

Feinstein says she's no Westlands 'shill,' but ...

Stuart Leavenworth, Sacramento Bee, 3-7-10

You know you've struck a nerve with an editorial when, on the very next business day, California's senior senator rings you on the telephone.

That's how I found myself spending an hour recently, engaged in an animated but civil exchange with U.S. Sen. Dianne Feinstein.

Feinstein, calling me from her home near the nation's capital, was responding to a Feb. 27 editorial on her efforts to secure more water for the Westlands Water District, an agricultural giant in the San Joaquin Valley.

Westlands, a federal water contractor that lacks secure water rights of its own, has found itself vulnerable to cutbacks in supplies. Such cutbacks are the result of drought and court decisions aimed at protecting smelt and salmon in the Sacramento-San Joaquin Delta.

Three weeks ago, it was learned that Feinstein was drafting legislation to override federal biological opinions that limit water pumping from the Delta on the behalf of fish. She came under a fair amount of criticism for that move, not just from us, but other newspapers, too.

"I've been crucified by editorial boards up and down the state," said Feinstein.

For the record, I would not describe either of our two recent editorials on Feinstein as a crucifixion. The first one, on Feb. 14, began with these lines: "In her long and mostly distinguished career, U.S. Sen. Dianne Feinstein has championed many environmental causes. At times she has also challenged environmentalists to consider interests other than their own. That's good."

Then it went on to suggest that Feinstein had made a serious error by drafting her measure – one she later dropped.

Feinstein's main reason for calling was to complain that I hadn't made an attempt to obtain details of her bill language before publishing our editorials.

I acknowledged we hadn't sought that information, assuming she (like other senators) wouldn't provide details of a bill that hadn't yet been filed.

In the spirit of openness, I then asked her to go public with the language of her amendment. She declined.

"What's the point?" she asked.

The conversation went on from there.

I asked her why she was devoting such singular attention to Westlands and not some of the other interests hurt by California's water crisis – such as salmon fishermen.

Feinstein responded that she regularly visits the west side of the San Joaquin Valley during harvest time. During her last visit, she said, "It was the closest to civil insurrection that I have ever seen."

Undoubtedly it's tough for certain farmers around Fresno, my hometown. Many have had to fallow land. Some have had to rip up orchards.

On the other hand, as I noted to Feinstein, scores of Fresno farm operations spent the last decade planting almond orchards, even though they lacked secure water rights or adequate groundwater. Is it the government's duty to help farmers who have made such risky decisions?

Feinstein's only answer was that the Central Valley is a major exporter of almonds, and the state should do all it can to protect the industry.

From our conversation, it was clear Feinstein has bought into many of the talking points of Westlands – that smelt in the Delta are being wiped out by predators more than water pumps, that the Delta is being poisoned with ammonia from sewage treatment plants in Sacramento and elsewhere.

Several times, Feinstein made the claim that the state is in a "wet water year," and thus should be able to spare some for farms. Water, she said, was spilling from Shasta Lake.

When I challenged her on that point, she responded. "Want to bet?"

I could then hear her rustling through some papers before conceding that Shasta was well below its capacity.

Why is Feinstein going to bat for Westlands is this way?

Politics is one answer. Farm water is a huge issue for Valley Democrats trying to keep their seats this year. By putting pressure on the Obama administration to favor farmers over fish, Feinstein provides cover for vulnerable Dems, such as U.S. Reps. Jim Costa and Dennis Cardoza and U.S. Sen. Barbara Boxer.

Yet as a U.S. senator who wants a long-term fix to the Delta's problems, Feinstein needs to be careful about playing favorites. Numerous water groups have an interest in the Delta. All are legitimate. All would like to get the same attention Feinstein reserves for Westlands.

"To say that I am a shill for Westlands just isn't right," Feinstein told me.

Perhaps not. But given her actions of recent weeks, she will have to prove it.