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OUR VIEW

Now's the time to limit the Antiquities Act

It's probably not high on the list of its priorities, but we'd like to see Congress revise the Antiquities Act to give legislative oversight to the creation of national monuments.

The Antiquities Act of 1906 has been used by presidents starting with Teddy Roosevelt to create national monuments.

The authority comes with few restrictions. The president, "in his discretion," can designate almost

any piece of federally owned land a national monument for "the protection of objects of historic and scientific interest."

Although the act makes mention of protecting historic and prehistoric structures, there is no statutory definition or limit on what may be found to be of historic or scientific interest. Presidents have used the act to preserve wild areas.

It's easier than establishing a wilderness area, or a national

park — both of which require congressional approval — but can impose similar restrictions on how the land can be used.

Local residents and their elected representatives have no say in the process. At least, they don't in 48 states.

The creation of the Jackson Hole National Monument by FDR in the 1940s so rankled Wyoming pols that when legislation was proposed to merge most of it with

Grand Teton National Park the Congress amended the Antiquities Act to prohibit the president from establishing monuments in that state without its approval.

After President Jimmy Carter created 56 million acres of monuments in Alaska, Congress amended the act to require it also approve Alaskan monuments of 5,000 acres or more.

We would not argue that the Antiquities Act has not preserved

legitimate cultural treasures. We might not have the Grand Canyon in its current state had TR not protected it by making it first a national monument.

But that was a different time. The restrictions that can be placed on ranchers and timbermen throughout the West by these declarations require oversight.

They should have at least the same consideration afforded the people of Wyoming and Alaska.

OUR VIEW

Trump ag adviser offers farmers reason for hope

The cool breeze of reason that recently swept across the nation's farms came from — of all places — the White House.

President Donald Trump's top adviser on agriculture recently spoke at the National Press Club. During his presentation, he talked about the need for less regulation of farming.

"We have to halt the regulatory onslaught," said Ray Starling, former general counsel for the North Carolina Department of Agriculture. "The administration will never lose sight of the fact that the number one farm preservation tool we have is farm profitability, not buzzwords, not catch phrases, or a federal grant program."

He also voiced Trump's support for a reliable ag workforce and trade agreements that offer "open and equitable access to foreign markets."

His comments on the Environmental Protection Agency-funded What's Upstream smear campaign against farmers were equally welcome.

He promised that such a campaign will never be repeated.

"This administration will not allow the EPA to give taxpayer dollars to activist groups who then turn around and put up billboards that attack our farmers and ranchers," Starling said.

Finally, What's Upstream has forever lost its federal Sugar Daddy, the EPA. The agency had bankrolled the Swinomish Indian Tribe and several environmental groups for five years in their efforts to push a 100-foot buffer zone requirement through the Washington State Legislature. As "proof" of the need for the buffer zones, the What's Upstream billboards, bus ads and website showed cows standing in streams — in England and the Midwest. The



Courtesy of ZimmComm New Media
President Trump's special assistant on agriculture Ray Starling speaks March 21 at the National Press Club in Washington, D.C. He said the new administration won't allow the EPA to fund more attacks on farmers, a reference to the What's Upstream campaign.

website also implied that salmon died as the result of some farmer-miscreants, even though the fish in the photos had spawned and died naturally.

But what the lobbying effort lacked in its knowledge of geography and fisheries biology the Obama administration's EPA made up by injecting \$655,000 into it. The effort was so bad, so unfair and so wrong that members of Congress called the EPA leadership on its poor judgment and reckless use of public funds.

Starling's comments were in stark contrast to recent decisions by the Washington state attorney general's office and Public Disclosure Commission. They were responding to a complaint from a group called Save Family Farming, which argued that huge buffers along every river, stream and lake would needlessly take large swaths of land out of production and may put many farmers out of business.

In spite of that, the attorney general's office and the disclosure commission decided that What's

Upstream is OK with them. Their reasoning: If no specific bill is being pushed, it's not lobbying.

Our reasoning is if they are pushing legislation specifically requiring 100-foot buffers, it is lobbying, whether the idea has been given a bill number or not. What's Upstream was clearly seeking support for specific legislation by soliciting letters to lawmakers.

An interesting bit of logic was included in the attorney general's decision. It said that because the money didn't come from the tribe, former EPA Regional Administrator Dennis McLerran or the public relations firm Strategies 360, they cannot be held accountable.

But that logic is fundamentally flawed. While they didn't use their own money to smear farmers, what they did was far worse. They used taxpayers' money.

We look forward to the upcoming report on What's Upstream by the EPA's inspector general. Hopefully, misuse of public money has meaning to that office.

How hard work resulted in collaboration on groundwater

By **NORM GROOT**
and **KIM STEMLER**
For the Capital Press



Guest comment

Norm Groot and Kim Stemler

Something great is happening in Monterey County, Calif. Working together with a broad and diverse coalition of local stakeholders, we took a state mandate that first appeared to be lemons and made lemonade.

As background, in 2014 California adopted the Sustainable Groundwater Management Act, or SGMA for short. The law requires that each groundwater basin deemed as critical establish a groundwater management agency to develop a local sustainable management plan.

This state mandate came without funding, only with a requirement and deadlines. The first requirement is the formation of a new groundwater sustainability agency, due by June 30, 2017.

With a strong desire for an open, transparent process that included stakeholders from all interested sectors of groundwater use, a neutral facilitator was engaged to guide the process. This broad group of 22 stakeholders, known as the Collaborative Work Group, was formed to represent interests including social justice, environment, agriculture, government (county and municipalities), water agencies and utilities, and other affected communities. The group started meeting in February 2016 by laying out ground rules.

Over the next 11 months, meeting twice a month, the group worked collectively to design a new public agency; most significant was an early decision that one single agency would be developed for the entire Salinas Valley Groundwater Basin. As with any group with varied interests and beliefs, there were struggles and intense discussions surrounding the governance structures needed to oversee the agency and its requirements under SGMA. Ultimately, the group formed an agreement and decided on a board of directors of 11 encompassing many of the stakeholder sectors sitting on the group itself.

The group submitted its recommendation for the agency structure to the Board of Supervisors in December for a thumbs-up or -down vote. Fortunately, the result was a big thumbs up, along with an enthusiastic acknowledgment from the supervisors on the depth and breadth of engagement and representation from the various stakeholder communities.

In January and February, the selection process and approval of the 11 directors was completed and on March 9 the first board meeting of the Salinas Valley Basin Groundwater Sustainability Agency was convened. This was time for celebrating the culmination of the Collaborative Work Group efforts over the past year.

Where's the lemonade in this process? Stakeholders with different beliefs and goals came together for the greater good. In forming this agreement, we realized that we didn't need to get groups of people with different inter-

ests to agree on things they don't. Instead, we focused on finding agreement to solve problems, in this case, to set up a structure that meets the requirements of the law and where the stakeholders have a voice. No one stakeholder group got all it wanted, but no one walked away empty-handed either. There was a true spirit of cooperation held in the process, which started early with respectful discussions and treating each other as equals. It took a lot of time to make decisions this way, and it was not always easy or comfortable. But all participants walked away supporting the final decision.

Eric Tynan, general manager of Castroville Community Services District, commented, "The leadership shown by the City of Salinas, the County of Monterey and the Ag Caucus in working together in developing a solution to the very complicated and sometimes divisive water issues should be applauded."

Some may argue that it's not a perfect solution and given that it's a state mandate and everyone has their interests in water, it can't perfectly match everyone's satisfaction. What's important is that diverse groups in Monterey County came together and produced a solution in the true spirit of collaboration.

As this mandate came without any state funding, local interests have funded a major portion of the facilitated process, including the county, City of Salinas, Monterey County Water Resource Agency and the agricultural sector of the Salinas Valley. Everyone had a financial stake in the success of this process because we are all water users.

In the spirit of cooperation and respect, we will continue to work together to accomplish good things for our county, whether it's mandated by law or social construct. This agency formation process should serve as a model of how to get things done locally, without resorting to retreating into our corners or using lawsuits to get our way.

"The Collaborative Working Group shows how distinctly varied interests can actually work together to meet the goal of forming the agency tasked with maintaining the sustainability of a large portion of the Salinas River groundwater basin. It is an honor to have been part of the group," stated Brian LeNeve, environmental representative on the group.

Let's congratulate all of those involved in this truly visionary way to find solutions to complex problems.

Norm Groot is the executive director of the Monterey County Farm Bureau and Kim Stemler is the executive director of the Monterey County Vintners and Growers Association.

OUR VIEW

A missed opportunity to press for more water storage

Last week Gov. Jerry Brown declared California's five-year drought over while proposing new long-term water conservation measures that must be passed by the Legislature.

All Californians can be relieved that the drought has finally passed. Unfortunately, the state's arid climate and its history all but ensure that it will return, so continued conservation measures are not unwarranted. But Brown let pass a perfect opportunity to remind legislators and the public at large about the urgent need to build more water

storage in the state.

It was ironic that Brown's announcement came a few days after our colleagues at the Wall Street Journal published a lengthy editorial excoriating the Golden State for failing to store more water in the wet times for use in the dry times. The Journal pointed out that California's population has increased 70 percent since 1979, but storage has not expanded.

California voters in 2014 passed Proposition 1, a measure providing \$7.12 billion in bond funding for various water projects. The measure

calls for just \$2.7 billion for water storage projects, dams and reservoirs.

It's interesting to note that Brown's father, former Gov. Pat Brown, was largely responsible for the California Water Project, the massive system of canals, tunnels, pumping stations and dams that captures and moves water from the relatively wet north to the dry south.

The senior Gov. Brown clearly appreciated the need for adequate water infrastructure. To be fair, his son is not expressly against building more storage as long as it's part

of a more comprehensive plan that includes extensive conservation and groundwater management practices.

We're all for a holistic approach to water management in California. However, the state's population continues to grow, and just asking more Californians to use less water isn't the answer.

There is strong opposition to new dams among the state's environmentalists. All the more reason for the current Gov. Brown to beat the drum whenever he has the chance.