

RICHARD ELMORE

New Efforts to Dam the Canyonlands of Utah

Friends of the River

is a political, research and educational organization dedicated to the preservation of our remaining free-flowing waters and to the conservation of our water and energy resources.

Annual membership dues are \$15.00

Mark Dubois President
Walter Arenstein Director

Sacramento & Membership Office

401 San Miguel Way
Sacramento, Ca. 95819
Tel. (916) 451-9955

Betty Andrews, Doug Linney, Ronnie James Staff

Bay Area

Building C. Fort Mason Center
San Francisco, Ca. 94123
Tel. (415) 771-0400

Donn Briggs, Alice Deighan, Tom Huntington, Dick Roos-Collins Staff
Joe Ball Accountant

Washington, D.C.

530 7th St. SE
Washington, D.C. 20003
Tel. (202) 543-4312

Patricia Schifferle Lobbyist

North Coast

1091 "H" St.
Arcata, Ca. 95521
Tel. (707) 822-6918

Jeannie Larkins, Mary Kelley Coordinators

Mother Lode

Box 2665
Sonora, Ca. 95370

Melinda Wright Coordinator

Davis

716 "L" St.
Davis, Ca. 95616

Warren Linney, Sharon Negri Coordinators

Santa Barbara

6651 Del Playa #3
Goleta, Ca. 93017

Molly McCarthy Coordinator

Los Angeles

1355 Westwood #2
Los Angeles, CA 90024

Monica Larenas Coordinator

Friends of the River Foundation

Room 3-F, Bldg. C. Fort Mason Center
San Francisco, Ca. 94123
Tel. (415) 776-0265

Catherine Fox Director



John Cassidy Editor
Mike Quillman Production
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About the Cover.
The Green River Canyon.
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- As reported in the last issue of *HEADWATERS*, the Stanislaus battle is back in the courts in the form of a States' rights struggle — California arguing for restraint in the filling of New Melones Reservoir while the Federal Water and Power Resources Service is pushing for full speed ahead. A related skirmish over a "clearing contract" is also being waged in the courts. WPRS has contracted to begin clearing vegetation out of the canyon in selected areas. Meanwhile the State is attempting to get a preliminary injunction imposed to stop the action, which is scheduled to begin at the end of January. If there is any late-breaking news on the Stanislaus, it will be included in an insert.

- James Watt, our new Secretary of the Interior, expands on his "balanced perspective" views about the nation's natural endowment; and, incidentally, defines the resource threat, the "environmentalist extremist".

- Andy Kivel and Debbie Dohm have pieced together the story surrounding the **Cross Mountain/Juniper Dam** proposal in Utah that threatens one of the Southwest's premier rivers, the Yampa near Dinosaur National Monument.

- Kevin Wolf and Dave Abelson have proposed an alternative to large scale water development projects that reveals the structure of the "corporate socialism" that keeps agribusiness afloat.

- Outgoing Secretary of the Interior Andrus, with the help of a team of scrambling lawyers from the State, the Department of Interior, and the Environmental Defense Fund, managed to squeeze six new California rivers into the Federal Wild and Scenic River System less than sixteen hours before leaving office. It was a legal version of Mission Impossible and dispels the myth that *HEADWATERS* is strictly a journal of bad news.

And in this same connection, a number of organizations and individuals deserve particular mention for their roles in the story. It was largely a behind-the-scenes show, and if it weren't for the following people, the ending would have been very different: Ronald Robie, Director of the Department of Water Resources; Gerry Meral, deputy director; Dick May, Cal Trout and the Committee of Two Million; and the legal staffs of the Environmental Defense Fund, Department of Water Resources and the Federal Department of the Interior.



The Tuolumne River, early morning

Tyler Childress



STANISLAUS CONFRONTATION LOOMS

ACTION ALERT

President Reagan should support the State's decision to limit the filling of New Melones Reservoir

AS GOVERNOR OF CALIFORNIA, REAGAN STATED "...I AGREE WITH THE BOARD'S DECISION (SWRCB D.1422)* WHICH REFLECTS CALIFORNIA'S DESIRE FOR A BALANCE BETWEEN REAL WATER NEEDS AND ENVIRONMENTAL CONCERNS."

President Reagan believes that, to the greatest extent possible, a state should control its own resources and programs. The Stanislaus River is the focus of a rapidly approaching showdown between the State of California and Federal bureaucrats who are ignoring a State decision and causing irreparable damage to our state's natural resources.

Write President Reagan today

- ★ Ask him to order the Water and Power Resources Service (WPRS) to follow the State Board's decision.
- ★ Remind him that while he was Governor, his administration made a wise and important decision to uphold the right of a state to place restrictions on a Federal project.
- ★ Let him know that a California Resources Agency's report asserts that full operation of the reservoir will cost more to the government than the project benefits will return, and will thus be an additional drain on the tight federal budget. One factor is the heavy subsidies of the project's water.

write

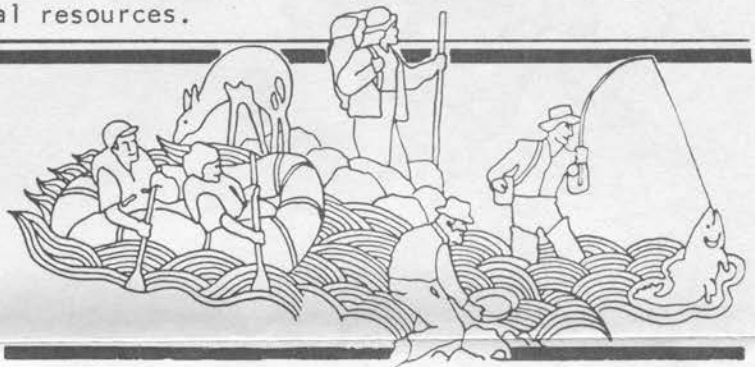
telegram or send

a public opinion

message. 800-648-4100

President Reagan
The White House
Washington D.C. 20500

- ★ Send a copy of your letter to the editor of your local newspapers.
- ★ Humor your friends into writing.



Why your action is needed now

There is hope that President Reagan will act to stop the filling. As Governor, he stopped dams on the Eel River; his SWRCB passed decisions protecting the Delta, the American River, and the Stanislaus. As is well known, Watt, the new Secretary of Interior is not an environmentalist. Therefore, we hope to convince him and the President of the economic and full resource utilization reasons for keeping New Melones at a limited storage. With enough of us getting to him, his common sense could prevail.

Around mid-March, the reservoir will rise above the 844' elevation that the state has set as a maximum.

Right now WPRS intends to raise the reservoir as high as possible. This means that the reservoir could extend four miles above Parrott's Ferry this summer.

Well-reasoned letters from fellow Californians for this "important state's rights issue" will help President Reagan focus on what could prove to be a very perplexing national issue.

If we can get at least a year's delay, 100,000 more people will get to visit and experience the wonders of the incredible Stanislaus River. Thousands more will know what a dam destroys.

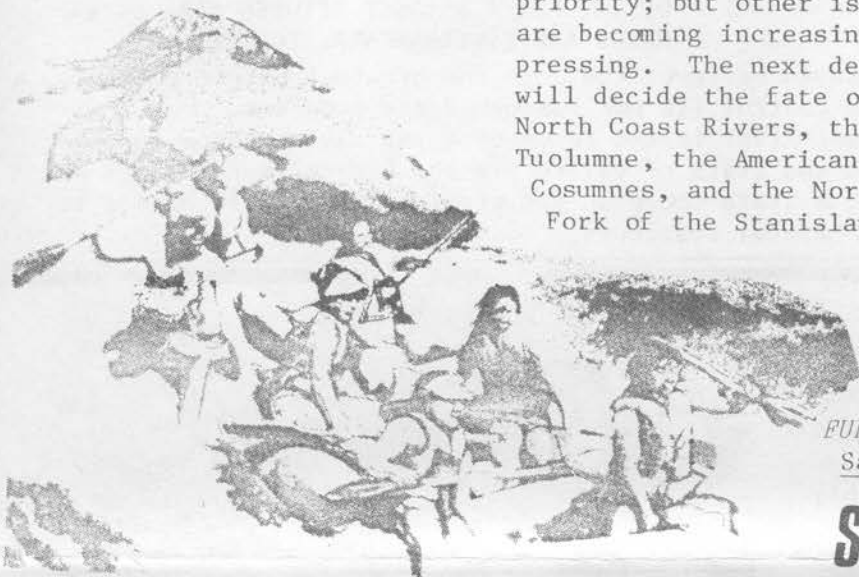
*Decision 1422 limited storage in New Melones Reservoir because the State Water Resources Control Board decided that:
1) WAPRS had not proven a need for the water, and
2) the upper Stanislaus Canyon, which would be destroyed by full storage, is a "unique asset to the state and nation."
When WPRS presents contracts for the use of the water, the Board will have to decide whether the use of the water is of greater value than the preservation of the upstream canyon. The U.S. Supreme Court, in *U.S. vs California* held that decision 1422 is valid to the extent that it is not inconsistent with Congressional directives. The issue of consistency is still being argued in the courts, and in the meantime, WAPRS has refused to pay any attention to Decision 1422.

RAFT THE RIVER TO SAVE IT!

FRIENDS OF THE RIVER needs help to continue to bring forth the message of the values of wild rivers and water & energy conservation.

There are more pressures than ever before to develop water and hydroelectricity.

The Stanislaus Campaign will continue to be a high FOR priority; but other issues are becoming increasingly pressing. The next decade will decide the fate of the North Coast Rivers, the Tuolumne, the American, the Cosumnes, and the North Fork of the Stanislaus.



ON APRIL 4TH & 5TH
THERE WILL BE TWO
ONE-DAY RAFTING TRIPS
ON THE STANISLAUS RIVER
TO BENEFIT
FRIENDS OF THE RIVER



Dates: Saturday, April 4
and Sunday, April 5

Minimum Donation: \$35

Meeting Place: Parrott's
Ferry--the take-out location.

Meeting Time: 9:00 a.m.

Bring: LUNCH, Sneakers, Swim
suit, Shorts, Wool Sweater,
Wool Socks, and Windbreaker.

Optional: wet suit, wool hat,
viser. The day may be both
hot and chilly, be prepared
for both...beautiful either way.

RESERVATIONS: Send Check, Name(s),
Address, and Phone Number to Friends
of the River, Benefit Trips, Building C,
Fort Mason Center, San Francisco, CA 94123.

FURTHER INFORMATION: Sacramento: (916) 451-9955
San Francisco: (415) 771-2244 LA: (213) 477-5754

Stanislaus River - One Day Trips

DIRECT ACTION OVER THE DROWNING OF THE STANISLAUS RIVER CANYON

After much debate, FOR has opted not to advocate or use civil disobedience as a means of protecting rivers. We continue to hope that with enough public participation, the system will work.

Two groups active in the Stanislaus struggle do use C.D. in their efforts. The Stanislaus Wilderness Access Coalition emphasizes the accessibility of the River to disabled people. Some SWAC activists chained themselves in the Canyon in January asking for National Monument Status. The Water Reform Alliance, WRA, advocates of full cost federal water pricing and other reforms, recently organized blockades of the "illegal" clearing of trees in the lower Stanislaus Canyon. As FOR makes this important decision, we felt it important to notify river supporters of these groups, their addresses, and of a WRA press release.

SWAC, 1536 Milvia, Berkeley, 94709
WRA, 716 N St., Davis, 95616

FOR will not be announcing other planned activities involving potential C.D. because of our present position. We would appreciate comments, feedback and discussion concerning FOR's decision.

PRESS RELEASE Feb. 26, 1981
IMMEDIATE
CONTACT: Kevin Wolf 916-758-4211
Ellen Freiberg 415-845-8300

GATHER AND PROTEST THE ILLEGAL DROWNING OF THE STANISLAUS

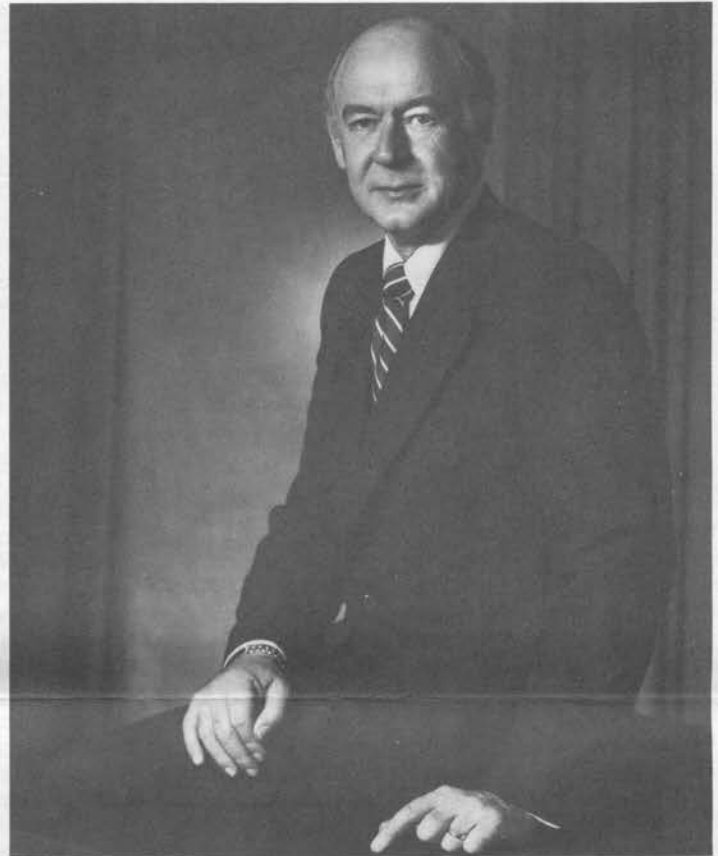
The Water Reform Alliance is calling for a public protest over the the federal government raising the New Melones Reservoir and drowning the Stanislaus to begin on March 7 at Parrott's Ferry. At twelve noon, California flags will be raised above P.F. bridge and some protestors will "link themselves to the life of the Canyon". The protestors will plant themselves at the edge of the rising reservoir (3" or more a day) and stay there as long as they are able.

Planned activities for the March 7 gathering include: music, workshops, wildflower hikes, and speakers. Many of the river's supporters will be staying the weekend in solidarity with the river edge protestors.

A spokesperson for the WRA, Tyler Childress, said, "We are standing up to the illogical momentum that is drowning the Stanislaus and we are saying NO! The State's decision that there is no reason now to enlarge the reservoir is being violated and the rights of all people, now and of the future, to visit this incredible Canyon is being taken from them. We must say 'this is wrong'".

A Cliffhanger: The Story of Six Rescued Rivers

LESS THAN SIXTEEN HOURS BEFORE LEAVING OFFICE, former Secretary of the Interior Cecil Andrus signed an administrative order authorizing the transfer of six California rivers into the Federal Wild and Scenic River System.



Former Secretary of the Interior Cecil Andrus Dept. of Interior

Even as Andrus was signing the papers, opposition lawyers from timber and water lobbies were desperately trying to secure from Supreme Court Justice William Rehnquist the re-imposition of a restraining order that had been lifted less than four hours earlier by the Ninth Circuit Court in San Francisco. But the effort came too late. At 7:30 P.M., Washington time, Andrus signed the papers, putting an end to a litigation race that had been going non-stop for more than 72 hours. The winners — at the wire — were six California rivers.

In the context of the “new conservatism”, and in the face of the evident bias at the current head of the Department of Interior, this dramatic, final hour “rescue” deserves

retelling. Few environmental stories of the recent past have had as much drama, and fewer still have had happier endings.

The story opens in the spring of last year when Governor Brown was formulating a “package” of water policy proposals that centered around Proposition 8, the ballot measure authorizing the construction of the Peripheral Canal. Conscious of the fact that many environmental groups regarded the canal as little more than an expensive plumbing system designed to pour more Northern California water onto more Southern California lawns, Brown inserted language into Prop. 8 that would prevent “misuse” of the canal. Specifically, he gave constitutional guarantees to the integrity of the State Wild and Scenic River System — requiring in one instance a two-thirds legislative vote to remove any of the North Coast rivers from State protection.

Interestingly, the Los Angeles Municipal Water District raised no objection to these clauses. Some of their reasons may have been revealed when, in late summer, the State Senate voted 23-6 for a bill that would have essentially gutted California’s river protection system. Suddenly, the two-thirds majority barrier seemed rather skinny protection. But Brown was also moving administratively. Members of the environmental community, as well as Ronald Robie, head of the State Department of Water Resources, had convinced the governor that additional protection for the five northern rivers was necessary in order to keep the Los Angeles Municipal Water District at bay.

Accordingly, Brown drafted a request to Cecil Andrus, asking that the Department of Interior adopt under the Federal Wild and Scenic River Act those six rivers that together comprised California's protected river system.

Brown's decision was apparently unexpected because the timber and water lobbies weren't nearly as unconcerned about it as they had been about the constitutional guarantees of Prop. 8. And they moved quickly to counter it — in the courts, administratively, and through the agency of Senator Hayakawa, in Congress.

Initially, they called meetings with staff persons within the legal departments of both Interior and the White House. The purpose of the meetings was to convince the agency lawyers that the Brown request was administratively "improper", without precedent and in fact illegal under the terms of Federal legislation.

Meanwhile, local officials from Del Norte and Humboldt Counties, together with the Los Angeles MWD were approaching Senator Hayakawa with their concern about the action. They found him more than sympathetic. He, in turn, convinced Senator McClure (ID), the current chairman of the Senate Energy and Natural Resources Committee, to introduce a "rider" onto a last-minute appropriations bill that would prevent any Federal funds from being appropriated to implement Brown's request. If the amendment had been the only one on the bill, there seems little doubt it would have passed, but a number of other legislators were trying to use the same vehicle to materialize a whole raft of seamy Congressional fantasies, not the least of which was a hefty pay raise. At this juncture a few Congressmen decided they'd had enough and held a press conference to expose the whole scheme. In the ensuing outcry, the sponsors pulled out, the amendments were dropped, and the bill — stripped back to its original form — was passed in the final days of the session.

At the same time these events were taking place, Ronald Robie, together with staff lawyers from the State Department of

Water Resources, were successfully countering the arguments made by the development interests in front of the White House and Interior legal staffs. By mid-November it became clear that Andrus would sign the order when and if it came to his desk.

Faced with that reality, and stymied in Congress, opponents of the measure turned to the courts. Reagan had already announced his choice for the new Secretary of Interior, James Watt, and it was obvious that even a short delay would put the whole issue before the new secretary who was liable to view it with substantially less sympathy. Accordingly, four suits were brought by the timber and water lobbies, in Portland, San Jose, and Fresno.

At this stage the timing was becoming crucial. By law, Andrus could not sign the authorizing papers before January 17th, when the required 30 days review period for the EIS would expire. But on Thursday, January 15, the court ruled that the EIS had not been made "technically" available to the public until the 23rd of December, and as a result the review period would not be officially over until two days after Andrus left office. Consequently, a restraining order was issued blocking any action until the 22nd of January.

With only four days remaining, DWR and Department of Interior lawyers worked around the clock to prepare their appeal briefs for the Ninth Circuit Court where an "emergency motion" was filed on Friday, the 16th. Arguments were submitted over the weekend and Monday afternoon, at 3:30 San Francisco time, a ruling was handed down. The motions panel found that the lower courts had lacked necessary jurisdiction and their restraining orders were therefore vacated.

Both sides rushed to the telephone, the opponents in an effort to contact their counterparts in Washington who had spent the day shadowing Justice Rehnquist, and the DWR legal staff to inform Interior that the green light was on. Within minutes Andrus's staff located him at a White House reception and dragged him to his offices where the papers were finally signed.

FOR THE FUTURE:

There appears to be little that the new secretary can do to directly reverse Andrus's last minute act. While it is possible for new rivers to be *added* administratively to the Federal system, it takes an act of Congress to delete any.

Legislatively, it is always easier to prevent the passage of a bad bill than to oversee the success of a good one, and in that sense the burden will be on the opposition if it makes an effort to negotiate the Congressional minefields with a deletion bill.

It is in the courts, however, that the battle will first be joined. The Los Angeles MWD has coveted for too long the Eel River water to give it up without a fight and will no doubt argue in court that the transfer was somehow accomplished illegally. And in keeping with new "balanced perspectives", the Interior legal staff may be under instructions to relax their defense. In such a case it will be incumbent upon the State and upon environmental groups to intervene.

EPILOGUE:

In the days after the inauguration, a seemingly trivial event was recalled which turned out to have been pivotal to the successful ending of this legal cliffhanger.

The Justice Department, in a memo circulated in December, had requested that the various agency heads tender their resignations effective 5:30 P.M. on the 19th of January. Andrus, perhaps for reasons of sentiment, refused to agree, preferring to go out with Jimmy Carter at noon of the following day. He was pressured about the decision, but, in contrast to the other cabinet heads, he refused to change his mind. Consequently, when word arrived from San Francisco a little after six o'clock that the restraining order had been lifted, Cecil Andrus was still officially the Secretary of the Department of the Interior.

And, incidentally, one that will soon be sorely missed.

—JBC



The newly protected rivers are: the Trinity, Smith, Klamath, Eel, Van Duzen and lower American. Pictured above is the Salmon River, a tributary to the Klamath. Tyler Childress and Tim Palmer.

Utah's Yampa: The Colorado's Last Undammed Tributary

Debbie Dohm and Andy Kivel

Will the Colorado River system be left without one major undammed tributary? It could happen if the Yampa River, third largest river in Colorado has its waters impounded by the proposed Juniper/Cross Mountain project slated to begin construction in 1982 pending approval by the Federal Energy Regulatory Commission (FERC).

The headwaters of the Yampa begin high in the Rocky Mountains of Northern Colorado and flows westward two hundred miles to its confluence with the Green River at towering Steamboat Rock in the heart of Dinosaur National Monument (DNM). Many small irrigation and diversion systems exist along its course above DNM, but the Yampa remains a wild river with a free-flowing peak run-off each spring nearing 20,000 cfs.

Since the Rocky Mountain area uplifting began 70 million years ago, the Yampa has been scouring and transporting sediment as it incised itself upon the rising landscape. It flows through high alpine forest, broad valleys, farmland, sagebrush country, and three major canyons along its course. The spectacular 54-mile Yampa Canyon within DNM is reminiscent of flooded Glen Canyon with its massive cliffs and beautifully sculptured Weber sandstone landforms. Upstream of DNM are Cross Mountain and Juniper Canyons, the proposed dam sites for the two-part project.

The Juniper/Cross Mtn. project consists of a 260-ft. concrete arch dam at the lower end of Cross Mountain canyon (only a few miles above DNM) and a 220-ft. earth/rock-fill structure within Juniper Canyon resulting in the inundation of both canyons and creating 70 miles of reservoir. The project is sponsored by the Colorado River Water Conservation District (CRWCD), and financed by the Colorado Ute Electric Assoc.

According to CRWCD literature, the primary purpose of Juniper/Cross Mtn. is the production of peak hydro-electric power for Northwestern Colorado's growing population and energy industry projects planned for the area. (Fossil fuel estimates of oil shale and coal make the area a cornerstone of energy plans in the 1980's). CRWCD states that revenue from Juniper/Cross Mtn. power sales will help fund future water projects and create a projected 500,000 reservoir user-days per year.

The adverse effects of the project are numerous. The loss of Juniper and Cross Mtn. Canyons, 80 miles of relatively wild and easily accessible stretches of the Yampa River and impoundment of one of the West's last major free-flowing rivers is just the beginning.

The downstream river environment of



Gregg Harmon

the Yampa through DNM would be drastically altered by dam-controlled releases. Frequent fluctuations of water level and a reduced silt load will increase erosion of beaches and allow non-native plants, such as the persistent Tamarisk, to out-compete the native riparian flora.

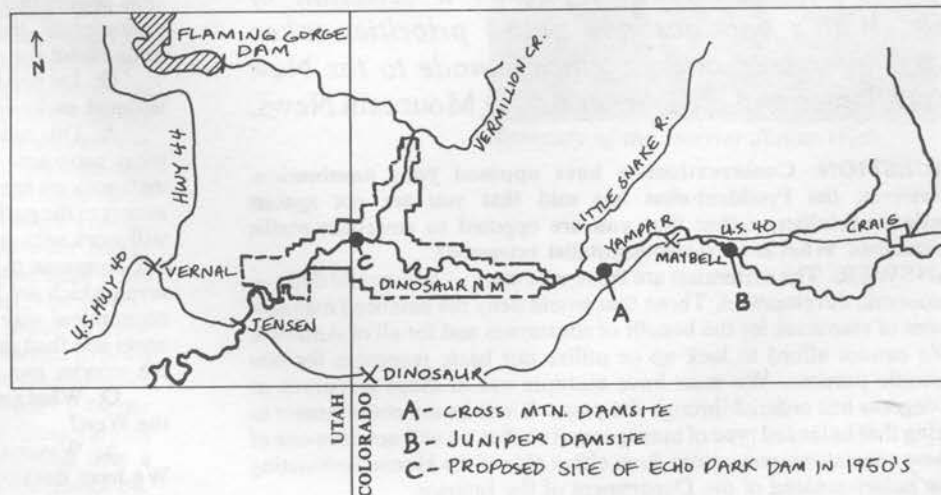
Four endangered species of fish living in the Yampa would also be affected by fluctuating clear water flows. Two of these, the Colorado Squawfish, the world's largest minnow (claimed to grow up to 6 ft. long and weigh 80 lbs.), and the Humpback Chub require silt-laden high spring flows to spawn. A former superintendent of DNM, naturalist, and writer says there is a chance of saving the fish if the Yampa remains a free-flowing stream.

The projected reservoir area is prime winter roosting grounds for Bald Eagles whose habitat will be seriously damaged as

the birds lose perches and nesting areas when the cottonwood trees along the river are flooded. The region is also suitable habitat for the endangered Peregrine Falcon.

Juniper/Cross Mtn. would mean the loss of important wintering range for big game including Mule deer, Pronghorn Antelope, and Elk. In addition, the North-South migration of these big-herd animals would be seriously restricted. Intended for peak-power production, Juniper dam will release large quantities of water to meet energy demands. Normally an afterbay would serve the purpose of "smoothing out" these extreme fluctuations for safety downstream. Cross Mtn. reservoir will be able to incorporate the erratic Juniper releases and re-regulate flows below in DNM. However, there remains a 9-mile stretch of water between Juniper Dam and Cross Mtn. reservoir where flows

(Continued on page 8)



The World Accord

On December 23rd, President-elect Ronald Reagan announced his appointment of Denver lawyer James Watt to the post of Secretary of the Interior. Watt has most recently been the head of Mountain States Legal Foundation, a conservative law firm bankrolled by mining, timber, and grazing interests as well as by such industrialists as the Colorado brewer Joseph Coors. The MSLF has been an active proponent of the "sagebrush rebellion," arguing that Federal stewardship of Western lands has been unnecessarily oppressive, preventing an adequate development of energy resources.

The selection of the new Secretary was actually made by Senator Paul Laxalt of Nevada. Laxalt is Reagan's closest ally in the Senate. The announcement of the appointment was met by environmentalists with feelings ranging from horror to dread. William Talmadge of The Wilderness Society called Watt "... a joke. A caricature of an anti-environmentalist". Other spokesmen echoed similar feelings.

Watt's confirmation hearings and subsequent approval by the full Senate created a bit of controversy, Senators Proxmire, Kennedy, Bumpers and Tsongas, among others, expressing grave misgivings.

It seems likely that there will be numerous opportunities over the next four years to critically judge Mr. Watt as a conservator of the country's natural resources and HEADWATERS, no doubt, will be taking many of them. But at this stage, and in the spirit of political honeymooning, we'll resist the temptation for early editorializing.

So saying, herewith follows a selection of Mr. Watt's opinions and policy priorities taken from interviews and statements made to the New York Times and the Denver Rocky Mountain News.

QUESTION: Conservationists have opposed your nomination. However, the President-elect has said that you are not against environmentalists, rather that you are opposed to environmentalist extremists. What is an environmentalist extremist?

ANSWER: The extremists are those who deny — who would deny — economic development. Those that would deny the balanced management of resources for the benefit of consumers and for all of America. We cannot afford to lock up or utilize our basic resources for one specific purpose. We must have multiple use of those resources as Congress has ordered through the years. It will be my commitment to bring that balanced type of management so that we will not have one of these special-interest groups from either side of the House dominating the policy-making of the Department of the Interior.

Q: You have already spent seven years in the Department of the Interior, 3½ years as deputy assistant secretary, and 3½ years as director of the Bureau of Outdoor Recreation. So you are already familiar with the department you've been nominated to head. Have you formulated any new goals for the Department of the Interior?

A: Yes. We will seek to bring about a change in many programs to make the Department of the Interior a good neighbor rather than an oppressive landlord. In recent years, we've seen the Department of the Interior become almost hostile to many interests of the West. That must be changed. We will seek to do that in ways that will bring more active involvement to state and local governments and private citizens. We will deeply involve the members of Congress in developing the policies and programs; the power to manage public lands flows from Congress and should not be usurped by the bureaucracy.

Q: Let's talk a little bit about "sagebrush." How far do you go? Do you really favor the return of federal lands to state control?

A: I am a part of the sagebrush rebellion. And I support it and will continue to support it. I think that it is an absolutely essential force in the political scene of America today. The reason that it's essential is that it helps to focus attention on the failures of the government. I do not believe that there is going to be a monumental lawsuit in the United States Supreme Court that's going to turn over the federal lands to the state. I don't think it's going to happen. I think it's a waste of money to try to make it happen. And we refused to let the foundation get into that type of activity. But I do feel that the sagebrush rebellion helps create the attention on those basic problems which Congress needs to address. We feel that the federal government has a responsibility of ownership that flows to the people, and until that responsibility is carried out, there will be contention and friction and a rebellious nature, and well there should be. And it will be my objective to manage these lands as a good neighbor to eliminate that friction and let the sagebrush rebellion die because of friendly relations.

Q: Under the Carter administration, many high posts at Interior have been filled with environmentalists. And a lot of those men and women are going to be in their jobs when you take over. What are you going to do about a bureaucracy that has been going in one direction, with a new head who wants to go in another?

A: It's going to be extremely difficult. And if we do not have the full cooperation of the Congress of the United States, it probably won't be possible. So we will have to bring the management skills that we have and need to recruit and find people that are committed to the proper utilization of our resource base and, over time, make the adjustments that are so critical for our future. There are 80,000 employees in this department and I'm told that I will have the ability to change 80 of the policy-making people. I will be bringing into those 80 slots people that are loyal to and consistent with Governor Reagan's philosophies, that are committed to public service, and we will try to bring about the changes that we feel are essential.

Q: Do you have any changes in mind for the administration of the national parks system?

A: Our national parks system is an example to the world. It's a great program, a great agency, filled with tradition. But in some instances we see a trend, whereby park employees are tending to deny access to the park by the people, which is the purpose of the system. We will work with professional parks people, national and state, to work out programs to improve the facilities within the parks so that those areas which are being preserved can be enjoyed by more people in an economical way. I think that it is just wrong to set aside these great areas and then make it so costly that the average American can't enjoy the wonder and the grandeur of these untrampled areas.

Q: What are your plans for Interior's role in managing the water of the West?

A: Water is the lifeblood of the West. Its scarcity is our problem. We have developed in the last 100 years an intricate, but workable

ing to James Watt

body of water law, that has grown up in the respective states, with interstate compacts that do work. And we cannot afford to allow pressures to grow, to transfer the control of water from state to federal government. We've seen a big battle about that very issue in the Interior Department during these last four years. That will be reversed with the Reagan administration. The state water law will control the use and allocation of water rights. We will see to it that proper water resource development is considered and allowed. It is essential if we are going to meet the municipal and industrial and agricultural needs of the West. Of course the cost will be huge but the tremendous economic problems can be overcome with a willing administration, an interested Congress and a state willing to get involved.

Q: Will there be more water projects funded under the Reagan administration than we've seen with Carter?

A: Well, I would hope so, but that's going to depend only on the economic situation. The country's in such chaos now, economically, that I don't see any immediate supply of money that we're going to be able to use on any of these projects. I don't know what the prospects are for large-scale water developments soon, just because of the economics of the country.

Q: Your appointment probably is going to be second in controversy only to General Haig's as secretary of state. You are opposed by environmentalists and Indians. How will that affect you?

A: That is a good question. I will receive criticism from some of the extreme environmentalist groups. That's part of the game that is played in Washington. I understand it. The established environmental groups will look at the record and will see my commitment and service and what we have done here at the foundation and they will not oppose me, but I'll get a lot of flak. The question you ask is a legitimate one because we've seen in recent history what the severe, brutal attack has done to other candidates for the secretary of Interior and it has affected their ability to manage. I am determined and confident that I am prepared emotionally, spiritually and intellectually to withstand that onslaught and will be able to function with the president and members of Congress to bring about the changes that we need.

Q: Do you see four years of steady conflict with environmentalists?

A: The great intensity will be the confirmation proceedings and then coalitions will form to get the things done. I'll be able to work with those who have not damaged my hearing.

Q: You argue that unless we move forward in developing our resources on federal lands, the energy crisis eventually will become so severe that powerful Eastern politicians will demand the rapid development of Western energy resources without regard to how it is done. What are you going to do to avoid that situation?

A: It's important that we bring along a reasonable, environmentally sound development program to meet the energy and the resource needs of America. It's not proper to lock up federal lands for any one single purpose without looking at the total picture of America's needs. And if we continue to block development of energy resources on the public lands, the pressures will build. The pressures to create the Energy Mobilization Board, which would have had the authority to override state environmental laws, were the result of the management of the land for a single purpose, without allowing those lands to be developed in an environmentally sound way to meet America's needs.

Q: At the same time that you're moving ahead with energy development on federal lands, how are you going to ensure that, when it's all over, the West isn't going to look like a people-less New Jersey?

A: OK. My first concern is that if we don't move ahead, in a few years there will be a move against our environmental interests to bring on the energy sources. So it's important we define the terms and move in an orderly fashion. That's going to require an inventory of our resource base and then an allocation of those lands for those various purposes to meet our needs. In some instances we'll find that a particular area needs to be set aside and not disturbed the slightest bit.

But we don't need to set *all* the land aside for that. We can go in and mine other lands and reclaim them in such a manner that in the future the lands may have better agricultural use than they now have. Certainly that's true in many of the areas of my home state of Wyoming. We can go into a forested area and drill and develop oil and gas resources without destroying the forest or the wildlife habitat. It doesn't need to be maintained in its pure sense, without any intervention of man, just to have a healthy stand of trees. We can have the trees, we can have the wildlife and we can have the oil and gas production as well.

Q: Give me one instance in which your sensitivities to the environment have come first before your desire to see things grow and develop.

A: For 3½ years I ran the Outdoor Bureau of Recreation, an agency of the government working across the United States. It's dedicated to land use planning and the preservation — and I want you to focus on the word "preservation" — the preservation of the best that remains in God's creation. While there, I was responsible for spending over a billion dollars to acquire and make available those recreation and ecological systems for preservation purposes, for people to enjoy, wildlife habitat and the like. I established a good working relationship and many friendships with those from the established environmental communities.



Secretary of the Interior James Watt

Rocky Mountain News

Idaho's Senator McClure Plays Key Role

BURTON'S RIVERS AND TRAILS BILL FAILS IN SENATE

Senator James McClure (R-ID) possessor of a 6% rating from the League of Conservation Voters and the new chairman of the Senate Energy Committee, personally became the instrument for the defeat of Phil Burton's Omnibus Rivers and Trails bill. This is the same bill, SB 8096, from which the Stanislaus had been deleted in September. After the Stanislaus battle the bill had passed the House on a voice vote, Senator Dale Bumpers (D-AR) prepared a Senate version designed to gain the support of all the Senators in the affected states. This so-called "consensus procedure" bypasses the normal process of hearings, mark-ups, Committee reports and the like. Achieving that kind of unanimity in the Senate is no easy task but after several weeks a measure was drafted which followed fairly closely the House-passed version while at the same time raising no objections from the affected state senators. With only a few days left in the 96th session, Bumpers was ready to take it to the floor and it appeared that a two-year-long effort to lobby the bill through was going to finally culminate in success.

It was at that moment however that Senator McClure decided to put a "hold" on the bill, claiming his staff had not had adequate time to review it. Two weeks later, the Idaho senator decided it was time to try

some legislative dealing. He introduced an alternative bill that contained all the language of Burton's bill, as well as a host of environmentally damaging additions — one that would abolish the Birds of Prey National Conservation Area on the Snake River.

McClure's bill, co-sponsored by Henry Jackson, passed the Senate on December 12th and went back to the House. In essence, McClure was bluffing, holding "hostage" a bill that he knew was important to conservationists. The "ransom" were his twenty-seven additions. Burton called the bluff and left town, leaving environmental groups to argue with McClure. Since both House and Senate had already passed the "rivers and trails" language with no objections, it seemed plausible to hope that McClure would finally relent and release a simple "unencumbered" bill which would then be assured passage and a Presidential signature. Despite an intense lobbying effort, McClure wouldn't give in, and the bill died.

As the 97th session begins, a new bill has already been introduced. In theory, its prospects ought to be fairly good, but it will take unrelenting grass roots pressure to make it law.

THE RIVERS

If the bill had passed, two rivers would have been immediately protected by the Federal Wild and Scenic Rivers System. They are the Illinois in Oregon and the Dosewallops in Washington. Two other streams, the lower American (CA) and the North Umpqua (OR) were deleted from the Bumpers bill because Senators Hayakawa and Hatfield withheld their approval. An additional fourteen rivers would have been designated for "study". They included: the Myakka (FL), the St. Lucie (FL), the Salmon (CT), the Farmington (CT), the Parker (MA), the Caney Fork (TN), the Dan (VA/NC), the Satilla (GA), the Cimarron (KS), the Hoh (WA), the Quillayute (WA), the Humptulips (WA), the Wood (RI) and the Black (WI).

(Cross Mtn. . . cont'd)

could change from 25 cfs to 7,000 cfs in a matter of minutes thereby making these nine miles hazardous to human and animal presence. Possible solutions include a fence along the entire stretch, further impinging on big game migrations.

The quality of river running in DNM on the Yampa and the Green (already controlled by Flaming Gorge Dam), and in Desolation and Gray Canyons below would be greatly diminished by the dams. Prior to Major Powell's famous journey down the Green and Colorado, these rivers were used by trappers and Native-American Indians for transportation and survival. Times have changed and now river running is a recreational and educational venture. The Yampa provides a unique river experience in its undammed state.

This is not the first time the Yampa River has been threatened by dam proposals. Early in the 1950's the 500-ft. Echo Park dam was to be built on the Green River a few miles below the confluence with the Yampa within the boundaries of DNM, as part of the Upper Colorado Water Storage Project. A national letterwriting and lobbying campaign was mobilized and led by David Brower and the Sierra Club opposing the project. The voice of conservationists throughout the country was strong enough to get the Echo Park dam removed from the plans, thus saving the lower Yampa from inundation and preventing the dangerous precedent of dam projects encroaching on National Park Service land.

Twenty-five years later, the Yampa is threatened again. In January 1980, the CRWCD filed for a license to begin con-



Ben Harding

struction. The proposal is now halfway through the minimum 2-year regulatory process during which studies and testimony are considered by FERC before a permit could be granted.

There are efforts currently underway to oppose these projects. The National Wildlife Federation and the National Park Service have been accepted as intervenors in the case by FERC to submit testimony on behalf of the public's interest. In January, 1975, 29 rivers were designated for study for Federal Wild and Scenic River inclusion. The Interior Dept. study has recommended that the 47-mile portion of the Yampa in DNM and 91 miles of the Green below Flaming Gorge be included in the W&S Rivers system. If granted Wild and Scenic status, no federal agency could take any action that would "unreasonably diminish the scenic, recreation, fish and wildlife values" for which that river was designated. Another avenue to save the Yampa will be the Endangered Species Act

to protect the Humpback Chub and the Colorado Squawfish habitat.

There is much local support for the projects and the cry for energy resource development in this area is growing. As in the 1950's the effort to save the Yampa will need to be nationwide in scope with the realization that every free-flowing river need not be dammed to keep the lights on.

WHAT YOU CAN DO:

- Write the Secretary of the Interior, your Congressperson, and members of the Insular Affairs Committee in Congress in favor of Wild and Scenic status for the Yampa and Green rivers and urging the institution of another period of interim protection until the issue of Wild and Scenic inclusion is decided.
- Write Ferc (project #2757), opposing the granting of a building permit.
- Write Dick Lamb, Governor of Colorado, opposing the project.

The Pricing Solution to California's Water Controversies

Water Controversies are rampant in California today: over New Melones Dam, over Auburn Dam, over the Peripheral Canal, over Mono Lake, over the North Coast Rivers, etc. Despite these ongoing conflicts, there is a solution to the State's water problems and it does *not* include the immediate damming or diversion of more of our rivers and creeks. The key is water pricing and policy reform.

Today, in California, agricultural water prices vary tremendously. For example, the State Water Project sells agricultural water for as little as eleven dollars an acre foot. (An acre foot equals 325,000 gallons, about what a suburban family of six uses in a year.) Meanwhile, some farmers are pumping groundwater at costs approaching \$100 an acre foot. Then there is the Federal government. Contracts for water from federal water projects average \$3.50 an acre foot, with newer contracts nearing \$10 an acre foot in California. These low prices are only possible because of massive subsidies paid for by the taxpayers. While only a relatively small number of farmers are reaping the tremendous benefits of water subsidies, they are the very ones who are consuming most of the state's water resources.

In contrast, city and suburban water users are paying much higher rates for water than the average farmer in California. Sacramentans pay \$80 an acre foot while some residents of suburban L.A. pay over \$300 an acre foot for water.

Does the low cost of subsidized agricultural water affect the way farmers use that resource? You bet! For example, without subsidized water many farmers might use the higher priced water to irrigate "high value" almond orchards or vineyards instead of "low value" pasturelands. In addition, if agricultural water were fairly priced, farmers would be more likely to investigate new ways to improve irrigation efficiency. Such as drip irrigation, sprinkler irrigation and field leveling. Accurate scheduling of irrigation applications is another such method.

Joe Lord, an irrigation specialist and the owner of the J.M. Lord Company in Fresno, schedules irrigations for 100,000 acres in the

Central Valley. He reports that irrigation based on plant needs rather than the traditional calendar method (every 5, 7, 10 days, etc.), clearly reduces the amount of water a farmer needs to apply in a growing season. This, in turn, saves more than just water. It saves labor and energy in that less water needs to be pumped. Fertilizer and pesticide use can be reduced because there is less dilution of the applied pesticides and less leaching away of the fertilizers. Salt build-up is also reduced.

And the benefits don't stop there. The 1980 annual report of the Irrigation Management service of the Water and Power Resources Service reveals a 10% increase in tomato yields through more exact irrigation scheduling. Other studies also show crop

and would certainly increase irrigation efficiency on many farms in California. Therefore, the Rand Corporation, agricultural economists, the Governor's Water Rights Commission, and other experts all maintain that basic changes must be made in California's existing water laws. Among the reforms suggested are the following:

1. Government agencies, especially the federal Water and Power Resources Service, must stop economically unjustifiable subsidies of water use;
2. Water users must be allowed to transfer their consumptive water use to other farmers or water agencies;
3. There must be a statewide groundwater management system. This would prevent the

"Allowing water distribution to be dictated by a free market system would have the effect of equalizing the price of water to farmers and would certainly increase irrigation efficiency on many farms in California."

increases as the result of increased irrigation efficiency.

Given all of these potential benefits, why isn't water priced at its fair market value today? One reason is that there is no true "market system" for water in California. Presently, both state and federal laws do not, in general, allow water users to sell their water supplies to other water users. As Dr. Richard Howitt, an agricultural economist at the University of California, has noted, "Motorists traveling across the state would be outraged to find 50 cents a gallon gas in one town and \$3 a gallon gas in another. They would correctly think the system was not efficiently distributing gasoline. This is analogous to our present water marketing system in California." Market pricing and water transfers simply are not permitted by law.

Allowing water distribution to be dictated by a free market system would have the effect of equalizing the price of water to farmers

farmer with the bigger pump and deeper well from unfairly overdrafting a groundwater basin to the detriment of other groundwater users. It is important to realize that, with the exception of Texas, California is the only Western state that lacks a statewide groundwater management system.

Once we have succeeded in allowing the price of agricultural water to reach its true value, Californians can more accurately determine whether we "need" to dam and divert our few remaining free flowing rivers and creeks. In fact, if water pricing and policy reforms were enacted into law, our society might not be faced with such controversies as the New Melones Dam versus the Stanislaus River Canyon. Instead, the economic rationality which has allowed agriculture to achieve much of its prosperity also could result in an equitable, efficient, and environmentally sound resolution to California's water controversies.

—David Abelson & Kevin Wolf

NORTH FORK STANISLAUS UPDATE . . . December 18th, in Angels Camp, a public meeting was held to discuss the Calaveras County Water District's hydroelectric plans for the Stanislaus River. The immediate issue was CCWD's application for a license to proceed from the Federal Energy Regulatory Commission (FERC).

The meeting was well attended, with over 300 speakers and observers squeezed in. Among the most enthusiastic supporters of the project were representatives from the eleven-city consortium that has contracted to purchase the peaking power that would be generated. Among the least enthusiastic were representatives from Friends of the River, the Sierra Club, the Boy Scouts of America, the Audubon Society, and the Concerned Citizens of Calaveras County.

Also present to express their hesitations were representatives from PG&E whose existing dams would be flooded by the project. Until the settlement negotiations are further along, PG&E wants the license application put on hold.

Also among those with reservations was the State Department of Water Resources, whose representatives had a number of pointed questions for the project's supporters.

At this stage, until the public comments are digested and until CCWD is able to respond to the specific questions put to it, FERC has withheld a final decision.

Local opposition is being coordinated by *Concerned Citizens of Calaveras County, Box 231, Avery CA 95224.*

South Fork American Update . . .

The El Dorado County Irrigation District, which had previously been pursuing a two-phase hydroelectric project on the South Fork of the American River, has officially dropped plans for the "lower phase" which would have involved dams at Coloma and Salmon Falls. The decision has no bearing on the "upper phase", according to the irrigation district directors, which can be pursued totally independently. According to the one dissenting vote among the directors, the decision was "a compromise dictated by politics". Another director who voted against the damming plans cited a recent county report showing that substantial revenue was generated in the community by the heavy recreational use that the whitewater stretch between Chili Bar and Salmon Falls receives during the summer season. Plans for the "upper phase", a series of dams, powerhouses and reservoirs between Kyburz and Placerville, are still being held up while responses to State concerns are being formulated and while contracts for the purchase of the power are being negotiated.

There is also the matter of environmental concerns. The project's impact on the river would not be limited strictly to the upper stretch along Highway 50, but would affect the pattern of water flows in the lower stretch as well. Opposition to the project is being coordinated by the *American River Recreation Association, Box 221, Coloma, CA 95651*.

Briefs

TRINITY RIVER . . . The Fish and Wildlife Management Plan for the Trinity River Basin has been completed and is available to the public. The program it proposes is designed to restore the Trinity River fishery that was devastated by the Lewis Dam. Among the recommendations was a proposed annual increase to 260,000 acre-feet of water provided to sustain fish habitat (currently, the releases total 120,500 acre-feet a year). For copies of the plan, contact *Phil Macias, Water and Power Resources Service, 2800 Cottage Way, Sacramento, CA 95825*.

THE LEAGUE OF CONSERVATION VOTERS . . . has prepared their latest voting chart. After looking at 30 of the most important environmental and energy issues of the past two years, the LCV has released a chart showing how every Senator voted. Some notable facts: Senate Democrats voted environmentally 50% of the time, Republicans, 41%. Don Reigle (MI) and William Proxmire (WI) received the two highest scores (96% and 93%) while John Stennis (MS) and Milton Young (ND) received the lowest. As in past years, there was a definite regional correlation. Senators from the Northeast voted with conservationists 74% of the time, while their counterparts from the Southwest scored a minimal 18%. The full chart is available from: *League of Conservation Voters, 317 Pennsylvania Ave. SE, Washington, D.C. 20003*.

RONALD REAGAN . . . has come in for his share of criticism from the environmental community over the years. But in light of the fact that it will be his administration that will be in power over the next four years, it would seem to behoove those interests hoping to be adequately represented that channels for communication are kept open and that common ground is sought. And in that spirit it would be wise to recall that it was Governor Reagan who stopped the Dos Rios Dam, who signed the California Wild and Scenic Rivers Act, and who signed administrative decisions 1400, 1422, and 1379 — all of which support a sensitivity to environmental factors in water development.

HAYAKAWA STIRRING . . . Perhaps in eager anticipation of his oncoming majority party status, Senator Hayakawa engineered the introduction of an amendment that would have prevented Secretary Andrus from protecting California's Wild and Scenic River System

AUBURN DAM BACK FOR MORE STUDIES . . .

Secretary of the Interior Cecil Andrus has made a non-decision on the fate of the much debated Auburn Dam near Colfax on the North Fork of the American River. While granting that a re-designed earthfill dam can meet seismic safety standards, Andrus passed on the more critical decision of whether or not to press ahead with the new design. Instead, he instituted a series of new economic and environmental studies. The final decision will now rest with the new secretary, James Watt.

At the same time that Andrus was opting out, new economic information was coming to light which, if correct, will make the Auburn project the most expensive dam ever built in the United States — with a final price tag estimated by the Inspector General of the Interior Department at \$3 billion.

The Water and Power Resources Service uses an estimate of \$1.5 billion when the project is brought up for discussion, but the formulas it uses are "outdated", according to Inspector General June Brown. Interestingly, even if the \$1.5 billion figure were accurate, an acre-foot of water stored at the new dam would cost \$652.00 compared with \$28 at Hoover Dam, or \$311 at Shasta.

Guy Martin, an assistant interior secretary, recommended that the entire project be deauthorized and the report prepared by the Inspector General's office tended to support that position. Its conclusion read: "We found no financial analysis in support of current Auburn Dam proposal."

It will be interesting to see if such newly elected officials as Eugene Chappie and Ronald Reagan back up their austerity rhetoric when the new reports are in and the future of the dam hangs in the balance. Stay tuned.

(see accompanying article). And, concurrently, he moved to block the inclusion of the lower American in Phil Burton's Omnibus River bill.

It was quite a show of activity from a Congressman plagued by a reputation for ineffectiveness and seemed to signal what the Senator describes as a new sense of personal excitement brought on by the Republican victory. As it turned out, Senator Hayakawa's initiatives were both negated in the final hours of the last session, demonstrating that his reputation is not entirely unfounded.

Undaunted, however, Hayakawa rejoined the fray as the new session opened with the proposal to sell off a portion of the Redwoods National Park to logging firms. How he intends to implement this is still unclear. In the meantime, the hope remains that Hayakawa's post-election enthusiasm will be short-lived and that he will soon return to his more accustomed quiescence.

BIG SUR . . . Threatened with filibuster by Senator Hayakawa, the Big Sur Coast bill, which passed the House last August, died in the Senate without ever coming to a final vote. Opposition apparently hardened among Senate Republicans when President-elect Reagan signalled his opposition. The bill would have: created a Big Sur Area Council to recommend a management plan; authorized the Forest Service to purchase lands threatened with adverse impacts; and give the Forest Service primary responsibility for managing visitor use. Cranston has promised to re-introduce Big Sur legislation in the next session.

ERRATA . . . The last issue of *HEADWATERS* contained more than the usual quota of typos. In particular, the scorecard of votes on the Stanislaus amendment in the House Committee on Interior and Insular Affairs was off by no less than six. The final tally was reported correctly, 20-19 against the river, but the vote actually went as follows. *For the river:* Udall, Bingham, Burton, Carr, Corrada, Eckhardt, Florio, Kastenmeir, Kogovsek, Kostmayer, Markey, Mathis, Miller, Patterson, Seiberling, Sharp, Vento, Weaver, and Won Pat. *Against:* Howard, Huckaby, Kazen, Rahall, Santini, Williams, Clausen, Bereuter, Cheney, Edwards, Johnson, Lagomarsino, Lujan, Marlenee, Marriott, Pashayan, Sebelius, Symms, Whittaker, and Young.

From our Membership Director.

Dear Members:

Throughout the year I have had a chance to write directly to many of you, and I know most of your names from working with them in our files daily. This seems like a good time to fill you in on some of the things that FOR has recently done or has plans to do in the near future.

MEMBERSHIP: In the past year we have grown to be 3175 strong. This includes a few members in Australia, Japan, Germany, Mexico, Canada and Africa. We have 10 FOR and 3 FOR Foundation full-time staff members doing such jobs as publicity, directing, research, grassroots organizing, fundraising and membership. Salaries range from \$100 to \$600 a month for full-time staff.

ACTION ALERTS: It is our understanding that when we send out an Action Alert asking for letters, about 850 actually get into the mail (not bad!).

CHRISTMAS GIFT LIST: Our Christmas Gift List was a great success and we intend to carry gift items (with the exception of the calendars and the addition of the Sunburst Farm Family Cookbook) throughout the year. Please remember us on birthdays, graduations, Valentine's Day, etc.

RESTRICTED MAILING LIST: A number of you have requested that we do not give your names out to other mailing lists or organizations. It is our policy to permit another environmental group to use our membership list once every four months. Actually, it has only been used three times in the last several years. The names may be used once, are returned to us, and do not become the property of the borrowing organization. If you do not want to receive mail from any other environmental group, please take a minute to drop us a card and I will place your name in our restricted mailing file. You will continue to get all regular mail from us. We do not, at any time, sell our mailing list.

ZIP CODES: Our files are kept by Zip Code only. If you have moved within the past year, please be sure to include your old Zip Code in all communication with us.

MEMBERSHIP DRIVE: We are planning our annual membership drive for early Spring and we need the names of friends and relatives who might be interested in FOR and the environmental movement. We plan to mail a cover letter, a brochure about FOR and a return envelope. Any names we receive will be used only for this membership mailing. If the person does not respond, their name will be deleted (gently) and not used for any other purpose.

We all want to thank you for the support you have given us during the past year, and I want to encourage you to write to me regarding any questions or confusion with your membership. I'm a letter writer and I enjoy hearing from you. *Ronnie James, Friends of the River, 401 San Miguel Way, Sacramento, CA 95819.*

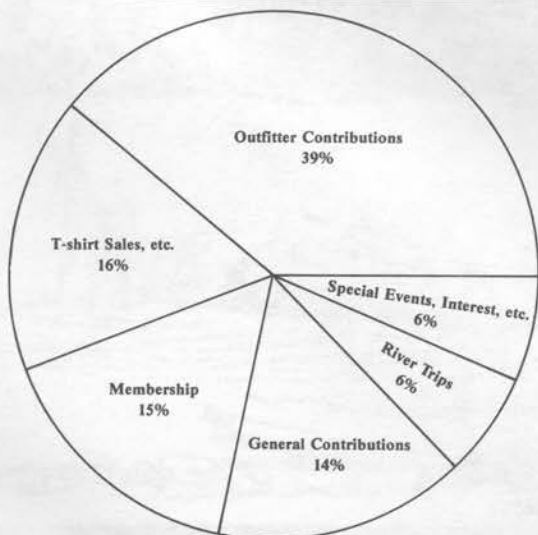
FRIENDS OF RIVER END OF THE YEAR FINANCIAL STATEMENT 10/1/79 - 9/30/80

RECEIPTS

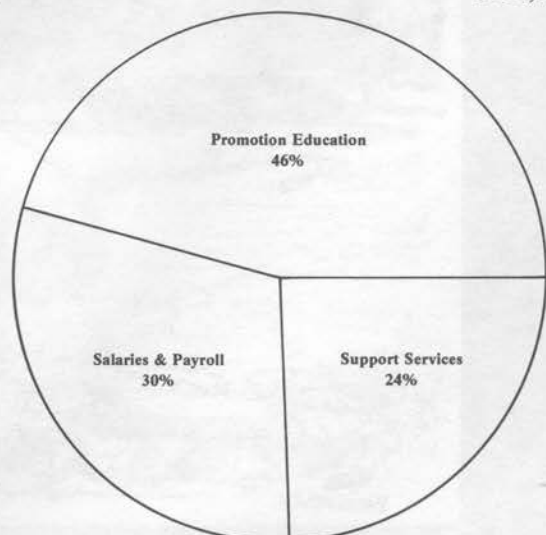
Membership	\$35,107.22
T-shirt sales, etc.	\$36,903.18
River Trips	\$13,836.61
Outfitter Contributions	\$89,039.50
General Contributions	\$32,758.23
Special Events	\$ 4,715.84
Misc. & Interest	\$ 6,056.20
Xerox Fees	\$ 7,760.72
TOTAL:	\$226,177.50

DISBURSEMENTS

Salaries	\$51,925.37
Payroll Tax	\$ 5,572.28
Promotion/Education	
Purchases	\$18,853.89
Postage	\$ 9,571.44
Printing	\$24,163.17
Advertising	\$ 8,219.94
Travel	\$14,208.03
Newsletter	\$ 4,418.11
Consultants	\$ 6,721.08
Misc.	\$ 1,188.93
Support Services	
Rent/Utilities	\$ 5,168.67
Telephone	\$20,974.75
Office Supplies	\$ 4,025.74
Equipment	\$ 1,125.22
Food	\$ 4,621.49
Insurance	\$ 1,188.93
Tax & Licenses	\$ 1,215.78
NSF	\$ 217.83
Depreciation	\$ 758.33
TOTAL:	\$190,014.29



RECEIPTS



DISBURSEMENTS

HEADWATERS
Friends of the River
401 San Miguel Way
Sacramento, CA 95819

Bulk Rate
U.S. Postage Paid
Permit No. 1239
Sacramento, CA

