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Water and Power: A Case Study of California Water Distribution Politics

by

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"When the well is dry, we know the worth of water."

- Benjamin Franklin

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Preface

In the classic 1974 drama *Chinatown*, Roman Polanski illuminates a world of fraud, deceit and murder, recounting the historic conflicts over water during California's development in the early 20th century. Accompanied by an ominous sequence of single piano notes, Robert Towne's powerful screenplay reveals how the future of California's water supply was decided not by politicians and elected officials, but through a series of smoky, back-door business deals, guided by the 1930s wealthy Los Angeles elite. With subtle political commentaries on the ownership of natural resources and the corrupt patterns of Southern California development, *Chinatown* offers viewers a romanticized neo-noir window into the state's turbulent history of water politics.

Polanski's vision of California's historic water wars is embellished with mystery, untangling a world fraught with deception, violence and incest – a story of fraud and corruption uncovered in a web of secret real estate transactions. John Huston, as the villainous former owner of the Department of Water, famously tells Jack Nicholson's JJ Gittes, "You may think you know what you're dealing with, but believe you me, you don't."

This cinematic exploration of the ties between water, development and money claims to be only inspired by California history, yet the following case study on the most recent chapter of California water politics suggests that Polanski's account is not as far from reality as it may seem, even decades later.

Introduction: A Theoretical Framework for the Case Study

G. William Domhoff proposes the use of four key indicators when attempting to determine the classic inquiry of political sociology: "who rules?" In considering who exercises the greatest political power, Domhoff suggests that analysts examine: *who benefits* from the particular situation at hand, *who governs* and holds decision-making power, *who wins* the greatest victories, and *who shines*, presenting to the public a façade of power. While theories range in size and scale as scholars attempt to reconcile the sources and mechanics of political power, two perspectives on influence and authority are most appropriate when considering the following case study: the pluralism and class dominance theories.

In the pluralist perspective, often associated with Robert A. Dahl, political primacy is thought to be located within the general public and organizations comprised of individual actors. A theory of class dominance draws components from two well-known models focused on class interactions: Marxism and the Power Elite theory. The class-based Marxism approach, often linked with Ralph Miliband, asserts that power is to be found within a system of class relations and domination; similarly, the Power Elite theory, associated with Domhoff, suggests that authority lies in the hands of an influential subgroup of society. A fusion of these two theoretical models identifies power within a hierarchical class structure where the wealthy business class exhibits political dominance.[1]

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[1] Other valuable theoretical contributions to the discussion exist, such as the state-autonomy theory, pioneered by Theda Skocpol, which argues that political theory scholars should focus

The pluralist mode of analysis locates power within individual behaviors as well as aggregate organizations in the general population. This theory holds that "decision-making processes within the state take place primarily under circumstances of individual political equality and freedom" (Alford and Friedland 1984:36). Furthermore, pluralists explain political action as a direct response to the values of voters in a democratic state, whereby citizens can generate pressure to influence legislative decisions. In the pluralist understanding of the political process, "it is assumed that a clear and intense majority preference will ultimately become public policy, expressed in both legislative decisions and administrative implementation" (Alford and Friedland 1984:50). As Dahl, a leading voice among pluralist scholars explains, the answer to the question of who governs "is not the mass nor its leaders but both together; the leaders cater to mass tastes" (1961:7).

Pluralism is itself a divided model; while one branch locates power within the mass majority of the general public, another focuses on coalitions of interest groups that can shape and impact the political decision-making process. As Alford and Friedland explain, interest group coalitions can form around a particular social or legislative issue, sometimes succeeding in "mobiliz[ing] enough popular support to persuade unwilling leaders to pass a law that they do not want" (1984:50). In defense of interest-group pluralism, Edward C. Banfield argues, "action in public matters is largely a by-product of the struggles of these special interests for their own advantage," rather than "for the welfare of the community as a whole" (1961:324).

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on "the ways in which political officials have shaped policies and analyze the way in which state structures have patterned the conflicts and alliances of major social groups" (1995:32). This theory, however, is less applicable to the particular case study in this essay.

For the purposes of this essay, the class dominance theory represents a combination of the class-based perspective and Domhoff's power-elite model, both of which revolve around the notion of dominance by one class in relation to the others. In the traditional class-based theory, the distribution of political power operates within the relationship between "capitalism, the state, and democracy" (Alford and Friedland 1984:5). This perspective, often linked to Ralph Miliband, sees power as deeply rooted in class relations and domination, assuming that "capital accumulation and class struggle shape state policy" (Alford and Friedland 1984:6).

Domhoff's (2000) Power Elite perspective relies on a small group of privileged individuals who have come to dominate the legislative and economic sectors of society. Representing a fusion of the corporate community, the upper class, and members of policy-formation networks, this theory places the greatest political clout in the hands of a community rich in wealth, status, and corporate control. In this model, the dominating group possesses the ability "to set the terms under which other groups and classes must operate," including political decision-making (Domhoff 2000:5). Domhoff argues that in the American paradigm, this dominance lies in the hands of the power elite or the so-called "corporate-conservative coalition" – a sect of society that has preserved political power in great strength despite lacking great numbers (2000:17-18). Together these two avenues of thought represent a composite theory of class dominance, wherein one powerful capital-controlling group regulates the political sphere.[2]

[2] Domhoff draws this connection between himself and "the key theoretical tenants of Marxism." He explains, "I do share Marxism's focus on class domination and class conflict

In the American political system built upon the premise of democracy, representation and majority rule, it is crucial to identify whose needs are truly being served. Furthermore, it is paramount to trace whether these prioritized needs are rooted in the general public, interest group politics, or a dominating upper class. In order to identify the reigning source of authority in any legislative process, it is helpful to return to Domhoff's four indicators of political power.

The following case study of California water distribution politics presents an opportunity to utilize Domhoff's criteria of *who benefits, who governs, who wins* and *who shines*, in the hopes of identifying the true locus of political power. In the fight over the state's limited and highly valuable water supply, three principal groups rose to the forefront of the battle: the millions of urban water users in Southern California; a strong coalition comprised of environmentalists, conservationists and local interests; and a small but wealthy farming elite in California's Central Valley (for full California map, see Appendix A). Each of these groups corresponds to a particular theory of political power: the urban users represent the pluralist perspective favoring the mass general public; the environmental coalition can be applied to the pluralist interest group theory; and the Central Valley farmers represent the class dominance model. By tracing the successes and failures of each of these groups in California's recent water saga, we can begin to analyze whose interests were ultimately best served.[3]

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as central to an understanding of the distribution and workings of power in America" (2000:12).

[3] Some sociological scholarship exists regarding water wars, see Walton: *Western Times and Water Wars: State, Culture, and Rebellion in California.* My case, however, is original research constructed in real time as the story developed. To the best of my knowledge, this essay constitutes the only academic study of this case.

Part I: The People, The Places, and The Problems

For over a century, politicians as well as engineers struggled to transform the barren deserts of Southern California into one of the largest population hubs and economies in the world. From the *Chinatown* days of the early 20th century, California's water policy has been a highly contentious issue, evoking the commonly dubbed phrase, "California's Water Wars."[4]

After decades of diverting water southbound from the Central Valley toward Southern California at the expense of fertile farmland, the state's primary water supply currently flows from the Sacramento-San Joaquin Delta, southeast of San Francisco (for Delta map, see Appendix B). Composed of a complex network of waterways and wetlands, the Delta stretches 50 miles long and 25 miles wide (ACWA "Water for Tomorrow"*)*. As three years of drought plague California's already limited resources, water security has become a greater worry for various interests around the state. As a result, two primary issues have emerged regarding the future of water policy: conveyance and conservation. These two topics encapsulate the majority of concerns associated with California's water supply; simply put, they question *how* as well as *how much* water will continue to move through the state.

The Delta water supply currently serves as the main water source for 25 million Californians, 19 million of whom reside in the dense urban landscape of Southern California. As a constantly expanding network of development, Southern

[4] For a comprehensive history of California's Water Wars, see Marc Reisner's *Cadillac Desert: the American West and its Disappearing Water*.

California functions as an urban growth machine, a model that has been understood as a way of conceptualizing political power (Logan and Molotch 1987). An applicable example of the first pluralism mode of analysis, the power-in-numbers of Southern California is certainly a political force to be reckoned with – a "coordinated oligarchy" protecting the cities' needs (Logan and Molotch 1987:50). Representing the urban populace in the fight for California's water is Metropolitan Water District, an entity comprised of 26 water providers serving the majority of Southern California's 19 million residents. In times of reconsidered resource distribution, MWD's primary task is to ensure that water continues to flow from the sources upstream toward their large dependent urban user base.[5]

While the Delta serves as the main source of water for millions of urban residents, it is also an estuary – a large body of water where freshwater from rivers and streams converge with saltwater from the ocean, as well as an ecological haven. Formerly one of the largest estuaries in America, the quantity and quality of Delta water have been declining due to mismanagement, excessive pumping and three years of drought. As a result, environmentalists throughout the state have aligned around the issue of protecting the fragile Delta ecosystem. With a local fish population on the brink of endangerment, conservationists have taken a firm and successful stance on securing the Delta, most notably through legislative action. Environmental protections implemented in 2008 reduced water pumping out of the Delta by roughly 30% in hopes of revitalizing the dying ecosystem, yet those at the receiving end of

[5] My treatment of Southern California residents as merely water users is admittedly cynical. However, what is important to trace in the case of this essay is not the morals or values held by the urban masses but strictly their interests as water users, as represented by Metropolitan Water District.

the water circuit are calling these regulations back into question (ACWA "Water for Tomorrow"*)*.

Also concerned with excessive quantities of water exiting the Delta are its local residents, those whose livelihoods are worsened as water is shipped out while infrastructure construction projects are brought in. Uniting behind Alyson Huber, an active local Assemblywoman (D- Lodi), Delta residents have fought to protect the natural resources in their backyards. Aligned by a commitment to defend Delta water, California environmentalists, conservationists, and local Delta residents represent an alliance that can be understood within the second branch of pluralism – a coalition of interest groups united around a shared passion for a particular issue.

An additional concern for California's water regulation practices is the state's large industry base, as huge portions of the economy rely on this vital resource. Based in the Central Valley, California's powerful agriculture industry holds a prominent position within the state's economy. With some of the most fertile farmland in the world, the Central Valley has been called "agriculture on steroids," producing several billion dollars worth of crops every year (McChesney). Despite the incredibly high revenues, a group of just 600 farmers produces the majority of the valley's crops; profits from this 15-mile wide by 70-mile long region soar above that of many entire states (McChesney; Grossi).

Stewart Resnick, owner of Paramount Farms, oversees the cultivation of 118,000 acres of Central Valley farmland. One of the wealthiest men in California, Resnick's agribusiness fortune was built from 70,000 acres of pistachios and almonds and nearly 50,000 acres of citrus and pomegranates – a farming enterprise that relies

heavily on a steady water supply to survive (Williams). Representing Resnick and this cohort of wealthy farmers in the fight for California's water is Westlands Water District, an organization with a turbulent history with both urban and environmental interests, and a reputation as a force to be reckoned with. As Tom Stokely of California's Water Impact Network explains of Westlands, "they're a big bully with lots of money" (Grossi). The class dominance theory of political sociology is most applicable to the Central Valley agribusinesses – a group of 600 farmers who are extremely wealthy, well networked, and represented by a strong organizational body (for Westlands district map, see Appendix C).

Three years of drought coupled with a weak economy has placed the once unwavering strength of the agribusiness industry in a precarious position as both revenues and jobs are falling. With record low quantities of water deliveries, some Central Valley farms have seen up to a 90% cut from their contracts, as the amount of unused, fertile farmland in 2009 neared 500,000 acres (ACWA "Water for Tomorrow"). As fewer acres can be cultivated, less work is needed to sustain local farms, resulting in rising unemployment for migrant farm workers across the region, soaring to above 40% in certain towns. In addition to massive losses in crop revenues, this employment drop translates into a decrease of approximately one billion dollars in farm-related wages in the Central Valley (ACWA "Water for Tomorrow"). In order to revitalize their companies and ensure economic stability, Central Valley farmers are urgently fighting for water to flow toward their crops.

For the nearly 20 million urban water users of Southern California, matters of water conveyance are perhaps the primary concern. With virtually no local water

supply, reliable infrastructure to channel water southbound is a priority and thus, urban dwellers generally support infrastructure development to ensure a steady Delta water supply. One such proposed conveyance project calls for a peripheral canal, outlining the construction of a new channel to divert water directly from the Delta toward Southern California and the Central Valley. Receiving strong support from Governor Arnold Schwarzenegger, the proposed canal would replace older, less-efficient infrastructure with a state-of-the-art conveyance facility. Protecting an interest in water security, the creation of such a canal would help to serve the current needs and fuel future progress for the Southern California urban growth machine.

Authority over such a project would fall under the jurisdiction of the Delta Stewardship Council, another proposal on the legislative table in late 2009. The Stewardship Council would operate with two co-equal goals: providing a secure water supply for Californians dependent on Delta resources, while working to restore the Delta ecosystem (Dept. of Water Resources). As proposed, the seven-member body would be comprised of four gubernatorial appointments and three elected representatives, creating a majority that will likely mimic Schwarzenegger's approval.

In addition to securing a reliable conveyance plan, Southern Californian urbanites are also concerned with how strong the southbound water flows will be. Current and future residents as well as developers are eager to ensure that sufficient quantities of water continue to reach this region that might otherwise resemble a desert. In the context of mounting environmental and economic pressures, proposals for conservation limits on the state's water supply have become a concern for all water users. Recommendations calling for a 20% per capita reduction in water

consumption in the next decade have added further stress on Southern Californians, who not only lack local water sources, but lead lifestyles notoriously heavy in water use. While a portion of urban users may be environmentally conscious, mandated conservation targets translate into less water at a higher price – an action that would be unfavorable both for Southern Californians and for their primary water supplier, Metropolitan Water District.[6]

The fundamental issues of conveyance and conservation in a state with severely limited water supplies are also of great concern to both environmentalists and Delta residents who fear the ramifications of declining resources. Environmental activists throughout the state argue that water flowing southbound occurs at the expense of the Delta ecosystem, a habitat for more than a dozen threatened or endangered species (Bowe). For those who covet the Delta's flora and fauna, proposals to increase conveyance of water through and away from the Delta are problematic in two ways. First, as more water leaves the Delta, the estuary will be thrown into further decline, with less water to support the already threatened species native to the area. Second, the building process for any new conveyance infrastructure will further disrupt the local habitat along the course of the construction.

Similarly, Delta area residents are also troubled by the deterioration of resources in their neighborhoods, as proposals for further construction threaten to take both water and power out of the hands of the local community. A primary concern for these residents is the composition of the Delta Stewardship Council –

[6] In my analysis of urban residents as strictly water users, I treat the opinions of MWD (the representative water district) as a proxy for Southern California water needs.

the governing body that will gain complete jurisdiction over the Delta and its water supply. Area Assemblywoman Huber argues in opposition to the proposed arrangement combining appointed and elected council members; "local representatives should be entrusted to manage the natural resources they have in their own backyard" (Theriault).

While the coalition of environmentalists and Delta residents fight against future water conveyance projects, they enthusiastically support widespread conservation efforts. For environmentalists, more stringent guidelines on statewide water usage would represent a tremendous victory in the face of escalating environmental pressures. Likewise, any proposal to decrease the amount of water exiting the Delta satisfies area residents who hope to preserve the quality of their resources. For both environmentalists and local residents, conservation regulations for water users represent a step toward improved Delta protections, directly aligned with their priority of Delta preservation.

While decisive legislative victories for the environmental coalition in the past two years have placed stricter limits on pumping water out of the Delta, those on the receiving end of the water circuit continually challenge these policies. Perhaps the strongest opposition to Delta flow restrictions comes from the Central Valley farmers – a community highly dependent on massive quantities of Delta resources. Westlands Water District, the primary provider to the 600 Central Valley farmers, comprises the largest federal irrigation district in the state (Grossi). To support an agriculture enterprise of this scale, Central Valley farms require over one million acre-

feet of water every year, making agriculture the largest water user in California, soaking up three quarters of the state's supply (Grossi; Zito).

Home to an industry dependent on massive and steady quantities of water, Central Valley farmers are in constant need of a stable water supply. The construction of a peripheral canal to directly divert water toward the valley would provide farmers with a more reliable means of proper irrigation for the multi-billion dollar agribusiness economy. Furthermore, the creation of a council to oversee such a project would work in favor of farmers' interests if the body would approve construction of such a canal – a result that is likely with four of seven members as Schwarzenegger appointees.

While the notion of increased water conveyance protects the needs of Central Valley farmers, the issue of water conservation is looked upon unfavorably. Just as was the case with urban users, a per capita consumption reduction limit would raise the price of water for farmers, while limiting the quantities delivered. With the help of agribusiness lobbyists, Westlands and the farmers have long been advocates against a "one-size-fits-all" conservation target, insisting it would be unjust to apply blanket rules on an industry with so much variation in crops, soil types, hydration zones and water delivery methods (Zito). Faced with strict conservation proposals, the Central Valley agribusiness community developed a firm and coordinated response, hoping to be excluded from any significant policy decisions.

Table A below outlines and summarizes the positions held by each of the three groups in this discussion of California water distribution policy.

TABLE A: ISSUES AND POSITIONS

	Urban Users *Pluralist I: Power in Numbers*	**Environmentalists/ Delta Residents** *Pluralist II: Interest Group Coalition*	**Central Valley Agribusiness** *Class Dominance*
CONVEYANCE - Peripheral Canal - Delta Stewardship Council	**Support** infrastructure projects to channel water southbound from Delta toward cities; **Support** Delta Stewardship Council on the grounds that they will likely approve the periphery canal project	**Oppose** further construction of infrastructure projects to channel water southbound, want to protect Delta resources and ecosystem; **Oppose** Delta Stewardship Council on the grounds of insufficient local representation	**Support** infrastructure projects to channel water southbound from Delta toward farms; **Support** Delta Stewardship Council on the grounds that they will likely approve the periphery canal project
CONSERVATION	**Oppose** conservation mandates, which translates to less water at a higher price	**Support** state-wide conservation mandates to reduce the amount of water leaving the Delta	**Oppose** conservation mandates, arguing that blanket restrictions are unjust in the agriculture industry

PART II: What Happened?
The 2009 California State Legislative Session

Governing a state that has been plagued for decades by poor water legislation, infrastructure and planning, Arnold Schwarzenegger brought California's water dilemma to the forefront of his political agenda in 2009. In an attempt to achieve long-term water stability, Schwarzenegger and California legislators were forced to examine an array of competing interests and needs for this highly limited resource, as outlined in Part I. After months of proposals from various lawmakers, Schwarzenegger compiled a draft for a large-scale water legislation overhaul in the summer of 2009, complete with four policy measures and a multi-billion dollar bond initiative. Mimicking the broad water needs of the state, the proposed legislative package addressed concerns regarding the two prominent issues: water conveyance and water conservation. By mid-November of 2009, Schwarzenegger's water package had been approved by the state's legislature.

The Story

A familiarity with the unfolding of this particular legislative process is helpful in understanding the urgency and gravity of the water policy overhaul to the state of California. In response to the package proposal in August 2009, Schwarzenegger began to facilitate a series of closed-door water discussions with a handful of legislative leaders, including Senate President Pro Tem Darrell Steinberg (D-Sacramento). In question during these meetings were several conditions of the

proposed legislation, specifically the power and composition of the Delta Stewardship Council, the feasibility of conservation usage reductions, brand new systems of groundwater monitoring and the size and scope of the proposed bond measure (Howard).

As Schwarzenegger became determined to overhaul the state's aging water infrastructure and re-distribute resources, many groups were denied access to the governor's private water sessions. Vocal among the angry, excluded organizations was the Sierra Club, a well-respected environmental advocacy organization who took issue with this policy negotiation process. A spokesman for the Sierra Club addressed their concern, telling reporters that it was unjust for a handful of politicians to be "saying what's going to be done for 33 million people in California and how we manage our water, meeting in the dark of night" (Walters).

As negotiations ensued, several California politicians began to speak publically about the state's water plans, following Schwarzenegger's lead. Addressing the crowd at an early October press conference, the governor exclaimed, "Water is the lifeblood of everything we do. Water is jobs for California. Water is food. Water is our future. Water is our economy." Various politicians and power players spoke of how close they were to reaching a pivotal water package, crucial for the future of California's growth and progress. Senator Dennis Hollingsworth (R-Riverside) promised "to continue forward to deliver water to a thirsty California," while Aubrey Bettencourt of the California Water Alliance persuaded listeners, "this is not about choosing one people over another or one part of the state over another; it's about saving the entire state and everyone who lives in it." Senator Steinberg continued to glorify the

progress of Schwarzenegger's water team: "Water is considered one of the unsolvable issues in the state. We believe we are on the verge of breaking that barrier."[7]

As the talks pushed forward toward the October 12th legislative session deadline, Schwarzenegger began to fear the unlikelihood of reaching consensus on the controversial terms of the proposed legislation. In response, he took a rather unprecedented move, threatening to veto up to 700 additional bills awaiting the legislative deadline if a water deal was not agreed upon. Among the bills on the governor's desk sat laws regarding the California prison system, healthcare, transportation, drunk driving and human-trafficking – many critical areas in need of legislative attention (Bailey and Halper).

As the deadline arrived without a comprehensive water solution, Schwarzenegger retreated from his veto threat, signing more than one-third of the bills into law. The governor scheduled a special session for the following week to continue working toward a bi-partisan agreement on a water plan. Schwarzenegger's political maneuver to prioritize a water package over these other issues sent an explicit message to California lawmakers and citizens; for the governor, the future of California rested entirely on the promise of a long-term water solution. After several weeks of special water sessions to tweak and fine-tune proposals, the water package was brought before the California Senate in the first week of November, ultimately passing one week later.

[7] See "Schwarzenegger" in *Works Cited* for all speeches referenced

The Bills: Conveyance and Conservation

The Delta Governance plan, also known as Senate Bill Number 1, is perhaps the most comprehensive component of the water package, outlining a new framework through which to manage the Delta. The final text of the bill calls for the creation of an unprecedented governing body to control the area's water. As explained by the Department of Water Resources, the seven-member Delta Stewardship Council will be entrusted to pursue "the co-equal goals of providing a more reliable water supply to California and restoring and enhancing the Delta ecosystem." Additional functions of this bill include the creation of a conservancy program to oversee ecosystem restoration, reduction of the current Delta Protection Commission from 23 to 15 members, and funding allocation for a long-standing project to improve protection of vulnerable estuary species (Dept. of Water Resources). Though plans for the proposed periphery canal are not explicitly included in the legislation, the bill grants complete jurisdiction to approve such a project to the Delta Stewardship Council.

Authored by Senator Joe Simitian (D- Palo Alto), the bill was first introduced to the California Senate Natural Resources and Water Committee in April of 2009. As the bill passed the committee and moved forward toward a senate vote, it received overwhelmingly mixed reactions among politicians and other interest groups around the state. Simitian regularly spoke in strong defense of his legislation, calling it an opportunity to put regional differences aside for the sake of the entire state. In a testimony before the California Senate, Simitian argued that the creation of a Delta oversight body was a necessary step to protect the water needs of over 35 million

residents. Addressing the implications his bill would likely have on the movement of state water, Simitian explained, "conveyance is not only essential for water reliability and water quality, it really is an essential ingredient in creating a healthy ecosystem for the Delta." Calling the Delta "California's Katrina waiting to happen," Simitian urged legislators to adopt an attitude of urgency in considering his bill, arguing that inaction would lead to the collapse of the Delta within 50 years (Simitian press release).

As the water package arrived at the full senate vote in November, Simitian's bill drew strong bipartisan support; twenty-nine voted in favor of SB 1 while only five voted against, garnering two-thirds majority from both the Democratic and Republican blocs. Upon the passage of the bill, Simitian remarked on his website,

> I think we've achieved the goal of a win-win-win; win for the environment, win for the 24 million Californians who rely on Delta water and a win for those of us in Northern California who want assurances that "our" water won't be shipped in excess to other parts of the state.

Though Simitian is quick to praise his legislation, mixed reactions surfaced around the state from urban water users, environmentalists and Delta interests, as well as the Central Valley agriculture community.

The Association of California Water Agencies, representing 450 water agencies throughout the state, stood in strong support of the legislation. Collectively responsible for delivering 90% of the state's water, the ACWA applauded SB 1 for being consistent with many of their goals. The final bill reflects several recommendations made by a Task Force created in response to a 2005 ACWA publication concerning the future of California water policy. Additionally, ACWA Executive Director Timothy Quinn co-chaired the working group for Simitian's original proposal, further protecting the organization's interests in the legislation

(ACWA "Water Package"). As both Metropolitan and Westlands Water Districts enjoy membership to the ACWA, the organization's firm support of the bill represents approval from both Southern and Central California constituents, improving the ability for water to flow toward urban users and farmers. This was, however, a marked difference from the Delta area response.

Political opposition to SB 1 came primarily from Delta and Bay Area voices. Assemblywoman Huber was angered by the lack of local control granted under the new policy measure, despite her efforts to increase Delta representation. Senator Mark DeSaluner (D-Concord) echoed Huber's dismay; "the plan doesn't give the Delta and its four million residents a fair say in the process. It doesn't adequately protect Northern California water users" (Silverfarb).

Huber's disapproval stems from the lack of local control on the Stewardship Council, as projects like the peripheral canal are widely opposed only among Delta communities. Without ample Delta representation, Huber argues there is no strong voice on the governing council to protect the interests of local residents. In response to the bill's passage, Huber collected and hand-delivered 2,000 postcards to the governor's office, urging him against plans for the canal. Furthermore, she scolded Schwarzenegger for praising the project at a business event in Stockton shortly after the bill's passage – a Delta city where there exists virtually zero support for the canal. Huber told reporters of Schwarzenegger's tactless move, "it's like wearing a Dodgers jersey to a Giants game" (Thigpen).

While urban users, agribusiness and Delta interests took strong positions either in support or opposition to SB 1, the environmental faction stood divided in

their response. For some environmentalists, compromises made in the bill's final text represented a sufficient victory for their agenda. As Laura Harnish of the Environmental Defense Fund explains, "the new law has something environmentalists have sought for decades: requiring State Water Resources Control Board to do a public trust analysis… of how much water is required to restore the Delta" (EDF press release). The Environmental Defense Fund was not alone in ultimately supporting the bill; also offering approval were several other members of the environmental coalition, including the California League of Conservation Voters, The Nature Conservancy, The Natural Resources Defense Council, National Audubon Society, The Bay Institute and The Defenders of Wildlife (Simitian press release**).** For these environmental interests, a compromise that acknowledged at least some, though not all of their goals, was deemed to be a bill worthy of their legislative support.

The Sierra Club, on the other hand, did not offer praise to Simitian's bill. As one of the most powerful environmental organizations in the country, the Sierra Club rejected the legislation due to the way the council would be assembled – with four of the seven council members appointed by Schwarzenegger. Defending their opposition, the Sierra Club argued of the danger in creating a Delta management body of unprecedented control with members who lack proper expertise, as they will dictate California water policy for many years to come (Silverfarb). Senator Lois Wolk (D-Davis) also weighed in on the environmental defeat; referring to the potential impact of the canal, Wolk explained, "there has never been a river diversion that resulted in a healthier downstream estuary" (Parrish).

The passage of SB 1 represents a victory for the dense urban populations of Southern California as well as Central Valley agribusiness, despite strong opposition among Delta politicians and factions of the environmental coalition. It is not surprising that a joint interest between California's large urban network and powerful farming industry would result in a legislative triumph – together these two factions represent an overwhelmingly strong political force. In the case of SB 1 and water conveyance, the interests of both the urban growth machine as well as the small but powerful farming elite were preserved, while the goals of the Delta/environmental coalition were essentially disregarded. In order to further identify whose needs were best protected in the California water legislation overhaul, it is also important to examine how each group fared along the second policy matter: water conservation.

A prominent component of Schwarzenegger's water package called for the implementation of a statewide water usage conservation effort. Designed as a method to sustain long-term water supplies for a state with such limited resources, the final text of Senate Bill Number 7 outlines a 20% per capita reduction for urban water users by the year 2020, reaching a halfway mark of 10% reduction by 2015. The details of the legislative text are critical; while the goal of the policy aims to protect future water supplies for *both* urban and agricultural use, the conservation mandate will be applied *only* to urban water users (ACWA "Water Package"). With this in mind, the 19 million Southern Californians have a vested stake in this policy that the Central Valley farmers do not, as urban users alone will face higher prices and smaller quantities to satisfy their water needs.

Taking a stand on behalf of their urban water districts including Southern California's MWD, the ACWA expressed disappointment not only with the bill itself, but with the methods through which conservation will be implemented. Throughout the legislation negotiations, the ACWA recommended that the policy adopt an incentive-based model for conservation, rather than a regulatory-based approach. As the final bill outlined a system of regulatory conservation methods, the ACWA argued the policy would not be cost effective for their millions of urban constituents, who will be forced to pay for water at higher prices and in smaller quantities (ACWA "Water Package").

Conversely, the passage of SB 7 satisfied environmentalists and Delta interests throughout the state who were thrilled to see a legislative ruling in favor of conservation. There were, however, concerns from certain environmental factions regarding the teeth of this initiative. At issue for some groups was the fact that the bill only restricts water use for urban consumers, as opposed to a blanket requirement for the entire state. Juliet Christian-Smith of the Pacific Institute, a water think tank based in Oakland, argues that in order to achieve successful water policy, the legislation should apply not only to urban areas but to agricultural users as well. Christian-Smith insists that for the policy to be truly effective, it would have to enforce restrictions on the agriculture industry, the single largest water user in the state; as this is not the case, she worries the legislation will not carry the huge impact that was hoped for (Zito).

As groups expressed their respective support and disapproval on the legislation, it became clear that agribusinesses successfully defended their industry's

stake in the water conservation measures. With the help of active agribusiness lobbyists, the farming community emerged virtually unharmed from the legislative battle for conservation. Confirming the Central Valley's delight with the legislation, Westlands Water District General Manager Tom Birmingham openly applauded the policy; "the compromise reached by lawmakers will create a more stable and reliable water supply in the future" (Grossi).

The implications of the ACWA's disappointment with the legislation alongside approval from Westlands and most environmentalists run much deeper than water conservation itself. Articulating the interests of MWD, the organization serving 19 million Southern Californians, the ACWA argues the conservation mandate is not in the best interest of their massive urban user base. In the case of SB 7, power-in-numbers proved to be an insufficient factor in influencing the fate of this legislative decision. Westlands Water District, on the other hand, representing just 600 wealthy Central Valley farmers, was pleased with the legislation, as their future needs will be equally protected without having to make subsequent sacrifices in water usage.

Part 3: Who Won this Water War?

I began this essay by considering four criteria through which to determine the locus of political power: *who benefits, who governs, who wins,* and *who shines*? In the case of California's recent water legislation overhaul, we are presented with a complex example worthy of analysis. In comparing the fate of and responses to California's newly passed policies regarding water conveyance and conservation, we can begin to identify the age-old question of political sociology: "who rules?"

In the case of water conveyance, each of the three groups (the Southern California urban masses, the environmental and Delta coalition, and agribusinesses) held a vested stake in the issue. While urban water users shared with Central Valley farmers a need to ensure a steady water supply, environmentalists and local residents hoped to protect the Delta resources by preserving the water in the estuary. The Delta Governance bill, also referred to as SB 1, broached the topic of southbound water conveyance, in the guise of a Delta management body to control decisions regarding water supplies. After months of negotiations, the final text of this bill paved the way for future water movement away from the Delta toward Central and Southern California; in doing so, the interests of the environmental/ Delta coalition fell by the wayside in political defeat.

In addressing the first of Domhoff's four-pronged question, the answer to *who benefits* is quite clear; the new legislation will allow greater ease of conveying water through the state, toward those reliant on Delta supplies – namely, the urban growth machine in Southern California, as well as the state's agribusiness industry. Domhoff

explains the beneficiary criterion: simply put, "those who have the most of what people want are, by inference, the most powerful" (2000:19). With the new protections in place, those south of the Delta will be ensured a steady stream of the state's most valued resource, despite efforts from the coalition to keep both water and political control within the estuary.

Certain factions of the environmental movement expressed content with the newly passed Delta governance policies, yet it would be a stretch to argue that environmentalists truly benefit from the given legislation. While concessions were made to sway support among members of the environmental coalition, their primary goal of protecting the Delta as an estuary and not a water source was not entirely met. Even less regard was paid to the demands of Assemblymember Huber and the Delta residents, who effectively lost control over their prized local resources in what they feel will be insufficient Delta-area representation on the Stewardship Council.

The same logic can be applied to the question of *who governs*, as Domhoff elaborates, "power also can be inferred from studies of who occupies important institutional positions and takes part in important decision-making groups" (2000:20). The American political system, though ideally based on democracy, majority rule and representation, may not always conform to its basic tenants. While political or organizational leaders of various kinds represented each party involved, certain players were granted greater access to Schwarzenegger's political process than others. The ACWA for example, representing water distributors throughout the state, was directly involved in guiding and negotiating the terms for the Delta Governance Bill,

in ways that some formal political representatives, such as Assemblywoman Huber, were not.

In examining which party holds authority in the third indicator area – *who wins* – Domhoff writes, the root of power can be identified "by determining who successfully initiates, modifies, or vetoes policy alternatives" on an issue where disagreement exists between groups (2000:21). In the case of California's water conveyance legislation, there is not necessarily one clear winner but indeed a clear loser; while all three players expressed a vested interest in proposed water conveyance changes, the environmental/Delta coalition proved unsuccessful in manipulating the policy to their needs. On the other hand, both the urban growth network of Southern California and the 600 Central Valley farmers were able to successfully negotiate with the state's political institutions to implement this new policy in their favor.

Domhoff's final gauge of political influence – *who shines* – refers to the figure or entity that is, "derived from a person's or group's reputation for being powerful" (2000:21). In the case of the conveyance legislation, members of the general public as well as politicians attribute the decision-making power to water districts: Westlands, representing Central Valley farmers, and Metropolitan (MWD), speaking on behalf of Southern California. As one *Fresno Bee* journalist observed, "the most powerful voices in the water talks may have been two water districts – one speaking for half of the state's population and the other for just 600 [Central] Valley Farmers"(Grossi). Senator Wolk (D-Davis), echoed this suspicion, speculating that Westlands and MWD "wrote [the water package] in private meetings, and then it emerged in the

middle of the night" (Parrish). Important to keep in mind when considering *who shines*, is that there need not be validity behind peoples' assumptions – the core of this criterion lies in who is perceived to be most powerful.

After examining Domhoff's power indicators as they relate to water conveyance, it is evident that both the urban masses of Southern California and the Central Valley agribusinesses jointly satisfy all four criteria. The environmental/Delta coalition, in comparison, was largely removed from political power as they fail to meet a single qualification of Domhoff's identification index. When two powerful groups, in this case Southern Californians and the wealthy agriculture industry, are aligned in interest on a certain issue, it follows that together they will succeed. The passage of SB 1 illustrates a case where the water needs of Central Valley farmers and Southern California consumers were largely prioritized in the legislative process, despite strong opposition from the Delta and environmentalists. While both the Southern California masses and the Central Valley farmers satisfy Domhoff's criteria on water conveyance legislation, we must also examine how each of the three groups fared along the other major issue – water conservation.

We can begin again with the primary indicator of political authority, examining *who benefits* from the legislative actions taken in California's new water conservation policy. At first consideration, the answer might point to the environmental/Delta coalition – a group that maintained a vested interest in slowing California's water flows throughout the state. However, while the demands of many environmentalists were largely satisfied by the large-scale conservation measures, it could be argued that satisfaction does not itself constitute benefit in Domhoff's

context. If "benefit" is explained as those who hold the most of what people want, the beneficiary in this case is not necessarily the environmentalists, but the Central Valley farmers; consequently, the valuable commodity in question is a cheap and plentiful water supply. By successfully evading the blanket conservation mandate of a 20% per capita usage reduction, the agriculture industry was able to protect their stake in procuring massive amounts of water, as the rest of the state will be forced to cut back.

The urban growth machine of Southern California was not able, however, to share the beneficiary role with the farmers in the case of conservation. The 19 million Southern Californians along with their representative organization, MWD, are left under the new legislation to bear the brunt of water usage reduction efforts, as the mandate is instated exclusively for urban users. Additionally, certain environmental factions expressed disappointment for the strictly urban terms of the conservation policy, further illuminating the benefit of this legislation to the agriculture industry.

Upon consideration of the governing force at play, we again see a victory in the hands of the Central Valley farmers. In examining who occupies the important decision-making positions, it is crucial to consider not just the organizations but also the formal political figures working to secure the farmers' benefit. Stewart Resnick, the billionaire agriculture mogul, is not only extremely successful as a corporate farmer, but also as a political networker. Over the past two decades, Resnick and his wife spent over 1.6 million dollars in political contributions to California governors and lawmakers. They have not, however, maintained allegiance to a particular party, but rather have donated in a non-partisan matter, "with the money following who's

in power" (Williams). As reported by journalist Lance Williams, Resnick's steadfast contributions have granted him access to a number of influential state politicians and "key players in determining state water policy." Garnering close friendships with Schwarzenegger and Senator Diane Feinstein, Resnick had also been given a chairing position on former Governor Gray Davis' special committee on water and agriculture.

Resnick's close ties to Senator Feinstein became especially helpful in the recent water distribution saga, as the farming community's generous financial support left Feinstein somewhat beholden to their interests. After learning of additional proposed water cutbacks in August, Resnick sent a letter to Feinstein urging her to investigate this issue of further water restrictions on the grounds of environmental protections. Within a week, Feinstein had contacted two United States cabinet secretaries, asking the federal government to re-evaluate the proposed Delta protection efforts (Williams).

Feinstein's quick and thorough response to Resnick's request raised some red flags within the state's environmental sector, as well as the media. Jim Metropulos, senior advocate for the Sierra Club, explained in a statement: "It is very disappointing that one person can make this kind of request and all of a sudden he has a senator on the phone, calling up [U.S. Interior Secretary Ken] Salazar" (Williams). Upon being asked himself about the impact of his letter, Resnick told a reporter, "Honestly, I'm not saying we could not have done that, but I don't think that's the way it happened… she just wanted to get to the bottom of this" (Williams). This anecdote calls to attention the very question of *who governs*; even in cases where it appears a

formal political figure may be acting on their own regard, it is helpful to consider who, if anyone, they may be beholden to.

After identifying the Central Valley corporate farmers as both the beneficiary and the governing power with regard to the water conservation policy, it is a short step to also crown them winners under Domhoff's criteria. Faced with a proposal for a blanket conservation target, the agriculture industry and their respective lobbyists managed to successfully defend their best interests. The urban populace, on the other hand, lost this battle on two counts: not only will they now face strict usage reduction limits and rising water fees, but the bill calls for regulatory rather than incentive-based methods, creating an even less cost-effective outcome for urban users. Furthermore, while the environmental coalition may be largely satisfied with the conservation mandate, their victory is not as significant as the farmer's success under Domhoff's framework.

Upon consideration of *who shines* in the case of California's new conservation mandate, we can examine the effect that the water policy overhaul had on the image of the state's formal leader – Governor Schwarzenegger. After years of maintaining a less than favorable tenure in office, the legislative strides taken in this process represent an accomplishment that many citizens and lawmakers might attribute to the governor's leadership. Singing his own praises, Schwarzenegger addressed a crowd upon signing the water package into law:

> I am ecstatic to be here to celebrate this accomplishment. Almost three years ago I stood here… and promised the people of California and the Central Valley that I would do everything I can to rebuild California's crumbling water infrastructure. Today we are delivering on that promise (Rodriguez).

With regards to both the conservation bill and the water overhaul package as a whole, Schwarzenegger arguably holds the position as the shining figure – he has made himself the face, the voice, and the driving force behind the entire legislative process. Key to Domhoff's concept of *who shines*, is that the "shiner" need not be the true locus of power, but rather the figure who gives the façade of authority, regardless of the legitimacy behind it.

So What?

G. William Domhoff explains, in the event that most, if not all, criteria of his power identification index point to one group, it is logical to conclude that this group represents a source of "predominant" power and is a truly "dominant class" (2000:23). As we align Domhoff's power indicators alongside this case study it becomes clear; in California water distribution politics, the "dominant class" is not rooted in population size nor interest group advocacy, but rather in the extremely wealthy, powerful and networked community of corporate agribusiness. Proving counter-intuitive to both pluralist models of power theory, the cases of SB 1 and SB 7 present a strong argument for the class dominance perspective. While Southern California is huge, rich, and densely populated, the corporate farmers of the Central Valley hold a key ingredient for political power that urban masses lack: unwavering and unified political mobilization. In determining who holds political clout in this case and perhaps in others, it appears homogeneity of interest, industry, and wealth reigns over the sheer strength of power-in-numbers or devoted interest group advocacy.

Marc Reisner, one of the foremost scholars of California's turbulent water wars writes: "In the West, it is said, water flows uphill toward money" (1986:12). Twenty-five years after Reisner drew this cynical conclusion, this case study of California's current water distribution policy suggests that perhaps not much has changed.

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Appendix A: California State Map

Image Source: Maponomy
http://www.maponomy.com/california.html

Appendix B: Sacramento-San Joaquin Delta Map

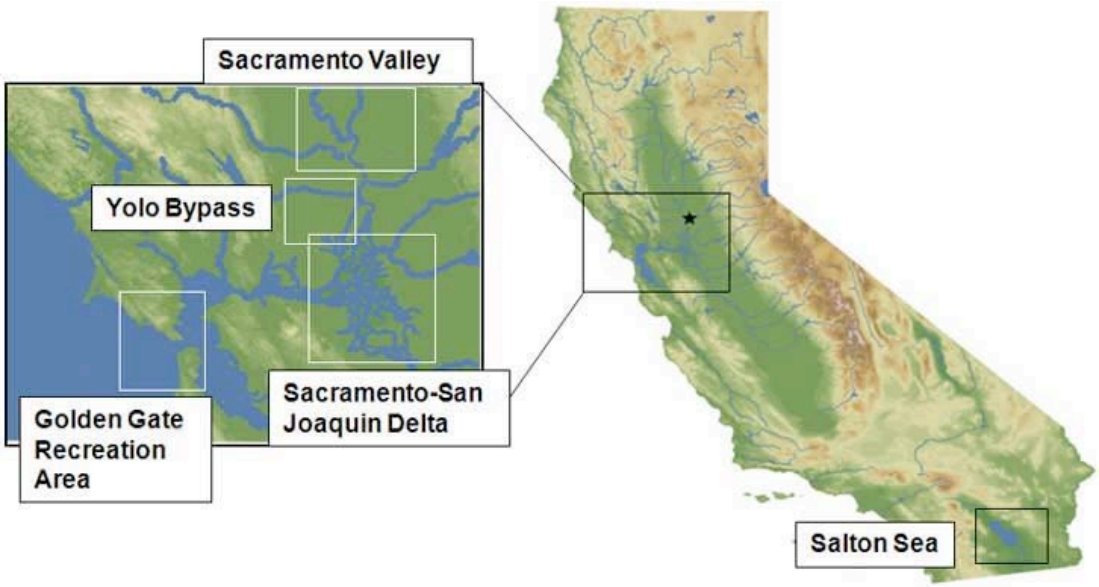

Image Source: United States Department of the Interior
ca.water.usgs.gov /user_projects/toxics/FieldStudies.html

Appendix C: Map of Westlands Water District

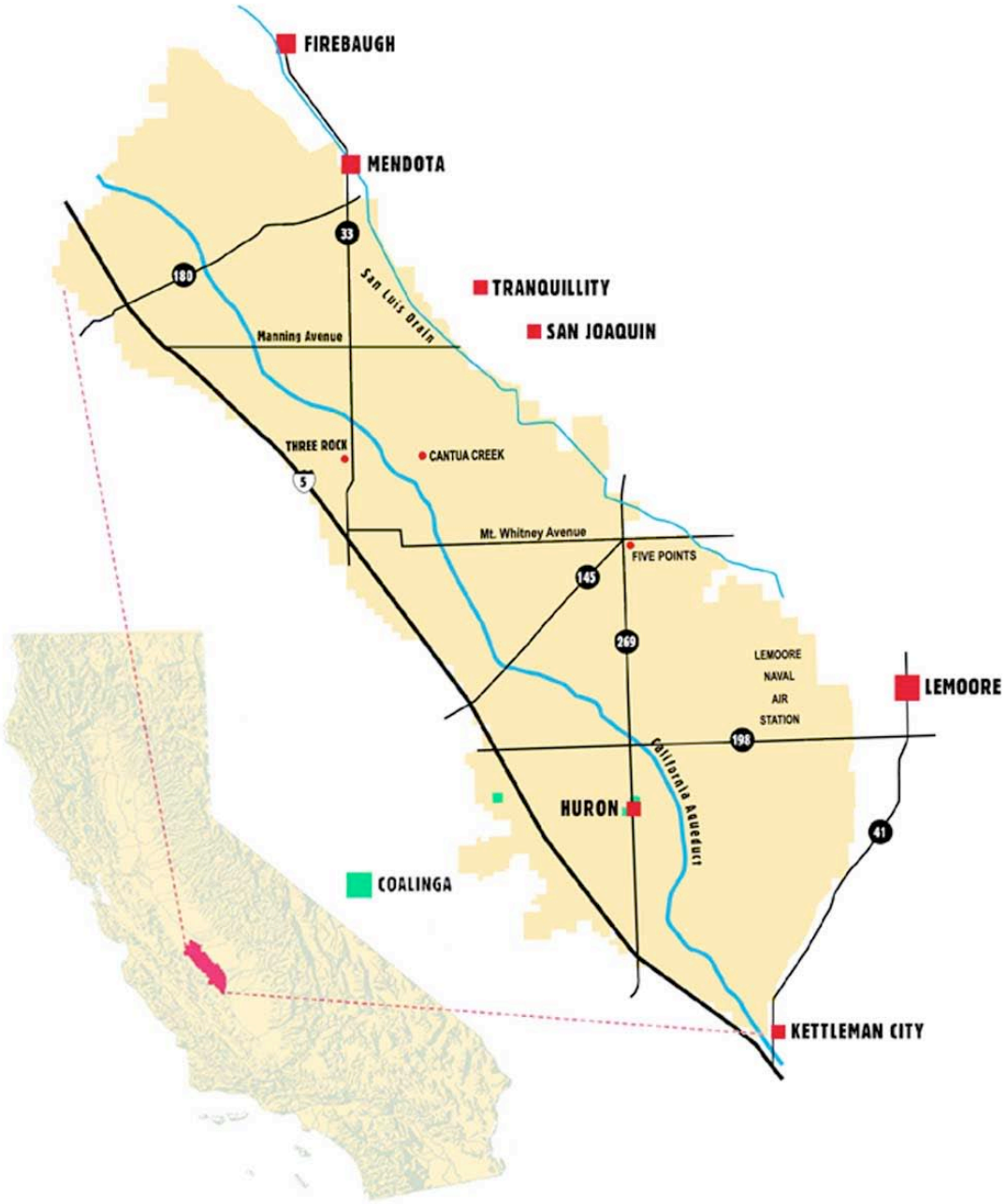

Image Source: Westlands Water District
http://www.westlandswater.org/wwd/aboutwwd/districtmap.asp?title=District%20Map