

# Viewpoints: Why undermine law that keeps Merced River wild and scenic?

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Cherished by a whole nation, the Merced River plunges spectacularly from Sierra Nevada high country to Yosemite Valley. The river is celebrated by all for its waterfalls, and it's regarded by many as the ultimate in natural beauty.

Though less-known below Yosemite National Park, the Merced River continues its magnificent parade of whitewater rapids, lucid green pools, golden canyon wildness and lush green shorelines, affording crucial linkages for life down to lower terrain in the foothills. Surviving here is the limestone salamander, which, like Yosemite, exists nowhere else in the world. In fact, this continuing canyon corridor might have been included in the original national park if people had been aware of essential habitat connectivity rather than just our worthiest gems of scenery.

Acknowledging the importance of the river in Yosemite and also below, lawmakers in 1987 and 1992 designated 64 miles of the main stem as a National Wild and Scenic River. For this prescribed and limited reach of the 145-mile river, the congressional act guaranteed federal protection from dams and other harmful developments. A study in compromise, the designation stopped at the river's uppermost reservoir, recognizing that four dams below and related diversions dominate the entire remaining length of the stream. The Wild and Scenic program nationwide includes more than 200 rivers and – though the safeguarded amount is only a quarter of 1 percent of America's total river mileage – that precious selective mileage has never been eroded to allow flooding by another dam. However, a bill pending in Congress would do exactly that.

To raise the existing New Exchequer Dam, the Merced Irrigation District has persuaded Rep. Tom



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McClintock, R-Elk Grove, and his colleagues to back legislation to rescind protection for the bottom portion of the Merced's Wild and Scenic reach. Ironically, protection of the reach in question had been gained with unanimous agreement of the same irrigation district in 1991. For all of its effort in now changing the law and raising the dam – with high costs, bridge relocation, endangered species violation and other hurdles – the district would gain a mere 12,000 acre-feet of annual supply. This is a drop in the bucket of 500,000 acre-feet that the dams now deliver.

Why undermine a popular federal law that's been supported by nine consecutive presidential administrations of both parties for just a pittance of water? More ominous than the proposed raising of New Exchequer, the breaking of the Wild and Scenic Rivers Act here could open the way for other water agency takeovers. Perhaps that's why irrigation giants such as Westlands Water District – perpetually seeking to divert more Northern California water – have supported the Merced incursion, which otherwise offers them nothing. Former sponsor of the bill, Rep. Jeff Denham, R-Turlock, was quoted June 19, 2012, as saying, "We need many more projects like this." The security of the nation's finest and few protected rivers – including our premier North Coast streams – could be at stake if this precedent is established on the Merced.

McClintock's appeal to evade current law sounds painfully familiar; recently seeking to undermine the Affordable Care Act, the congressman's fellow Republicans were willing to hold the U.S. government hostage in their infamous budget debacle. Now they want to undermine the Wild and Scenic Rivers legislation. Instead, California's elected officials of both parties – and in both houses of Congress – should back the sound and amicable compromises of the past, stand up to lobbyists who simply want to change the laws they dislike and cherish the waters of Yosemite by keeping its river intact.

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*Tim Palmer is the author of "Rivers of California," "Field Guide to California Rivers" and "The Wild and Scenic Rivers of America."*

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