

San Jose Mercury

P. ANTHONY RIDDER
Publisher

ROB ELDER
Editor of the Editorial Pages

LARRY JINKS
Vice President, Editor

ROBERT J. COCHNAR
Associate Editor

JOSEPH B. RIDDER
President

JOHN K. BAKER
Managing Editor

DEAN BARTEE
Vice President,
Sales & Marketing

GENE FALK
Production Director

JOHN HAMMETT
Vice President,
Employee/Community Relations

Editorials

Wednesday, May 30, 1979 6B

Sympathy for the river

MARK Dubois, the environmental activist whose courageous and creative act of protest captured national headlines, has ended his week-long single-handed combat with the U.S. Army Corps of Engineers. Whether he won depends, as is so often the case in environmental wars, on how you define victory.

Dubois, part of a group called Friends of the River, had himself manacled to the shore of the Stanislaus to try to block the Corps of Engineers from inundating the upper part of the river, one of the nation's favorite recreation sites for white-water enthusiasts.

Friends of the River wants the reservoir level to rise no higher than 808 feet above sea level, which would preserve the white-water stretches above Parrott's Ferry Bridge.

Early on Monday, Dubois and several other protesters who had joined him left the canyon. They had gotten a pledge from the Corps of Engineers that it would not raise the water above the 808-foot level unless compelled to do so by flood danger. The corps further promised it would make a "good-faith effort" to inform and consult with the governor's office before taking such action.

Friends of the River, which trusts the governor a lot more than it trusts the corps, claims a victory. The corps says the outcome was a stalemate.

Col. Donald O'Shei, district engineer in charge of the dam project for the corps, says the only thing Dubois actually won from the corps is the pledge to consult with the state on raising the water level. He says the corps never had any intention of raising the level above 808 feet — give or take five feet or so — and professes himself at a loss to discern exactly what the protesters were protesting about.

Whether or not it won a battle this

week, the war is far from over for Friends of the River.

After the Corps of Engineers fills the reservoir to the 808-foot mark and tests the hydroelectric turbines at the New Melones Dam, the reservoir — and its attendant political headaches — will become the responsibility of the U.S. Bureau of Reclamation. The bureau and the State Water Resources Control Board are locked in a long and intricate legal battle over how big the reservoir should be.

That case will be rendered moot if Congress enacts a bill recently introduced by Rep. Don Edwards, D-San Jose, and co-sponsored by Rep. George Miller, D-Martinez, among others. The measure would designate the upper Stanislaus a "wild and scenic river," effectively protecting it permanently. Friends of the River, of course, is backing the bill vigorously.

Col. O'Shei remarked about Dubois, "I think this guy marched everybody up the hill and down again."

Maybe so — but even the colonel would have to admit Dubois did it with consummate skill. For a man who professes to dislike media attention, the young environmentalist has an uncanny knack for staging a media event.

Dubois' protest cut through all the layers of bureaucratic regulations and legalese and stated the issue in its most elemental, understandable terms: one man and his cause against The System. And if The System wanted to win, it would have to kill Dubois.

Americans love to see the little guy beat up on the big guy, and thousands of them, including some who probably don't know the Stanislaus from the Nile, undoubtedly were rooting for Dubois to do it.

If he accomplished nothing else, Dubois drew a lot of sympathetic attention to himself and his river — which, we suspect, was just what he had in mind.