



RESTORE HETCH HETCHY

Yosemite National Park

May 17, 2024

Cicely Muldoon, Superintendent
Yosemite National Park

By email and U.S. Mail

Re: Interpretation in the Hetch Hetchy area of Yosemite National Park

Dear Cicely:

Thank you once again for meeting with Restore Hetch Hetchy on January 16. We are pleased that NPS plans to install new interpretive signage at Hetch Hetchy in an area that will be visible to visitors.

This letter is a follow-up to our letter of March 12, 2024 regarding interpretation at Hetch Hetchy. The March 12 letter was primarily thematic. This letter is written after thorough review of both signage at Hetch Hetchy and the brochures distributed at the National Park Service entrance station.

Our recommendations below are provided in three parts:

- A repetition of principal themes, as presented in our March 12 letter.
- Discussion of the San Francisco Public Utilities Commission and National Park Service brochures distributed at the Hetch Hetchy entrance station.
- Comments on the specific signs within the Hetch Hetchy area of Yosemite National Park – organized by sub-area.



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In summary:

- The NPS brochure should more accurately reflect the history of the Raker Act and the role Hetch Hetchy Reservoir plays as part of San Francisco’s Regional Water System.
- The NPS should distribute only its own materials and should not distribute the San Francisco Public Utilities Commission’s brochure. The fact that the SFPUC brochure includes inaccurate and misleading statements is particularly problematic.
- National Park Service signage at or near the dam site should reflect Hetch Hetchy’s natural and human history, rather than relegating key elements to a seldom seen location near the visitor’s entrance.
- NPS signage should accurately reflect regulations at Hetch Hetchy, and these regulations should comply with the Raker Act and other relevant federal and state laws.

Principal themes – the unprecedented decision to allow a dam in a national park and the services it provides.

The decision to allow a city to build a dam in Hetch Hetchy Valley was one of historic importance – a point on which proponents and opponents agree. Restore Hetch Hetchy recommends that the following pertinent facts about this decision and the role of the dam today include:

- Hetch Hetchy Valley and the Tuolumne River watershed were included as part of Yosemite National Park when it was created in 1890.
- San Francisco’s requests to build a dam and reservoir at Hetch Hetchy were twice rejected as inconsistent with the purpose of a national park.
- After suffering an earthquake and subsequent fire in 1906, Congress passed the Raker Act amidst nationwide controversy allowing San Francisco to dam and flood the valley.
- The dams at Hetch Hetchy and Eleanor remain the only time in United States history that dam building has been allowed in an existing national park.
- Less than three years after passing the Raker Act, Congress passed the National Park Service Act, creating the NPS and establishing criteria for the management of all parks.
- Hetch Hetchy Reservoir is one of nine storage reservoirs within San Francisco’s Regional Water System, which serves communities in four Bay Area counties. (Many people are confused, believe Hetch Hetchy Reservoir is the system’s only storage reservoir and, in fact, describe “Hetch Hetchy” as the source of San Francisco’s water. This is factually incorrect. The Tuolumne River is the source of most of the system’s water. No other water utility describes one of its reservoirs as a “source” of its water.)
- Hetch Hetchy Reservoir makes it possible to generate electricity at downstream hydropower plants. Note the State of California does not consider “large” hydropower plants, including the San Francisco Public Utilities Commission’s Kirkwood, Holm and Moccasin facilities to be “renewable”.

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- The Raker Act, the legislation that authorized construction of Hetch Hetchy Reservoir, provides rules to protect water quality in the reservoir, specifically including:
 - No human excrement, garbage, or other refuse may be put in the reservoir or any stream within 300 feet.
 - It is not permitted to swim or bathe, to wash clothes or dishes, to water stock or in any way pollute, the reservoir or streams within one mile of the reservoir.

San Francisco's brochure

Fundamentally, the NPS should not distribute the San Francisco Public Utilities Commission's materials. The NPS should provide visitors its own information about the Hetch Hetchy area, including the unique presence of O'Shaughnessy Dam and Hetch Hetchy Reservoir.

Elements of the SFPUC brochure which are incorrect, misleading or otherwise improperly presented include:

- The source of water for Cherry Valley Reservoir should include Eleanor Creek, as most of the water from Eleanor Creek is diverted out of Lake Eleanor (and Yosemite National Park) into Cherry Valley Reservoir.
- The brochure states that the SFPUC collaborates with NPS to protect water quality. This is true, but the collaboration is limited by the Raker Act. This blanket statement is misleading, especially given that the brochure includes reference to the SFPUC's filtration exemption (as such collaboration is specifically precluded by the Raker Act).
- The brochure calls the Hetch Hetchy Regional Water system a "20th Century Engineering Marvel". This statement is both hyperbolic and false for a number of reasons, including:
 - It took San Francisco 21 years to deliver water to the Bay Area after the Raker Act was passed. By comparison, the East Bay Municipal Utilities District completed its project on the nearby Mokelumne River in only 5 years, beginning *after* and finishing *before* San Francisco.
 - The Hetch Hetchy Regional Water system suffered repeated and significant cost overruns, to the point where City newspapers mocked Chief Engineer Michael Maurice O'Shaughnessy by calling him "More Money O'Shaughnessy"
 - A 1932 methane gas explosion killed 12 workers who were constructing the Coast Range Tunnel.
- The brochure brags that "No filtration is necessary." Any NPS association with this statement is expressly precluded by Raker Act Section 9(a) fifth.
- Hydropower facilities in excess of 30 megawatts do not qualify as renewable under California law, so the brochure should not describe San Francisco's hydropower as "renewable".
- The ecosystem of the Tuolumne River below O'Shaughnessy Dam is significantly altered. Approximately 2/3 of all releases from the dam are diverted into the Canyon



Tunnel and away from the Tuolumne River. The statement “Downstream of O’Shaughnessy Dam, the diverse ecosystem of the Tuolumne River is maintained by water released from the dam” is not justified.

- The brochure states “fishing is allowed on Hetch Hetchy Reservoir”. This is misleading as visitors are not allowed to go below the reservoir’s high water line, making fishing impossible. We urge the NPS to reverse its policy and allow access to the reservoir. Under current regulations, however, fishing is not really allowed.

National Park Service brochure

Restore Hetch Hetchy has previously asserted that boating and access below the high water mark of Hetch Hetchy Reservoir not only should be allowed but they must be allowed. These prohibitions contravene the Raker Act.

The brochure’s text should be enhanced to better emphasize the importance of the battle over Hetch Hetchy. Broad support for preservation should include the great many newspaper editorials which opposed the proposal to build a dam in a national park.

Restore Hetch Hetchy recommends replacing:

Preservationists led by John Muir wanted Hetch Hetchy to remain untouched. Launching a campaign for the protection of the valley, they maintained that another location for a reservoir could be found outside of the national park.

With:

Preservationists led by John Muir and supported by more than a hundred newspapers nationwide wanted Hetch Hetchy to remain untouched. Launching a campaign for the protection of the valley, they maintained that another location for a reservoir could be found outside of the national park.

Although the preservationists lost this battle, the damming of the Hetch Hetchy Valley raised public awareness about the importance of preserving nature, and helped justify the creation of the National Park Service in 1916.

Further, the unprecedented nature of the Raker Act should be mentioned.

Restore Hetch Hetchy recommends replacing:

Congress passed the Raker Act in 1913, authorizing construction of a dam in Hetch Hetchy Valley, as well as a second dam at Lake Eleanor.

With:



Congress passed the Raker Act in 1913, authorizing construction of a dam in Hetch Hetchy Valley, as well as a second dam at Lake Eleanor. Subsequent proposals to build dams in Grand Canyon and Yellowstone National Parks have been rejected.

The importance of Hetch Hetchy to water delivery in the Bay Area is overrated as it is one of nine storage reservoirs in the system. Also, it is an overstatement to say it is “clean” – the water requires treatment with chloramine (chlorine and ammonia) and ultraviolet light before it can be safely delivered to customers.,

Restore Hetch Hetchy recommends replacing:

Today the reservoir holds 117 billion gallons of clean drinking water, supplying over 2.7 million Bay Area resident and businesses.

With:

Today the reservoir holds 117 billion gallons of drinking water, and is part of a system supplying over 2.7 million Bay Area resident and businesses.

Park Entrance

- Day use hours are posted at the Hetch Hetchy entrance. Restore Hetch Hetchy renews the request that access be allowed 24 hours a day as it is at Yosemite’s other entrance stations, with exceptions due to weather and extraordinary circumstances.
- The interpretive signage related to the human history of Hetch Hetchy that lies just inside the entrance gate is of little use as visitors seldom see it. This signage, with improvements (see above and below), should be located on the dam or in the parking lot adjacent to the dam.

Cabin Area

Restore Hetch Hetchy renews our contention that San Francisco’s exclusive use of cabins, which it describes as Cabin 1, Cabin 2 and Bunkhouse, is not legal. The cabins are used recreationally and are not “properly incident to the construction, operation, and maintenance of said water-power and electric plants” as required by the Raker Act.

Regarding signs in this area:

- The sign “Access For Registered Guests only” on the Bunkhouse should be removed.
- Restore Hetch Hetchy notes a sign indicating the Bunkhouse is handicap accessible, whereas the campground is not – a possible violation of law.



- The “Trail to Campground” sign is well marked, but the trail itself is hard to follow only a few yards from the sign. Visitors should not be encouraged to follow a trail that is poorly marked.

Existing signs on O'Shaughnessy Dam

Restore Hetch Hetchy has no objection to San Francisco’s existing plaques on the dam. All other the signage on the dam should be developed, approved and installed by the National Park Service.

We have the following comments on the signs in place on the dam.

- Restore Hetch Hetchy renews its objection to the prohibition of boating, and contends the prohibition has no basis in law.
- Restore Hetch Hetchy renews its objection to the prohibition of access below the high water mark of Hetch Hetchy Reservoir, and contends the prohibition has no basis in law.
- Restore Hetch Hetchy renews its objection to limited day use hours.
- The “Hetch Hetchy Reservoir and O'Shaughnessy Dam” sign should be improved as follows:
 - Language related to the devastation caused by the earthquake is misleading. San Francisco had water in local reservoirs, but pipes within the City had broken. It would be more correct to say “The devastation spurred City leaders to improve pipes within the City as well as seek additional supplies for future use.”
 - The opposition to the dam, nationwide and not limited to John Muir, should be better acknowledged. Restore Hetch Hetchy recommends “Preservationists led by John Muir and **supported by more than a hundred newspapers nationwide** wanted Hetch Hetchy to remain untouched.”
- The “Producing Clean Renewable Energy” sign should be modified. Large hydropower is not considered renewable under California law.
- The “Water Quality at Hetch Hetchy” sign should not include the words “The Tuolumne River flows gracefully through Yosemite National Park.” The Tuolumne River does not flow gracefully through Hetch Hetchy Valley. Also, below Hetch Hetchy, 2/3 of the river is diverted into the Canyon Tunnel.
- The “Hetch Hetchy Railroad” sign has little value. If it is kept, it should not describe Michael O’Shaughnessy as brilliant. The project took 21 years to complete, was way over budget and killed 12 workers in a gas explosion.

Parking Lot (nearest the O'Shaughnessy Dam)

The sign states fishing is allowed from the bank of the reservoir. Other park materials state, however, that access below the high water mark of the reservoir is not allowed – making fishing impossible.

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The sign also states that Hetch Hetchy Reservoir “also provides access to spectacular beauty and some of the most pristine wilderness in California”. This is inaccurate. The reservoir does not provide access, rather it impedes access. Better to say “Beyond the reservoir lies spectacular beauty and some of the most pristine wilderness in California.”

Hetch Hetchy Campground

The many signs clarifying that the water at the Hetch Hetchy campground is non-potable are clearly important.

It is imperative that potable water be made available. Raker Act Section 9(p) provides:

The said grantee shall further lay and maintain a water pipe, or otherwise provide a good and sufficient supply of water for camp purposes at the Meadow, one-third of a mile, more or less, southeasterly from the Hetch Hetchy Dam site.

Restore Hetch Hetchy contends that any reasonable person would construe the meaning of this provision the word “good” to mean potable. Restore Hetch Hetchy is pleased that the SFPUC is planning on providing this potable water. We are dismayed that it will take more than 100 years after the reservoir’s completion to do so.

Thank you for your consideration. Restore Hetch Hetchy is available to discuss any or all of these recommendations at your convenience.

Sincerely,


Spreck Rosekrans
Executive Director