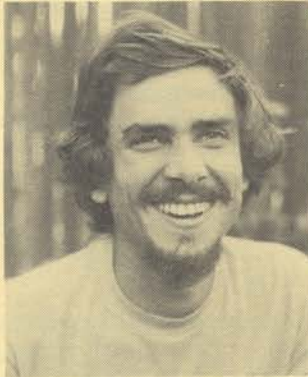




HEADWATERS

Friends of the River

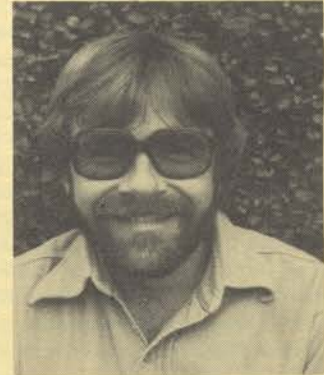
Vol. 2, No. 6
November/December



Alexander Gaguine



Debbie Dohm



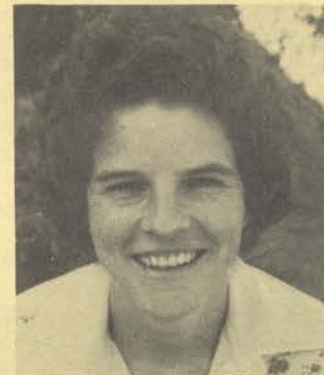
Brad Welton



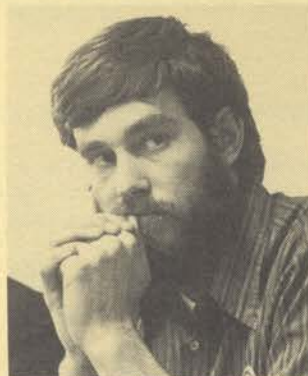
Nancy Magneson



Lloyd



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Catherine Fox

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This Issue of Headwaters

California's water woes continue to fill the news. Governor Brown's water plan with its embattled Peripheral Canal, is facing a lot of diverse opposition in the California Legislature. No one seems to doubt that some kind of comprehensive water plan needs to be articulated, but the agreement appears to stop there.

In an effort to acquaint the Friends of the River with those people who are instrumental in forming water policy in California, we have set up a number of interviews with the men and women whose decisions will directly affect the direction California water plans will take over the next several years.

Our first interview is with Colonel Donald O'Shei, Sacramento District Engineer for the Army Corps of Engineers. Col. O'Shei heads up an agency of 1100 employees with a \$200 million annual budget. He is directly responsible for overseeing a large variety of Federal water development construction projects. Among them is the New Melones Dam on the Stanislaus River.

In upcoming issues we will be interviewing John Bryson, head of the California Water Resources Control Board; Ronald Robie, Director of the State Department of Water Resources; and Bill E. Martin, Western Regional Director of the Federal Bureau of Reclamation.

In addition to the interview with Col. O'Shei, a number of other topics of water and river concern are covered in this issue.

Marysville. A group of concerned citizens take a hard look at this multi-billion dollar project on the Yuba, still in its planning stages, but rapidly gathering bureaucratic momentum.

History of the Stanislaus. Roger Newman, an archeology professor at Merritt College, has written a description of the people who lived in the Stanislaus Canyon long before the Forty-Niners ever moved in.

Wild and Scenic Rivers. State Senator Peter Behr, our best friend in the state legislature, describes the legislature which he authored in 1973 that created the California State Wild and Scenic Rivers System.

And finally the staff of FOR was driven out of hiding long enough to pose for some photographs. A journalistic landmark.

In Dedication...

With this issue of **Headwaters**, Kathy Meyer, our editor, is stepping down to pursue other goals. It is with sadness and a deep sense of loss that we wish her well in new endeavors.

From its inception in August of last year up to the present, Kathy has guided **Headwaters** with skill, energy, and a lot of hard work.

By dedicating this issue to Kathy, we hope to express some small part of all our appreciation for the job she's done and for her deeply felt dedication to the cause of free-flowing rivers.

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

Director: Mark Dubois

Treasurer: Tom Lovering

Sacramento Office Staff: Nancy Magnuson, Debbie Dohm, Alexander Gaguine, Tom Burton, Jennifer Jennings.

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About the Cover...

After years of crouching behind potted palms and skulking about in poorly lit rooms, the staff of Friends of the River finally stands exposed.

These are the faces that have struck terror into the bureaucratic hearts of state water officials for years. And these are the names that have haunted the sleep of many a porkbarrel politician.

Mark Dubois. Director. Deceptively small at 6'8". Could personally fill in as an alternative energy source for the city of Sacramento if the wiring problems could be resolved. Makes the rest of the staff look reasonable.

Debbie Dohm. Organizer, writer. The only true possessor of the "Knowledge of the Files." Has become too indispensable to be allowed out of the office.

Catherine Fox. Director, Friends of the River Foundation. Unsinkable energy in the face of completely unreasonable odds. Our purest spirit.

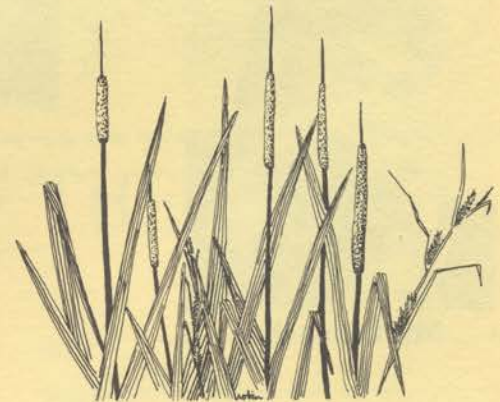
Alexander Gaguine. Organizer, writer, media master. Capable of rousting out the entire Sacramento press corps on practically any pretense, with practically no notice.

Jennifer Jennings. Legal counsel, writer, organizer, lobbyist "par excellence". When the battle lines over a new river are formed, Jenny always rides out front. She's our secret-est weapon.

Nancy Magnuson. Organizer, writer, inspiration. Strikes the only note of coherence in the FOR house. Makes the rest of the staff look unreasonable.

Bradley Welton. Legal counsel, writer, organizer. By just appearing in the back of the room, Brad can ruin a SMUD board meeting. A wonderful thorn in many deserving sides.

Lloyd. The most stable, unflappable Friend of the River of them all. A last court of appeals on editorial decisions.



FOR Opens SF Office

Friends of the River is excited to announce that it has opened an office in San Francisco to work on the Tuolumne River issue. The office is located at 124 Spear St., 4th floor, San Francisco (Friends of the Earth office space-donated). FOR plans to initiate an educational campaign throughout the Bay Area utilizing a slide show and written information. We need volunteers to do research on local S.F. governmental institutions and to help with our speakers' bureau. We welcome any inquiries about any and all of our activities. Call Brad Welton at (415) 495-4770.

Friends of the River Foundation, for a number of years just a dream of ours, is now officially established and embarking on a series of educational, non-political programs.

Catherine Fox, director of the Foundation, describes some of its programs here.

Donations to the Foundation are, of course, completely tax deductible and donors may specify which programs they are interested in furthering. January 1 is the Federal deadline for claiming deductions of this sort.

FOR FOUNDATION: Looking Ahead

Catherine Fox

Over the past ten years or so the battle to save some of California's remaining wild rivers has gained a lot of notice and created what we hope is a new kind of awareness about our natural waterways.

But at the same time, while these big dam stopping campaigns have been on-going, there has been far too little awareness of something much closer to home for most of us. The gradual destruction of our urban creeks.

Friends of the River Foundation has established a special account, a Creeks Education Program, whose purpose is to bring the plight of the vanishing urban creek into public awareness and thus, hopefully, stop the kind of development that threatens to channelize and ditch our little neighborhood rivers into oblivion.

For too many city children these creeks represent a vestige of the wilderness that they may never get to visit in person. Our hope is to save as many of these creeks as possible before the bulldozers erase forever a priceless resource.

As funds become available, a Coordinator will be retained full-time to travel state-wide encouraging local people to organize themselves in support of saving local creeks. To support this effort, the Foundation possesses and will make available a fine slide show that reveals, in graphic terms, what is happening to our urban creeks.

Other activities that the Foundation will be involving itself with are:

— A Tuolumne River Education fund. This program has been established to help acquaint Californians about the history, beauty, and future prospects for this incredible Sierran stream.

— The Second Annual Wild Rivers Conference. Scheduled for this Spring, the conference will provide a place where people from all over the state can gather to meet one another, share their experiences, listen to panels of experts discuss every aspect of water management and river preservation, and just generally combine their energy in a cause that can succeed only with the united strength of all concerned.

— The continued sponsorship of the Foundation's traveling photographic exhibit, recently returned from the Smithsonian Museum and currently hanging in the Marina Gallery of the Fort Mason Center, San Francisco.

Inquiries about the Foundation should be directed to Friends of the River Foundation, 1742 Curtis, Berkeley, CA. 94702.

The age of the huge earthfill dams is drawing to a close. The best sites are all gone. Construction costs and land values are skyrocketing. Public dissatisfaction with the scars and environmental damage has grown at an unprecedented rate. These factors and others, combined, have made the big earthfill dam a dinosaur of a bygone time.

The Marysville Dam is a relic of this period that has gathered enough bureaucratic momentum to make its construction a potentially disastrous possibility.

The following article, submitted by the Citizens Opposed to Marysville Dam, describes the project and what can be done to stop it.

THE MARYSVILLE PROJECT

The Army Corps of Engineers and Congressman Harold T. "Bizz" Johnson are teaming up again to bring us instant "pork-barrel" — disguised as the Marysville Dam and Reservoir Project on the Yuba River, about 15 miles upstream from Marysville.

The project involves a 420-foot high dam on the Yuba River at Parks Bar, a 360-foot high dam on Dry Creek at the Peoria Road Bridge, and a 100-foot high afterbay dam. It will require acquisition of 27,000 acres of land by the federal government, 7,000 of which will be inundated, and result in loss of over 20 miles of free-flowing rivers and streams. Areas affected include parts of Smartsville, Browns Valley, and Bridgeport, and all of the historic mining town of Timbuctoo.

The Marysville Dam was originally authorized by the Flood Control Act of 1966. However, as NOW planned, 73% of the project is hydroelectric power from pumped-back storage and ONLY 5% is for flood control. The power, along with irrigation water, will be integrated into the Central Valley Project and exported out of the area by the Bureau of Reclamation.

The problems with the project are similar to other projects being fought in California and other states. The cost is presently estimated at \$1.14 billion, and could escalate to twice that amount. Parts of the proposed reservoir lie over the foothill earthquake fault. The project will destroy thousands of acres of deer range, wild turkey habitat, and beautiful foothill land, salmon and steelhead fisheries and spawning gravels, and hundreds of historic and prehistoric sites.

The most outstanding criticism, however, has been aimed at the plans for producing hydroelectric power. The pumped-back storage facility consumes three units of electricity for every two units produced, making it a net energy user in times of energy conservation. Elmer Hall, Chief Siting Engineer for PG&E, in official comments to the Corps on the EIS, stated, "...the proposed pump-storage power features (1) are not economically justified, (2) are not sufficiently flexible in operation to contribute to the electrical needs of the area, and (3) are not in the interest of the area's electric power consumers."

The 18-page memorandum also pointed out that (1) maximum efficiency of the facility would result in minor flood conditions and loss of valuable water storage capacity, (2) the site chosen was *not* among the 44 sites recommended by the Federal Power Commission, and (3) the Corps has underestimated the costs of power needed to run the facility and overestimated the price it will be able to get for the peak power produced.

Opposition to the Dam is being spearheaded by Citizens Opposed to Marysville Dam, a newly-formed group of concerned residents of Yuba and Nevada Counties. The group is especially concerned with the potential impacts to the community. The project will remove 21,000 acres from county tax roles and force 500 people from their homes. Increased costs for public health and safety services, such as fire, police, sewage treatment, could result in higher taxes. Costs for anything more than minimal recreation facilities will also have to be borne by Yuba County, which is already in a precarious financial position. The large influx of construction workers will cause overcrowding in schools and housing facilities already in limited supply.

The State of California is opposed to the project as presently designed and believes there are better and less costly alternatives to provide additional flood control. The State's report, released by Huey D. Johnson, Secretary for Resources, stated, "We have looked at the Corps' plans very carefully, and we do not believe they are economically feasible or environmentally sound."

Despite comments such as this and the obvious defects of the project, the Yuba County Board of Supervisors remain strongly in favor of the project. Although the Corps has admitted that without the power aspect, the project could not be built, the fate of the Yuba River will remain uncertain until Supervisors and elected officials are overruled by the people.

Help is needed to support the State's position and convince Congressmen, Senators and others that the project should not be built. For more information, contact Citizens Opposed to Marysville Dam, P.O. Box 215, Smartsville, Ca., 95977 or call (916) 639-2302 or 639-2202.

Q — How do you conceptualize the Army Corps of Engineers' position as water developers? Why is the military involved in dam building?

A — Well I suppose it is a unique situation — that the Army is the civil works construction agent for the government. Primarily, it's an historical accident. It goes back to the days when West Point was the only engineering school in the U.S. In fact, we built the Capitol Building, completed the Washington Monument, and worked on the Panama Canal. So it is an historical thing. I suppose one could argue that in this day and age there are many other phases of government that could handle what we do. I suppose the reason that we handle it, is that we always have. We simply execute the programs which Congress develops. So the difference between our approach and other dam-construction agencies, e.g. the Bureau of Reclamation — is more style than substance.

Q — Excluding the drought, what do you perceive as being California's biggest water problem?

A — In the long haul, I suppose the questions are mundane. There are projected population curves for the state of California. These curves vary from source to source. I have seen projections that the population in the state in 2020 will be 40 million. That may be high. The problem is — what services or supplies are appropriate for our future population? What is the appropriate figure for planning in terms of energy, water supply, land use planning and the whole bag? I suppose from where I sit, the difficulty in looking ahead for California, from the point of view of water resources development, is that there is not a consensus at this stage on what will be the appropriate numbers. Until that consensus is somehow arrived at and decisions are made — with these projects that require quite a bit of lead time, the future is going to continue to look murky.

Q — What role do you think dams will play in solving our water problems in the future?

A — There's a limit obviously on how much energy can be developed from dams. We are never going to get 25% of our nation's energy out of hydroelectric power, there just isn't that kind of potential. But there are those who feel that whatever potential is there, ought to be developed. In terms of water supply there is considerable potential remaining to store water in the wet years and to use it in the dry years. Now whether or not some of those rivers should be dammed and how much water should be stored, involves again, trade-offs. If there is a wild and scenic river, it has value. You can also build a dam on it which will help your water problems.

An Interview With Colonel Donald O'Shei



Colonel Donald O'Shei has the responsible, but often unenviable, position of head of the Army Corps of Engineers Sacramento District. His territory includes most of Northern California and parts of Oregon and Nevada.

Although rank has its privileges, Col. O'Shei also serves as a highly visible focal point for much of the criticism that his agency is drawing, not only from environmentalists, but from other governmental agencies as well.

In particular, President Carter's administration has put the Army Corps more in the limelight than ever before in its 200 year history. Much of its new-found notoriety, the Corps would probably just as soon pass on. But for better or for worse, the workings of the Army Corps, the big contractors, and the "old boy, pork barrel politicians" have now become the subject of a lot of public scrutiny.

The following interview was conducted by FOR staffers Nancy Magnuson, Jennifer Jennings and Mark DuBois.

Q — What is your perspective?

A — I think dams are tools, like anything else. They are fairly uncomplicated, simple structures. You just put a wall across the river and collect water for use when you need it. The hydrology in this area is well understood so it's fairly simple to sit down with hydrologic tables and decide how much water could be stored in the state of California. The answer is a hell of a lot more than is being stored now. That's when the problem ceases to be simple, you get that in all sorts of trade-offs. I don't understand the people who say: "The country has enough dams," "Dams have seen their day," or "We have built our last dams in this country." It seems to me a simplistic approach. It starts with a conclusion rather than a question and works backwards to rationalize a point of view that isn't based on any analysis. Dams are a routine method that you can accomplish certain sorts of things with. You pay a certain price for building a dam — economically and ecologically. The question is then whether one wants to do that, and conditioning that decision are the alternatives.

Q — How do you respond to the following statements: 1. All the good large dam sites have been taken and the remaining are no longer economical.

2. You build a dam and instead of getting a new water supply you create new users for it — you aren't solving the present problems.

A — As to the economics of a new dam there are the deeds and the alternatives. How much is a pint of blood worth? I think it goes for thirty-five bucks but if you need it very badly, the laws of supply and demand take over. The same thing applies to water. How much is water worth? Well the prices have been going up in California astronomically. Ten years from now what would a million acre feet of storage be worth? Well, maybe quite a bit. I'd have to see the economic analysis — I'm not ready to accept the notion that dams are not economically feasible. As to the notion that by building a dam you just add to the problem by creating another use seems to me another decision. There is one decision to build a dam. There is another decision as to the use of that water. It's independent. There is no reason why the second decision has to be increased use. I see no reason why a dam couldn't be built and water stored purely as a contingency for when it's needed. Of course, once a dam is built there are political pressures brought to bear, there are economic pressures, to go ahead and use the water to expand the economic base. But people in government are supposed to make the right decisions when put under those kinds of pressures.

STANISLAUS RIVER ALERT -- NOVEMBER 1977

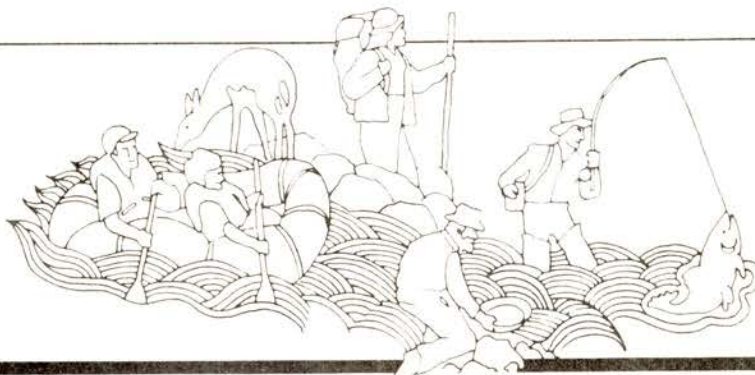
The mighty Stanislaus - the beautiful Stanislaus - the magical Stanislaus - what will happen to this river and canyon? The Federal Army Corps of Engineers will complete New Melones Dam by October 1978. Will they be allowed to fill the dam to maximum capacity? Or will it be filled only half way, as ordered by the State of California? The answer is in the hands of everyone who cares about the Stanislaus.

The river has two powerful political supporters. One is the State, which still contends, even in the drought, that there is no present possibility of New Melones water being used, and thus the upper canyon - "a unique asset to the state and nation" - should be preserved for as long as possible. But the river's most important defenders are still all of us who love the Stanislaus. We must utilize our resources and strength and take advantage of all that the Stanislaus still has in its favor.

The political climate in Washington and Sacramento on behalf of rivers has never been better. Having both seen and felt the strength of people willing to take responsibility for the life of our planet, President Carter and Governor Brown have appointed to key positions individuals with a deep concern for the environment, and rivers in particular. These good people are now in the right places to make important decisions - but they are busy dealing with numerous issues and crises. We must continue to speak out, and keep New Melones a pressing issue.

The time is right for the Stanislaus Fight!

1. The State Water Resources Control Board determined in 1973 (Decision 1422) that the water behind New Melones Dam is not needed for many years, if ever. This is still the official position of the State of California. There are no canals presently planned or authorized to deliver New Melones water, and there is no reason to flood this magnificent and popular canyon.
2. Historic Preservation Laws dictate that the Corps must protect or "mitigate" cultural resources which are threatened. They have not yet complied with these laws. Furthermore, it would be a senseless waste to flood ancient archeological sites and valuable historic sites before there is a need for the water.
3. The Corps has promised to "mitigate" the loss of the present recreation in the canyon, while not acknowledging there is far more in the magical Stanislaus Canyon than "whitewater".



Friends of the River

4. The law protects the known endangered species living in the canyon (the McLean's Cave Harvestman) which would be destroyed by a full reservoir. This small but unique creature would most likely survive the filling level prescribed by the State.
5. The Corps moved the burials of white settlers, but they have not considered the thousands of Native American burials in the canyon.
6. Though earth-fill dams are considered the safest type, few sit directly on faults like New Melones. There is new information being developed concerning induced seismicity - earthquakes caused by the weight and pressure of high dams and their reservoirs.

These are some of the questions the Corps has yet to deal with. They will avoid dealing with these and other questions unless we ask them. The State may be pressured to back down on D1422 unless we support them.

Stanislaus and FOR need your help! All the above problems need the attention and energy of both those with and without background knowledge. There are also other tasks that need your time and energy:

1. Letters to be written (A letter to Interior Secretary Cecil Andrus on filling plans for New Melones can help. Well directed letters on some of these other questions can keep the pressure on.)
2. Coordinating letter-writing campaigns
3. Research projects of varying time commitments
4. Benefits and Events: coordinating, media work, food, planning,.....
5. Neverending organizing at the FOR office (typing, mailing,.....)

Wherever you are, Stanislaus and FOR can use your help and support. If you can come by the Sacramento office, or get involved from your home, please drop us a note, send back the attached form, or call (collect if necessary).

THE STANISLAUS AND FOR THANK YOU!!

Yes, I want to work on the Stanislaus!

() Historic Preservation Laws

() Recreation

() Endangered Species

() Native American Issues

() Geological Problems

() Letters (writing, coordinating)

() Research

() Benefits & Events

() Office Work

()

Name

Address

City State Zip

Phone Area Code

*
*
* MALVINA REYNOLDS
* &
* THE MAGIC CARPET PLAY COMPANY
*
* are giving a benefit concert for FOR!
*
* Friday, Dec. 7 at 7:30
* Epic West
* 2640 College Ave.
* Berkely, Ca.
*
* For more info. call: 415-332-0738
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* or 916-451-9955
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 Sacramento, CA 95819
 (916) 451-9955

Q — A lot of criticism has been levelled at the cost/benefit ratios that are used to justify water development projects. Critics seem to feel that so much of the data is "soft" that the ratio can be too easily "fixed." How do you respond to these kinds of criticisms?

A — Well, I suppose that it is theoretically possible for an agency to jimmy the benefit/cost ratio so that Congress would authorize the project. However, one who suspects a district staff of doing that, recognizing the different screens that analysis has to go through on the way to authorization, doesn't understand the process. There are a number of reviews where the independent data is subjected to independent review and close scrutiny.

Q — Approximately one-half of the work of this office is devoted to water projects. Don't you think that the organization might have an attitude toward perpetuating its continued existence?

A — I didn't mean to say that there was no judgment. There is judgment but there isn't a hell of a lot of discretion. What I'm saying is this estimate — say the 4,000,000 visitor-days for New Melones Dam — is projected by one agency and reviewed by another. The Dept. of the Interior runs through the figures and it is reviewed at the division level and at the office of engineers, which is staffed with recreational experts.

AUSTRALIAN BOATERS OVERCOME RIVER SHORTAGE

Ron Scott, an Australian conservationist, visited the FOR house in Sacramento recently and recounted the following story with a perfectly straight face.

The town of Alice Springs lies in the heart of the Australian Outback where water is considered a very rare commodity. Undaunted by this, however, the town fathers designated one particular sandy section near town "The Todd River" and soon began to hold boat races there.

In order to compensate for the unusual nature of the river, boats were equipped with handles and the object of the race was to pick up your boat and carry it across the finish line first.

Several years ago, though, a freak rainstorm hit the area on the very day the race was scheduled and consequently it was cancelled on account of water in the river.

[ed. note: no comment]



THE CALIFORNIA STATE WILD AND SCENIC RIVERS ACT

Peter Behr

State Senator Peter Behr [R-Marin] is the staunchest, most determinedly effective advocate of river preservation in the California legislature today.

He is the author of Senate Bill 107, The California State Wild and Scenic Rivers Act, which set legislative history in 1973 when it was passed over the determined opposition of Southern California water development interests.

In 1974 he spoke and worked tirelessly for the passage of Proposition 17 to save the Stanislaus River.

In 1976 he sponsored SB 1482, an amendment to the Wild and Scenic Rivers Act. If passed it would have prevented the filling of the New Melones Dam on the Stanislaus River until a significant need for it could be demonstrated.

Senator Behr's article discusses SB 107, its implementation, and the future prospects for the protected rivers in the system.

The California Wild and Scenic Rivers System came into being at the beginning of 1973 with the signing of Senate Bill 107 which put the Klamath, Trinity, and Eel Rivers under the protection of the system. Also included was a stretch of the American River from the Nimbus Dam to the confluence of the American with the Sacramento River.

The major protection offered by this law was the requirement that these rivers remain in their "free-flowing" condition, which prohibits construction of any dams or other man-made modification of the river.

Unfortunately the North Coast rivers are just about the only stream systems in the State not already dammed. The other 35 have already been heavily dammed.

SB 107 called for the Secretary of the Resources Agency to submit a plan for the administration of the rivers to assure that both the rivers "and their immediate environments" were protected for all time.

This report would be a recommendation to the Legislature and would require its approval. Presently, reports are being prepared, and there is considerable dispute regarding what was meant to be included in the "immediate environments" of the river. The lumber industry seeks to confine the "immediate environments" to the actual channels of the rivers themselves. Obviously they are properly fearful that the plans to be recommended may include the entire viewscape, which incidentally would take in much of the timber holdings of some of the largest timber-owning companies on the North Coast.

Ultimately the issue will be decided by the Legislature and one would hope it will be sensible and tailor-made to the three classifications for sections of these rivers, these being wild river areas, scenic river areas, and recreational river areas. It would seem sensible to consider the related adjacent land area to be protected as depending both on the nature of the shorelines or watersheds and the distance back from the river needed to protect the quality of the river and keep it from resembling a ditch filled with rocks. One can suppose that common sense will prevail and that the adjacent land area will not be so large as to present any significant loss to the lumber companies nor so small as to make the protection intended meaningless.

Since a large part of the potential water of the state is situated in the North Coast, and the Eel River has always been the preferred target for the Corps of Engineers, the protection of the Eel River will be up for review in 1984. It is possible that the state's need for some of the Eel River water may in the future require a higher priority than the protection of the Eel River in its free-flowing state. Time will tell, but it is my present opinion that the high cost of its development will not present a viable economic solution to the water needs of the state within the foreseeable future. For example, it is the judgment of the Department of Water Resources that with the off-river reservoirs proposed on the upper Sacramento River and other conservation measures contained in SB 346, the water needs of California can be adequately provided for through the year 2000.

(please turn to page 6)

People of the Stanislaus

Roger Newman

INTRODUCTION

The Stanislaus River Canyon has been home to many peoples over the ages. The forty-niners may have been her most flamboyant tenants, but they were also one of her most transient.

The people who have the most right to call the Stanislaus home inhabited it somewhere between two and four thousand years ago. Who these prehistoric tribes were, where they came from, or why they left are still matters for speculation.

Among the native peoples who followed them, the cave dwelling Miwok were the most recent and hence more is known about them than any of the others.

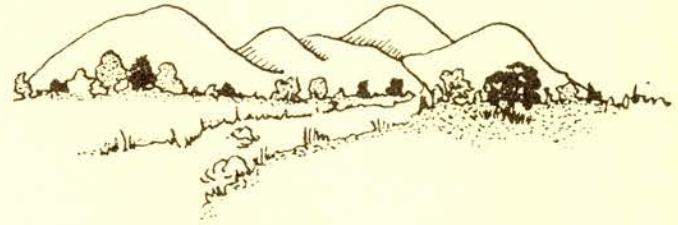
The following bit of research was done by Roger Newman, a faculty member at Merritt College in Oakland who is currently completing his dissertation on the archeology of the Stanislaus Canyon.

Of the hundreds of caves found in the limestone and marble formations of the Stanislaus watershed, several were used by Miwok and pre-Miwok native peoples. Rock shelters were used for temporary camps and for fairly permanent living sites, as can be recognized from the middens or refuse areas in front of them, and from smoke-blackened ceilings and bedrock mortars in the vicinity.

Perhaps the most puzzling aspect of the prehistoric use of these caves is the presence of "ossuary" or "mortuary caverns." An investigation funded by the Army Corps of Engineers into the cultural history of the New Melones Dam area lists 12 caves near the New Melones Project Area which contain human bones, including Moaning Cave and Mercer's Cavern. Many of these sites contain artifacts as well, such as shell ornaments and beads, bone pins and bird whistles, quartz crystals, limestone pipes, steatite beads, and obsidian and chert projectile points.

These artifacts are similar to those found in other sites which are known to date from the "Middle Horizon" period of about 2000 B.C. to 300 A.D.

In more recent times, the Miwok believed that if they threw their dead into caves that the giant "Chehalum" or "Yayali" would eat them (see accompanying legend). A mysterious element is that the skeletons are often fragmentary and dispersed. In some cases the skulls are missing. Could the Middle Horizon inhabitants of the area have been practicing "secondary burial" of ancestors who had been buried once already? If so, what happened to the skulls? As you can see from the legend, the Miwok have another explanation.



The Legend of Yayali

The legend of a people-eating giant in Moaning Cave, near present day Vallecito, survives in three forms. According to the first, recorded by anthropologist C. Hart Merriam in 1910, a huge giant lived in the cave. He carried on his back a big basket which, like himself, was made of stone. Yayali, as he was called, came out only at night and wandered about, always on the lookout for Mewuk (people) to eat. He preferred women to men and would often carry off several in one night. Occasionally, he made a soft crying noise, like that of a baby, to lure them on. If they came, he would seize and toss them into his basket. Then he would hurry back to his cave where he would eat the unfortunate. In his cave one could find the remains of his victims — horns of deer and bones of people and different kinds of animals.

A second version of the story picks up in Yayali's cave where he finds, after a typical outing, that one young Indian girl, being particularly resilient, had survived all the jostling about in his basket. Apparently Yayali was quite impressed with this young girl and rather than eating her, proposes instead. Hekeke, as she was known, accepted, but shortly thereafter escaped from the cave and returned with a brave who shot Yayali with an arrow. Mortally wounded, the giant gives vent to a tremendous scream, the force of which not only creates thunder and lightning but compresses young Hekeke and her brave down to half their former size. Unable to speak again, the two disappear into the forest to continue their never-aging lives as "friendly little spooks."

In the third version, the one preferred by present day Miwok, the people get Yayali to trust them and gather pine nuts. While the unsuspecting giant was in a pine tree filling his basket, they set fire to the tree. As he fell to the ground he cried out, "Which way should I fall, grandchildren?"

"To the east," they replied, which, very obligingly, he did. His body, made of stone as it was, shattered into a million flint pieces. The Indians then proceeded to use the flint for arrow tips and spear points.

(continued from page 5)

It is worth noting that SB 107 defines rivers to include estuaries, streams, creeks, runs, kill, rills, and small lakes. The bill was closely modeled after the federal Wild and Scenic Rivers Act and offers protection for more than rivers. Should SB 346 become law in its present form or without serious modification, it should provide an opportunity to include many other rivers of the state among its future components. [ed. note: SB 346, sponsored by Ruben Ayala, D-San Bernardino, is the Peripheral Canal Bill]

Rivers are among the most valuable and the most beloved of nature's gifts and most in need of constant protection. The value of waters carried by a major river, viewing water as a commodity for sale, may well outprice in value all the mineral resources of

California. It is stale news that the Bureau of Reclamation has been successfully collecting and distributing western water for recreational or fish and wildlife purposes with a respect just short of disdain. Since the Bureau and the Corps of Engineers have always been the pork barrels through which old-time Congressmen repaid their constituents and maintained their incumbencies, and since seniority has swept these particular Congressmen into seats of power, all the rivers of the country are still on the auction block, and we who recognize their beauty and their other essential purposes must never rest on our oars, or we will find our rowboat gone aground on still another dry river.

FRIENDS OF THE RIVER DAY AT ALPINE WEST

Tom Lovering, owner of Alpine West, a mountaineering, backpacking and white water sports store is sponsoring a "Friends of the River Day" on Sunday, November 13. All net proceeds from merchandise sold on that day will be donated to the FOR Foundation.

Take this unique opportunity to indulge yourself with a new piece of outdoor clothing or equipment and at the same help out Friends of the River.

Date: Sunday, November 13
Place: Alpine West, 1021 "R" St., Sacramento, CA.
Telephone: (916) 441-1627

WANTED: ENDANGERED CREEKS

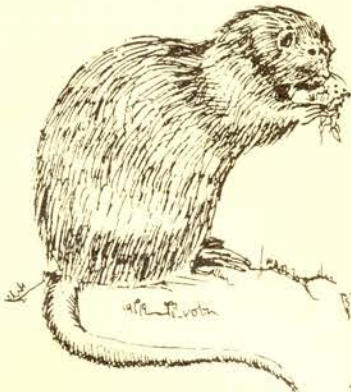
Friends of the River needs to know if there is a stream or creek in your local area threatened by overdevelopment, channelization, damming or some other form of environmental violence. Too often the destruction of the small rivers in our state has gone unnoticed, and hence uncontested.

If you know of any development or construction plans in your area that would affect a stream or creek, let us know about it. We'll give it as much a resource for helping to form citizens' groups.

What happens to the creeks and streams is a decision that affects everyone. And everyone should have a hand in making it.

NORTH COAST MTG. ANNOUNCED

The North Coast chapter of FOR is planning a "re-group and rejuvenate" meeting in Arcata. Call Nancy Reichart at (707) 822-3466 for time and place.



ALASKAN RIVERS

The battle to preserve some of Alaska's rivers is in Washington now in the form of Representative Morris Udall's bill, HR 39, which would place twenty Alaskan rivers in the Federal Wild and Scenic Rivers System. Opposition to the bill is expected to be quite strong as development interests are gearing up for a massive battle.

In many ways Alaska represents a last chance to really set something aside for future generations.

Let's not miss it.

Write to your congressman today in support of HR 39 and contact the

Alaska Coalition
620 "C" St. S.E.
Washington, D.C. 20003

for more information on Alaskan wilderness.

Extern Needed:

FOR is searching a person to do a semester externship at the Sacramento office on Creeks preservation. Responsibilities will include working with resource people to develop an information retrieval system for statewide creek struggles, inventorying threatened creeks, and studying protective programs and strategies. Supervision for college credit is available.



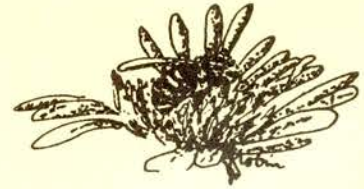
WARM SPRINGS

President Carter's stand on rational funding for Federal water projects took a beating at the hands of an incumbent Congress. The Warm Springs project, one of the originals on Carter's "hit list," managed to receive full funding for the upcoming year.

However the issue of earthquake safety remains a sticking point. The courts have recently ceded responsibility for deciding this crucial issue to the Executive Branch. But until Congress is persuaded by the voice of its constituency, it is unlikely that the administration can act. *Letters are needed!* Send them to:

Senators Alan Cranston and
S.I. Hayakawa
United States Capitol
Washington, D.C. 20515

Urge that an assessment of the earthquake risk involved at Warm Springs be undertaken by an agency independent of the Army Corps.



JACOB CREEK

California's Comprehensive Employment Act provided the funds, the concerned citizens of Humboldt County provided the energy, and Jacob Creek, a watershed damaged by lumbering operations, was rehabilitated in a model program of private and governmental cooperation.

A lesson is here to be learned by people everywhere in California concerned about damaged watersheds in their area. Funding is available through the State for citizens concerned enough to draw up a proposal and make the commitment to an improved environment.

WATER LAW PREVIEWED

Governor Brown has established a water rights law review commission with a mandate to thoroughly examine California's anachronistic water law and bring it in tune with today's values. The Commission is in the process of holding a series of public meetings throughout the state and they encourage all citizen input. While the area is highly technical there are major, broad policy questions which will have to be resolved by the Commission before they

present their recommendations to the Legislature. It is vital that environmental interests be represented by attendance at the meetings and/or the submission of written comments and suggestions to the Commission.

The Commission has well-written, comprehensive background papers on different areas of water rights law (appropriate, Groundwater, Water Conservation, Riparian, Transfer, and In-stream Uses) which are available to the public on request. The Commission's address in P.O. Box 100 Sacramento, CA 95801, telephone (916) 445-5240. Contact the Commission or FOR for information.

River Watch

Gift Ideas

T-SHIRTS

- Perfect for those long, cold winter nights.
- A natural complement to most any pair of pants.
- Emblazoned with our FOR logo, you'll never look embarrassingly "overdressed" again.
- Available in red, light blue, white and green as well as four sizes; s, m, l, xl.
\$5.00.

SUBSCRIPTIONS

Help a friend help us! If you know someone who might be concerned about California's growing supply of reinforced concrete, and shrinking supply of streams and rivers; or someone who's worried that our wilderness rivers need a louder voice in Sacramento, then help him or her help us — with a gift subscription/membership to Friends of the River. \$10.00.

Please send my friend here:

- (A) a one year Subscription/membership to *Headwaters* and Friends of the River. \$10.00
- (B) an FOR T-shirt. Please indicate size and color. \$5.00.

Name of lucky recipient
Address
Name of kind donor
Address

An Appreciation...

Craig Rieser and Ronit Fishman, two long-time FOR volunteers, recently celebrated their marriage in Sacramento. In a wonderfully generous move, they asked that their wedding gifts be in the form of donations to the Friends of the river Foundation.



ISHI CONFERENCE

The Ishi Conference, held this past October in Chico, was an outstanding success. Problems surrounding the proposed Ishi Wilderness Area, which would include the watersheds of Deer and Mill Creeks, were discussed and plans were drawn up to help see that these unique places are preserved.

The grand finale of the conference was an overnight visit to Deer Creek where participants could re-discover some of the magic of a wilderness stream.

AUBURN DAM UPDATE

A recent gathering in San Francisco held by the Association of Professional Geological Scientists was entitled, rather hopefully as it turns out, "Symposium on Auburn Dam: Problems and Solutions." After listening to a multitude of sharply contradictory opinions, however, many of those attending felt that the last two words of the title might have been safely dropped.

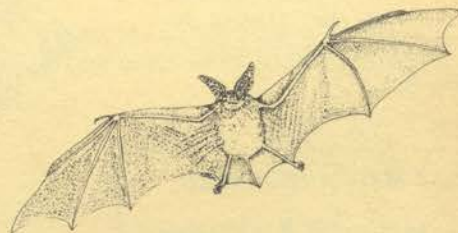
The crucial issue in the controversy continues to be the question of "fault activity." no one doubts that Auburn is being built in an area seamed by a large number of fault zones, the question is, how active are they?

Woodard-Clyde, a geological consulting firm, was hired four years ago to do an exhaustive investigation of the question. Their report is now in its third postponement.

Meanwhile, the Bureau of Reclamation, the Federal agency actually building the dam, has done its own investigation and recently published its findings.

In addition to these two, representatives from the United States Geological Survey were present. The USGS has taken an active interest in the area and has sponsored a number of field trips to the site.

It soon became clear, after listening to the discussions, that the Bureau disagreed with its own consultants, the consultants disagreed with the Bureau, and the USGS disagreed with much of what both were saying. To the 750,000 Sacramentans living in the potential flood plain of an Auburn disaster, the whole experience was less than reassuring.



JOIN FRIENDS OF THE RIVER

- My \$10, \$25, \$50, \$_____ membership will help support FOR as an on-going political and educational program to protect rivers. I will also receive HEADWATERS for one year (6 issues.)
- My \$5 membership will cover the cost of receiving HEADWATERS for one year.
- I am a Friend of the River! Please keep me on your mailing list for special Action Alerts.

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

I would like to be a volunteer. My interests are:

Where did you hear about FOR?

Send to FOR, 401 San Miguel Way, Sacramento Ca. 95819