

Lawsuit Asserts Yosemite's Hetch Hetchy Reservoir Violates California Law

Restore Hetch Hetchy's petition alleges reservoir's diversion of water unreasonable; 'Not One Drop of Water Need be Lost in Restoration'

OAKLAND, CA- April 21, 2015 - [Restore Hetch Hetchy](#) (RHH) today filed a petition¹ in Superior Court in Tuolumne County asserting that the Hetch Hetchy Reservoir in Yosemite National Park violates the water diversion mandates of the California Constitution.

California's Constitution² requires that the manner of diverting water out of streams and rivers must always be reasonable. Restore Hetch Hetchy's petition alleges that since there are many feasible alternatives for diverting the water downstream of Yosemite and allowing the Tuolumne River to flow through Hetch Hetchy Valley in a pristine state, the existing reservoir violates the law.

"Hetch Hetchy Valley in Yosemite National Park was once one of our nation's most treasured landscapes. Its destruction, allowed a hundred years ago, is widely regarded as a mistake - a mistake that we don't need to live with," said Spreck Rosekrans, Executive Director of Restore Hetch Hetchy. "The time has come to have a conversation about the merits of restoration in a court of law."

The petition:

- alleges the existing reservoir violates state law,
- alleges that no water supply need be diminished, and
- recommends San Francisco be given time to implement necessary improvements.

Environmentalists, leading citizens and government officials have long called for restoration. "This is an important day for restoration of the Hetch Hetchy Valley. Yosemite is, after all, a UNESCO World Heritage Site, so restoration is important not only to Americans but to people from around the world," said David Mihalic, one of three former Superintendents of Yosemite National Park who serve on Restore Hetch Hetchy's National Advisory Committee.

ABOUT RESTORE HETCH HETCHY: The mission of Restore Hetch Hetchy 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. It is a non-profit, 501(c)(3) organization.

Restore Hetch Hetchy is represented in the lawsuit by Michael Lozeau, an attorney with Lozeau Drury LLP, a public interest environmental law firm based in Oakland, California and Richard Frank, Professor of Environmental Practice at the U.C. Davis School of Law.

IMAGES: High-resolution digital photographs of the Hetch Hetchy Valley, both before and after its flooding, and broadcast-quality video footage of the Hetch Hetchy Reservoir are available upon request.

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¹ Case number CV59426 in Superior Court in Tuolumne County

² http://www.leginfo.ca.gov/const/article_10