understanding of what the science is and what it means if you do this or that, you have the basis for a successful conclusion.

“Whenever water agencies have to change how they have been operating for 50, 80, 100 years, they aren’t going to change in five to 10 years. You have to be incredibly patient, grit your teeth and hope you write a good enough agreement

to protect your interests. If you don't have that kind of staying power, don't even bother."

The potential for consensus on the Eel may exist in the respected Eel River Forum, an effort by CalTrout's Darren Mierau to bring the affected parties together. The forum's 22 members include the Sonoma County Water Agency, PG&E, the Potter Valley Irrigation District, Indian tribes, state and federal agencies and environmental groups.

Mierau, CalTrout's North Coast regional manager, told me: "The river needs help. There is such a great opportunity for a huge recovery of the Eel."

In the years that come, I hope the magnificent Eel does get that help – through a compromise that finances recovery of the fish in exchange for granting at least some of what is sought by those now using the diverted Eel water.

Read more here: <http://www.sacbee.com/opinion/california-forum/article2602862.html#storylink=cpy>