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August 6, 2012

Members, Ballot Simplification Committee  
Department of Elections  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 48  
San Francisco, CA 94102

Re: Comments on Request for Reconsideration of Approved Digest for "Water and Environment Plan"

Dear Members of the Ballot Simplification Committee:

On behalf of Save Hetch Hetchy, we would like to thank each of you for your thoughtful consideration of the ballot digest at last week's hearing. We write in opposition to the request for reconsideration filed by Spreck Rosekrans and Lance Olson.

In short, we believe that the digest approved by the Ballot Simplification Committee ("BSC") correctly describes that the purpose of this measure is to develop a plan to drain the Hetch Hetchy Reservoir and we urge the BSC to reject the request for reconsideration. The request for reconsideration urges the Ballot Simplification Committee to amend the digest to use "...end the use of Hetch Hetchy Reservoir..." rather than "...drain the Hetch Hetchy Reservoir..." when discussing the two-phase plan proposed by the initiative. The BSC should not accept this invitation to use euphemistic language when plain language will suffice and should maintain the use of "drain" which clearly conveys the purpose of the initiative. It is worth pointing out that Restore Hetch Hetchy ("RHH"), the nonprofit organization which has placed the measure on the ballot, regularly uses the term "drain" to describe the goal of RHH and its initiative. Enclosed please find printouts from the RHH website which use the term "drain," along with a snapshot of RHH's Facebook page which shows that RHH's profile picture is a copy of the front page of the San Francisco Examiner which contains the headline "Drain it!" and a picture of the Hetch Hetchy Reservoir.

Again, we urge the BSC to reject this request for reconsideration rather than adopt the Orwellian language suggested by the initiative proponents.

We look forward to discussing with you at tomorrow's meeting.

Very truly yours,



Kevin R. Heneghan  
Campaign Counsel for Save Hetch Hetchy



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## About Restore Hetch Hetchy

The mission of Restore Hetch Hetchy (RHH) is to return the Hetch Hetchy Valley in Yosemite National Park to its natural splendor while continuing to meet the water and power needs of all communities that depend on the Tuolumne River. In order for this to occur, the City of San Francisco must agree to drain the Hetch Hetchy reservoir and return the valley to the control of the National Park Service.

The goal of RHH is to win approval for restoration of the valley from San Francisco voters by the end of 2012 and to secure state and federal funding for restoration of the valley by 2014.

### Background

Situated inside Yosemite National Park, this remarkable glacial valley was described by John Muir as "one of nature's rarest and most precious mountain temples." The pristine Tuolumne River once cascaded along the Hetch Hetchy Valley floor, surrounded by flowered meadows and ancient forests and, like Yosemite Valley, Hetch Hetchy was considered one of the most unique and diverse ecosystems in the world. Initially protected by the establishment of Yosemite National Park, the city of San Francisco won congressional approval in 1913 to build a dam and bury this extraordinary wilderness valley under 300 feet of water. John Muir's unsuccessful efforts to prevent the destruction of the Hetch Hetchy Valley featured prominently in the recent Ken Burns series "The National Parks: America's Best Idea."



Modern engineering advances now afford us the opportunity to create one of the most ambitious and exciting environmental restoration projects in human history.

A restored Hetch Hetchy Valley will result in:

- The recreation of nine miles of the wild and scenic Tuolumne River
- The regeneration of three square miles of extraordinary wilderness
- The restoration of habitat for thousands of animal and plant species
- The creation of miles of hiking trails and multiple camp grounds
- The development of an international "classroom" for restoration scientists and students

Under the terms of the Raker Act, which authorized the destruction of Hetch Hetchy Valley, the City of San Francisco does not need federal approval to drain the reservoir and restore the valley. However, the city charter

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 Online Fundraising by DoJiggy

- Where will SF's water be stored?
- How will the valley be restored?
- What will a restored valley look like?
- What about power generation?
- What will it take?**
- The Original Valley
- Nature's Garden
- Timeline



Photograph courtesy of David Best

### What will it take?

The Hetch Hetchy reservoir is owned and operated by the City and County of San Francisco. Authorized by congress in 1913, the use of the Hetch Hetchy Valley as a water storage facility is subject to both federal and state controls. There are three primary institutions that can and should authorize the removal of the reservoir:

- The United States Congress can vote to amend the Raker Act and require San Francisco to return control of the Hetch Hetchy Valley to the National Park Service. San Francisco's right to use Tuolumne River water would not be affected by the loss of the reservoir.
- The courts can find San Francisco in violation of the Raker Act and/or the California Constitution and instruct San Francisco to remove the reservoir from Hetch Hetchy Valley so that it can be restored.
- The people of San Francisco can vote to find alternative storage for its water supply, drain the reservoir and return the Hetch Hetchy Valley to the control of the National Park Service in order that it can be restored.

**Read RHH's  
Ballot Initiative  
Here**



Restore Hetch Hetchy is leveraging its grassroots support to influence all three decision makers. On any given weekend, volunteers can be found on the street corners of San Francisco talking with residents about the opportunities for restoration. Additionally, Restore Hetch Hetchy recently hired the law firm of Hogan Lovells, LLC and has developed a "braintrust" of California environmental and constitutional scholars in order to begin to pursue a parallel legal strategy.

If you would like to be a part of this important effort, please contact us today.

**Take Action**

- Become a Member
- Donate
- Volunteer
- Muir's March
- Make a Bequest
- Follow Us Online



Photograph courtesy of David Best

## How to Get Involved



Returning Hetch Hetchy Valley to the American people after nearly 100 years is a bold proposal. Achieving this goal will require a broad public participation and the commitment of visionary leaders. Just as the battle to protect Hetch Hetchy Valley in 1913 was a pivotal moment in the national environmental conservation movement, the current battle to restore Hetch Hetchy Valley can prove to be a watershed moment in the fledgling national environmental restoration movement.

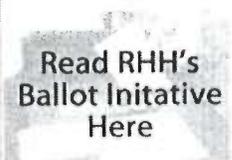
Under the terms of the Raker Act, which authorized the flooding of Hetch Hetchy Valley, the City of San Francisco does not need federal approval to drain the reservoir and restore the valley. However, the city charter of San Francisco will have to be amended by a simple majority of voters within San Francisco to authorize removal of the reservoir and return control of the valley to the federal government. Additionally, state, federal and private resources will need to be raised to restore the valley and cover the cost of retrofitting San Francisco's water delivery system to accommodate the transfer of storage.

We can't win without your help. We need you to:

1. Call your representative (federal, state and/or local)
2. Make a donation
3. Volunteer
4. Host a house party

**More Articles...**

- Donations
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**Public Opinion Poll Results Registered Voters of San Francisco**

If Restoration Increases Water/Power Rates

42% Support  
 43% Oppose  
 14% Undecided

If Restoration Does NOT Increase Water/Power Rates

59% Support  
 31% Oppose  
 9 % Undecided

Poll conducted by David Binder Research, Inc

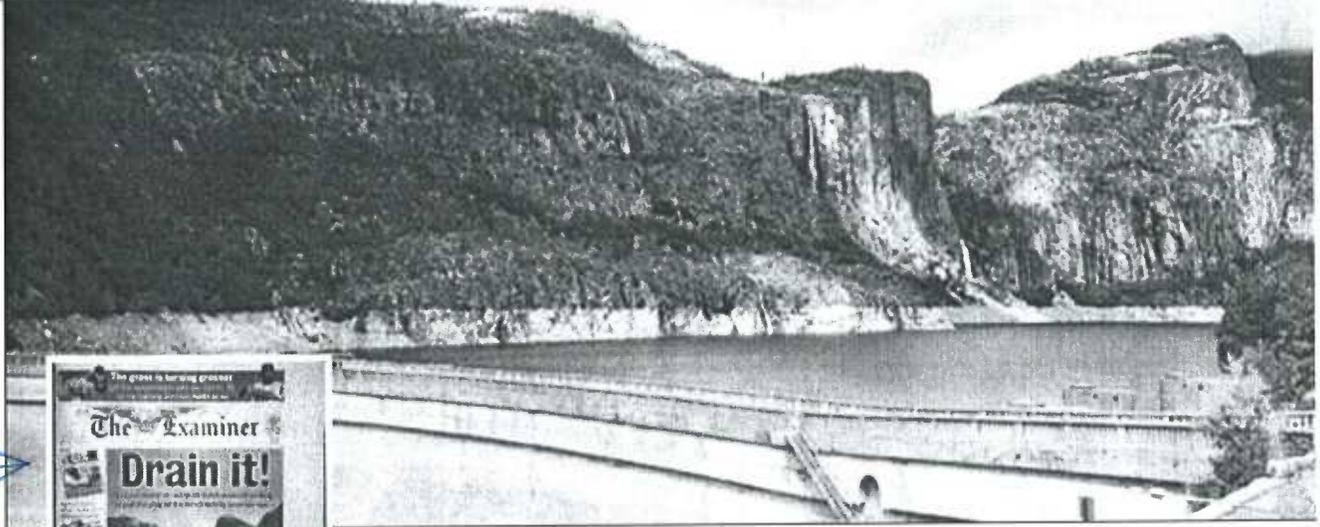
Margin of Error: +/- 4% July 2010



**RESTORE HETCH HETCHY FACEBOOK PAGE 8/6/2012**

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**Restore Hetch Hetchy**

1,859 likes · 30 talking about this · 44 were here

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Non-Profit Organization

The mission of Restore Hetch Hetchy (RHH) is to return the Hetch Hetchy Valley in Yosemite National Park to its natural splendor — while continuing to meet the water and power

About



Photos

1,859

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Map



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**Restore Hetch Hetchy**  
15 hours ago

All of our Muir's Marchers came in safe and sound yesterday!  
Watch for pictures this week.

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**Monica Kiser**

@ This past weekend my parents and I went and visited I