

# The Young Man





# and The River

THE NEW MELONES DAM HAS BEEN READY FOR YEARS; JAMES WATT WANTS THE RESERVOIR FILLED THIS SPRING. BUT MARK DUBOIS IS A VERY DETERMINED OPPONENT, AND THE STANISLAUS RIVER IS HIS LIFE.

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by James D. Houston

**I**N THE SPRING OF 1979, while the buckeye trees were blooming, a young outdoorsman named Mark Dubois headed downstream to a remote spot on the Stanislaus River and chained himself to a boulder. Before snapping shut the padlock, he hid the key in a spot known only to himself. He planned to stay put until the waters rising behind the New Melones Dam covered him, or until someone assured him that the part of the world he cared about most would not be buried under 200 feet of new reservoir. As he sat down to wait, he was truly prepared to die.

His opponents have tried to simplify his cause, saying he was just another bearded romantic who wanted technology to go away so he could have his favorite bit of wilderness all to himself. But Dubois, like all of us, is immersed in technology. Even on the day he took his stand, he had to travel over well-banked, federally financed roads on the way to his hiding place. Technology itself was not the dragon. *Too much* technology was. Overkill.

Nearly three years have now passed since that spring. While numerous other river-threatening crises and deadlines have come and gone, the New Melones has not yet been filled, and the nine miles Dubois calls the upper canyon are still open. But the Stanislaus remains endangered, and at the time of this writing, another deadline looms.

Since last October, when early rains released the first trickles of seasonal runoff, the New Melones reservoir has been slowly gathering water. Sometime this winter it will reach, perhaps surpass, 808 feet above sea level, the maximum agreed upon in 1979 by Friends of the River (FOR), the state of California, and the U.S. Army Corps of Engineers in what came to be known as the Parrott's Ferry Compromise. The 808-foot level preserves the upper canyon from

inundation, and FOR (where Dubois now heads the board) wants the water to go no higher.

But Interior Secretary James Watt, who now controls the Water and Power Resources Service, formerly the U.S. Bureau of Reclamation, which in turn now controls the dam, would like to see the New Melones filled as high as possible as soon as possible. In a year of normal runoff, this could mean that four more miles of canyon above the

# AT 16, DUBOIS WAS A LONER. THE RIVER GAVE HIM CONFIDENCE, AND THEN IT GAVE HIM A JOB.



To fight the dam, Mark left the white water for "the river of politics."

Parrott's Ferry Bridge might be covered by late spring.

Recently I drove with Mark Dubois out to the upper canyon of the Stanislaus, to hear his story first-hand and to take a look at what he has spent seven years trying to save.

**W**E LEAVE FROM SACRAMENTO, heading south into the morning heat of the Central Valley, which is kept rich and fertile and productive by the water that pours down from the Stanislaus and from the 20 other bountiful tributaries that carry snow-melt from the Sierra Nevada into the lowlands.

I have lived most of my life on this coast with never more than a dim awareness of the plumbing system—the enormous network of rivers, lakes, and waterworks, fanning out in all directions, that determines how and where California will grow. Talking to Dubois you have to talk about all of it at once: the rivers, the water, the watershed, soil chemistry, flood control, human thirst, federal payoffs, urban sprawl, wildlife, the future and the past. Talking about where one river has led him, he paraphrases John Muir: "When we try to select any one thing, we find that it is connected to everything else in the universe."

He speaks of the Stanislaus as if it were alive—the flowing water, the ferns and trees along the banks, the fish and the insects, and the play of light through spider webs and buckeye leaves all forming one intricate organism. Listening to him describe these things, you soon realize

that whatever beliefs he now holds—about watershed management, balanced use of resources, and so on—came second. What came first was the river. It has been, and still is, the center of his life.

As we drive, he talks fast, almost non-stop, pausing only for moments, with a small intake of breath, for centering, as some Buddhist teachers do, though when I mention the Buddhist connection he is surprised. He has never thought of it. His clothes are plain, a green short-sleeved shirt, green twill trousers, shoes scuffed and bursting at the edges. His brown hair is short, his brown beard close-cropped, his brown eyes direct and clear.

At 32, he is six foot eight. He sits with the slight hunch of a man who has for years been leaning or bending or dipping his head to talk and listen. As a high-school freshman in Sacramento, he was already six foot plus. A lanky kid who had grown very fast, he had the height to high-jump or play basketball, but he was too loose-limbed to do well. He shied away from competition. He was a loner then, uneasy with sports, uneasy with people.

At 16 he started exploring limestone caves along the upper reaches of the Stanislaus, about two hours south and east of his home town. Once he learned to drive he was up there every weekend—with friends, or alone, hiking the trails, climbing the rocks, sometimes prowling in caves no one had entered since the last Indian was there. He had found a pastime full of excitement and free of competition, a physical challenge that put him in close touch with the riches of the

wilderness. "It was just me and the rocks," he says with a grin.

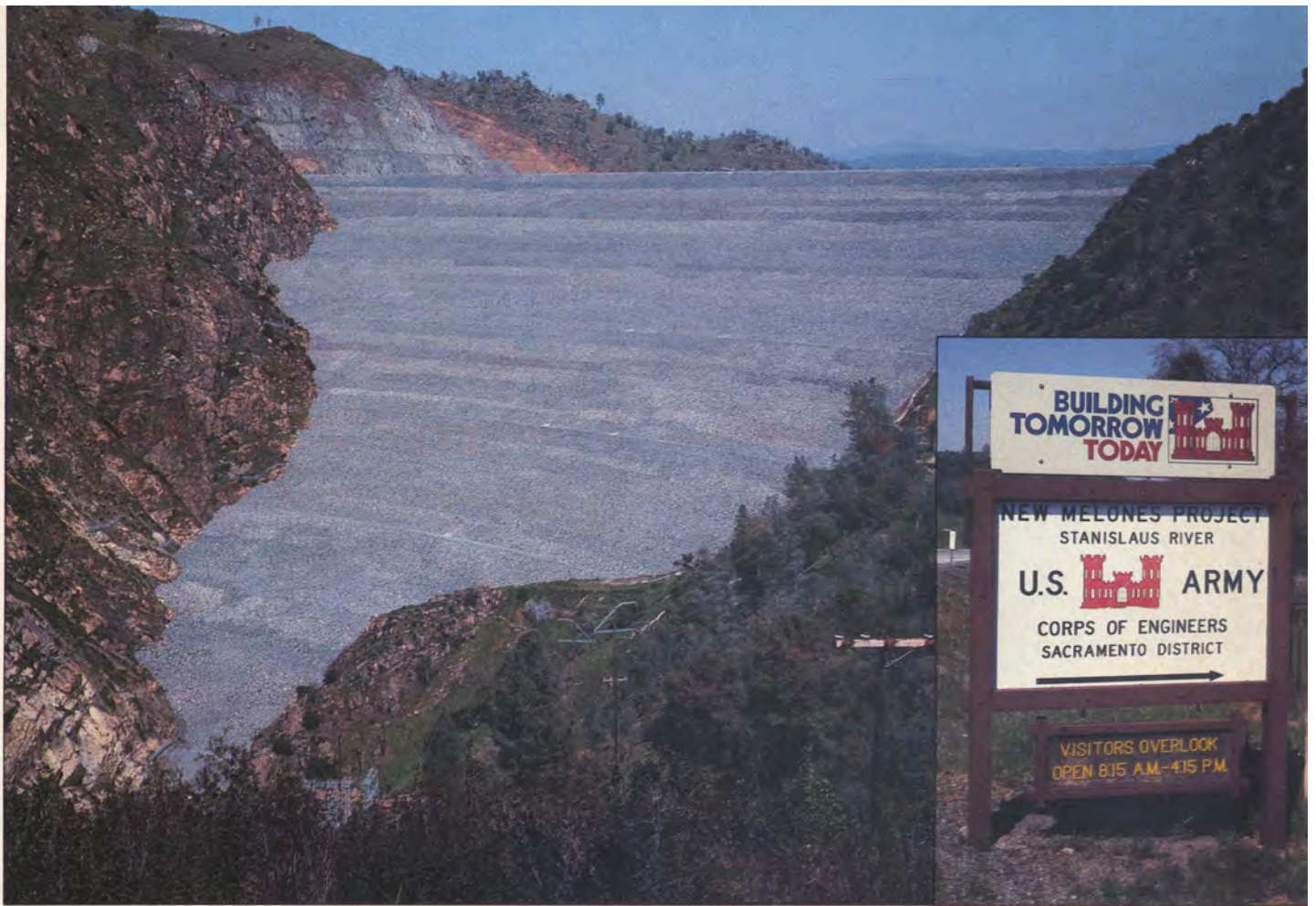
When he started rafting, a couple of years later, it took him a while to get the feel. "I broke eight oars the first season," he recalls. But soon he was spending weekends on the water instead of in the caves. Again there was no competition, just him and the river, the snags and boulders, the flood time, the low time, the power and the flow.

The river gave him confidence and a sport to excel at. Next it gave him a job. He was working weekdays in Sacramento and weekends guiding parties down the Stanislaus, which happened to be one of the country's most popular white-water runs. Eventually he became a full-time head boatman, at which point, in an unexpected way, the river began to put him in closer touch with unfamiliar parts of himself.

As a guide he was meeting people from many parts of the state. "Taking them down the river," he says, "there is an equalizing factor. You're all wearing the same uniform, or the same nonuniform. The other identities are left behind. Except for the ways people speak, you have no clue where they're coming from. Secondly, you have this incredible fear. You are immediately plunging down the huge rapids, and everyone is hanging on, really wondering if they're going to survive, and all of a sudden you have exposed your emotions to everyone else. All of a sudden we saw that we were human. It was exciting, talking to people of every status, as I was slowly learning to dance with this river. There were some surprising dialogues, talking about fear, and other feelings. You see, prior to that I had not talked with anyone about any of my feelings."

As of 1973 Mark was in his early twenties. He had dropped out of college, one exam shy of a degree in anthropology. With two partners he had formed a small rafting group on the river. In between paying customers, they gave free trips to handicapped kids, ghetto kids, free-school kids. By that time he knew his river was in some kind of trouble. Somewhere in the near future a dam was looming.

"I always felt guilty about not doing a little more," he says now. "As a guide I knew about the letter-writing campaigns. I'd write once in a while myself. Part of my justification for continuing to play on the river was this very backdrop of the idea that its days were numbered. We were having great experiences with these kids, sharing what we knew. We taught them about stars, and edible plants,



*As dams go, the New Melones is a masterpiece, the second highest earth-filled dam in the country.*

about the critters that live in the water and on the banks. We talked about where water comes from, so that when they got back home they'd be more conscious about switching off lights, turning off faucets. But gradually it dawned on me that this place was going to get destroyed unless some of us who cared about it went down into the cities, where decisions about rivers get made."

**T**HE STANISLAUS RIVER is 120 miles long, with headwaters in the high wilderness, between Lake Tahoe and Yosemite. Thirteen dams had already been built on this river. When the environmental movement went public in the early 1970s, it collided with the long-percolating plans to construct a 14th dam across the Stanislaus. The New Melones, as it would be called, had existed on paper for almost 30 years. It was authorized by Congress in 1944, part of the huge Central Valley Project. No dirt was turned until 1966, when access roads went in and an observation point from which spectators could watch the cranes and the Caterpillars.

Construction on the dam was scheduled to begin in 1972. But the new consciousness had spawned a countermove, a plan to preserve two surviving stretches of unspoiled riverscape as Wild and Scenic Recreation Areas. The original purpose of the New Melones, back in 1944, had been flood control. A much smaller

dam, it seemed, could still impede flooding yet save the upper gorge. A new group, Friends of the River, had gathered half a million signatures to put this initiative on the 1974 statewide ballot. When someone asked Dubois if he would coordinate the campaign in Sacramento, he said yes, and thus he began paddling out of the white water into what he calls "the river of politics."

By the end of the campaign he was coordinating all of northern California. The River Initiative lost by a narrow margin: 47 percent in favor, 53 percent against. A poll after the election showed that many who had voted against the initiative thought they had been voting against the dam. They had been confused, perhaps, by a heavily financed opposition campaign that ran ads implying that a No vote could "Save the River."

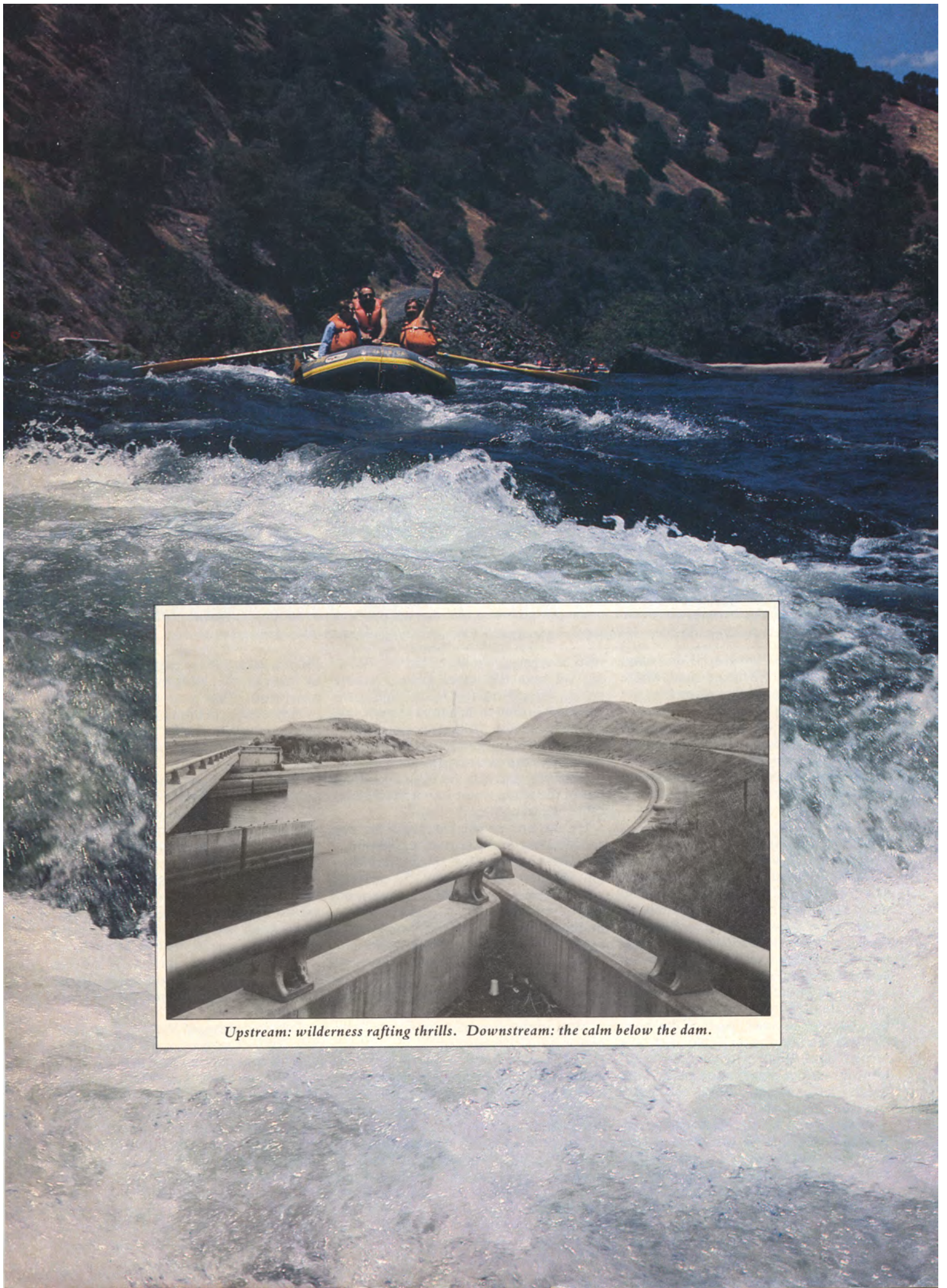
Meanwhile, construction of the New Melones had already begun.

For Dubois it was a short course in water politics. It turned him from a full time river buff into a full time river activist. He spent the next four years lobbying, traveling, studying. He became executive director of Friends of the River. In 1976, he and his colleagues went to work for the Behr bill, a proposal put before the state legislature to preserve the upper canyon. It too was narrowly defeated, even though one third of the legislators had endorsed it. In 1976

Friends of the River expanded its range to include all California's threatened waterways. That year Dubois and his friends worked in the Jimmy Carter campaign, moved by Carter's promise to reduce the number of dam projects out west.

During his apprenticeship in water politics he found some highly placed people who shared his loyalties. He also found himself in the middle of an old-fashioned power struggle involving states' rights versus federal control, with the jumbo land interests playing both sides to their best advantage. In this expensive drama, the gorge of the Stanislaus—which can appear to be the entire world when you're floating between its forested walls—was, for certain players in certain federal and corporate offices, just another tiny point on someone's battle plan.

Dubois discovered that in California, only about 5 percent of the water delivered for consumption goes to households for drinking, cooking, washing, flushing, or watering the yard. Eighty-five percent goes for irrigating cropland. Yet according to a 1976 General Accounting Office report, more than half the irrigation water that flows through the Central Valley Project is lost or wasted. Every household in the state could stuff its toilet tanks with bricks and hoard bath water for its shrubbery and the savings would add up to a small fraction of what conservation-



*Upstream: wilderness rafting thrills. Downstream: the calm below the dam.*

# INEFFICIENT SHOWER HEADS WASTE THREE TIMES THE ENERGY THE DAM WOULD DELIVER.

ists like Dubois say is lost through water-costly irrigation methods. For decades, they assert, federally subsidized water has been available to many users at prices several hundred percent below actual cost—an arrangement not conducive to thrift or efficiency.

Farmers don't appreciate this kind of talk. They will tell you that it's already hard enough to make ends meet without running up the price of water. But then conservationists will point out that great chunks of the Central Valley are controlled by such venerable farming families as Standard Oil, Superior Oil, Getty Oil, and Southern Pacific—and the Chandlers of L.A., who own not only the *Los Angeles Times* but also 25 percent of Tejon Ranch; at 250,000 acres, it is the largest privately held contiguous parcel of land in the state.

Dubois concluded that, no matter who is the guiltiest of guilty parties, we have a leaky system and a history of sacrificing natural wonders like the Stanislaus gorge to support sloppy and wasteful habits. The energy wasted in California in one year through inefficient shower heads, he claims, amounts to three times the power that the new dam would deliver. When Dubois began to fight the New Melones, 12 active dams were already tapping the river's annual average flow of one million-plus acre-feet. If building another dam could not be stopped, he thought, perhaps we could just fill part of it, and save these nine miles of exquisite rafting and wilderness beauty.

**T**O REACH THE DAM we head east out of Oakdale along Highway 108, which follows the Stanislaus, climbing easily from the valley floor through the first lift of the Sierra into the Mother Lode country. Among the thousands drawn into these hills in search of riches, from the 1840s onward, were the ferrymen who set up a chain of river stations that are preserved now in the names of roads and bridges. At O'Byrne's Ferry Road, ten miles south of Sonora, we turn left, curve a few miles through rolling hills, and come out upon the observation point with a full front view of the New Melones. We are standing on a promontory, a cliff edge some 400 feet above the river. The dam rises higher, blocking the near horizon.

Mark has all the numbers. I ask him how high it is.

"Six hundred and twenty-five feet," he says. "Fifteen hundred and sixty feet across the top."

"But the numbers don't get it, do they?"



Two Parrott's Ferry bridges show how high the water was to rise.

"Nope," he says, "You really have to see it."

The gorge is steep and narrow here. Rough, rocky cliffs rise on either side, reddish in color. The dam looks like a Goliath's tub of stucco that was poured from the sky and dried instantly. From where we stand the surface looks gravelly, a pebbled slope of crushed rock, slate gray, fitting each niche and crack and boulder in the facing cliffs. This was once bedrock, gouged out to make a spillway, then sifted and graded for surfacing the dam. Were it not for the rough and rusty contours of the canyon, the sloping wall would be absolutely featureless. In some unseemly way they define each other, canyon face against sifted bedrock, rust on bluish gray. Far below, two white tubes of water gush from outflow pipes, man-made rapids filling the deep canyon with man-made sound.

Forgetting for a moment the various upstream effects, one can view this enormous monument with true awe, in the same light as the Pyramids or the Great Wall of China. A vision is working here—a large, intricate, roaring vision of what humankind can add to the natural shape of things. As dams go, this is a masterpiece, the second highest earth-filled dam in the country.

It was, as usual, built by the U.S. Army Corps of Engineers, whose motto tops the sign right where we turned off Highway 108: BUILDING TOMORROW TODAY. Before the corps could get to work, the Bureau of Reclamation, the federal agency charged with developing the Central Valley Project, had to obtain state

approval for the various uses and amounts of water it had in mind for the New Melones. In 1972, the bureau duly applied to the California Water Resources Control Board, which came back with partial and very guarded approval, mainly in the area of "prior rights" related to the Old Melones Dam, soon to be buried behind the new one. The state board noted in passing—and this was during Reagan's governorship—that the Stanislaus was "a unique asset to the State and the Nation." The state also reserved the right to change its mind about water levels in the new reservoir.

The U.S. Bureau of Reclamation didn't like the sound of that. It sued the State Water Resources Control Board for standing in the way of progress. The suit went all the way to the U.S. Supreme Court, which decided five years later that a state has the right to approve and control the uses of its own water, even though a federal agency may have built the dam.

In those five years the state's position had not changed much, and since the builders did not yet have enough contracts from potential users to justify filling the dam to the top, there was a strong feeling in Sacramento—supported by several years of mounting environmental concern—that maybe we did not really need to gather up 2.4 million acre-feet of water behind the New Melones.

**W**ITH THE SUPREME COURT ruling in the background, the California Water Resources Control Board did not want to see any filling until  
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an operations study could determine how much water was actually needed and contracted for. But the Corps of Engineers had a problem. Before turning the dam over to the Bureau of Reclamation, the corps was obliged to test the turbines. To do so, it needed a minimum of 300,000 acre-feet of water. This would bring the new reservoir to about 808 feet above sea level, stopping just short of an old bridge at Parrott's Ferry.

The figure 808 came to be acceptable to both the Water Resources Board and Friends of the River—at least for the time being. In addition to preserving the life of the upper canyon, it would give archaeologists time to study some 700 known sites in the event that further filling, at a future date, could not be avoided. A memorandum to this effect was endorsed by the President's Advisory Council on Historic Preservation and signed by the corps.

In October 1978 the dam was finished. In December, Huey Johnson, California's Resources Secretary, asked the federal government to "act voluntarily to provide maximum, long-term protection to the Stanislaus from Parrott's Ferry upstream." This suggestion, supported a short time later by 16 of California's 43 congressmen, came to be known as the Parrott's Ferry Compromise.

Through the early months of 1979 the reservoir slowly filled toward 808. Friends of the River, regretting the loss of every yard of riverbank, began a series of Witness Encampments to take one last look at the meadows and beaches and waterways so many had enjoyed.

Rising waters had spread some four miles up the lower canyon when FOR heard, via the river grapevine, that the corps had plans to fill past level 808. Corps officials would mention something to project contractors, who would pass it on to their crews, who would mention it to someone in town, who would mention it to a Friend of the River.

One spring day the number 828 was heard. A jump of 20 feet. If this was true, and if the corps could jump the level 20 feet this month, without any official notice, what would prevent it from jumping it again, and then again? The Corps of Engineers is full of visionaries, after all, and in their version of the world, dams should be filled to capacity at the earliest possible moment. They are professional builders. They had just spent five years and \$360 million building something rather spectacular. Who could blame them for wanting to see if it really worked? At the very least, they said, when pressed for explanations, some of

our engineers (who evidently had not been consulted when it was agreed to hold the line at Parrott's Ferry) believe they need a few more feet of elevation to give the turbines a test that would really mean something.

"Hey!" cried the voice of environmentalism. "You guys made a deal! You told us you wouldn't go past 808!"

"Well, hell," grumbled the inner voice of the corps. "808, 828, is that so far apart? It's just a couple more miles up the canyon. The world is full of canyons. We wouldn't go past 808 if we didn't have to. Anyhow, before you know it, the water will drop down again to whatever level you people think is so sacred."

**D**UBOIS, WATCHING ALL this from his backyard office in Sacramento, had about decided the time had come to draw some personal line of his own. FOR had tried every legal means it could think of, and nothing had worked. All efforts at legislation had been blocked. Lobbying had produced allies but not enough power. The Supreme Court ruling and the provisions of the Historic Preservation Act had brought temporary hope, but now the corps seemed to be ignoring these constraints.

For the past year, as his frustrations ebbed and flowed, Mark Dubois had been tinkering with the idea of some kind of "statement." He had thought of taking a shovel down to the foot of the construction site, to dig away at the bulwark in puny defiance. He had considered lying in front of a bulldozer. Now he had a more daring idea. He did not yet know how to make it happen. He asked a friend, who had done some welding, for some shackles. The friend refused. He thought Mark was losing his judgment, perhaps his mind.

It was Wednesday, May 17, when Mark learned via the grapevine that the water level was only five days from Parrott's Ferry. Five days meant Monday. This news jarred him into action, and the details started clicking into place.

First he drafted a letter to Colonel Donald O'Shei, head of the corps's Sacramento district office. O'Shei had supervised construction. They knew each other. In his letter, Mark talked about the irreplaceable magic of the canyon. He said the corps's action left him no alternative:

"I plan to have my feet permanently anchored to a rock in the canyon at the elevation of Parrott's Ferry the day the water reaches that elevation. I urge you to do all in your power to prevent the flooding of the canyon above Parrott's Ferry."

The next day, while copies were being mailed special delivery to the White House and to various state and federal offices, Mark paid a visit to a hardware store. He pretended to be a miner with

some equipment to stash in the hills.

"How would I do that?" he asked the clerk. "How, for example, could I secure something to a rock?"

You do it, he learned, the way old-time miners did it when they had a hole to bore: with a sledgehammer and a star drill. While the clerk went looking for a drill and a six-inch expander bolt, Dubois secretly wrapped some chain around one ankle to see precisely how much he would need.

"I didn't want to buy too much," he says, laughing now. "This was a very low budget operation."

On his way to deliver the top copy of his letter to O'Shei's office, Dubois made a brief stop outside the window of Governor Jerry Brown. He wanted to pay homage to a toyon tree planted there nine months earlier by Friends of the River. In the weeks before the dam began to fill, 20 people had carried this tree from the lower canyon to plant it outside Brown's office at the southeast corner of the Capitol building in the lee of the copper dome. By May that part of the canyon was covered over. Everything that had been living there was dead except this toyon, two feet tall when they brought it out, and now as tall as Mark.

The sight of this tree filled him with a new exhilaration. He saw how closely linked are life and death. What he was about to do involved the risk of drowning. With a kind of religious clarity he saw that whether he lived or died didn't make that much difference. Either way, through the act of heading down the river, or through the acts that would follow if and when he came back out again, his commitment would be voiced. Making the decision to go ahead liberated him from his own fear of dying.

Dubois delivered the top copy of his letter to Colonel O'Shei's office; a reply arrived the next morning. Corps officials had never been eager to communicate with Dubois, so he was struck by the speed of this response. Its contents, however, shook him. O'Shei listed all the state and federal decisions that mandated filling the New Melones, and this reminded Mark just how much ammunition the corps had. The colonel also withdrew permission for any Friend of the River to enter the canyon, a tactic Mark figured set him up for trespassing. He dashed off a quick response and called the district office to make sure O'Shei was there to receive it. The secretary put his call straight through.

"Colonel," Mark said, "there is one thing I want to make clear. I am not doing this on behalf of Friends of the River. I am only doing it on behalf of myself."

"Do you want to get together and talk about it?"

"No."

"I just can't quite understand why you're doing this."

"I'm sorry, Colonel. I don't trust you

anymore."

The colonel, it should be pointed out, was not the villain in the piece—a suitable adversary, but not the villain. He was a West Point graduate; a career officer with degrees in law and engineering, a Bronze Star with Oak Leaf Cluster, an Air Medal, and service in Korea and Vietnam. At age 45 he was nearing the end of a three-year tour of duty in northern California during which he commanded operations in nine western states and oversaw the completion of at least one superb dam. He had not broken any laws. And neither had Dubois.

**T**HE ORIGINAL Parrott's Ferry was a service established in 1860 by one Thomas Parrott to connect two mining towns on opposite sides of the river. A flat-bottomed wooden boat was propelled back and forth across the surge via heavy cables. A bridge was built there in 1903, and another, more durable bridge, which still stands, in 1940. To reach it you follow Parrott's Ferry Road as it winds out of Sonora, through Columbia and through Sawmill Flats, dropping from 2,100 feet down into the gorge where the green water flows along at about 800 feet above sea level, give or take a fathom, depending on the time of year.

Often used as a parking spot and jumping-off place for river riders, this 40-year-old bridge can still handle cars and trucks. Without FOR it would already be 200 feet underwater and permanently out of sight. The plan was to deactivate the old bridge and reroute traffic about half a mile downstream across the new Parrott's Ferry Bridge, which crosses the sky like a piece of World's Fair futuristic sculpture. Built in 1979, it is part of the New Melones system, part of the future envisioned for this ancient gorge. Two pillars of concrete 100 yards high support a thin convex ribbon of concrete, miraculously thin, as thin as a pair of wings.

Upstream from the old bridge, the river is about 30 yards wide, rushing down from the mountains around Ebbetts Pass (8,730 feet) and Sonora Peak (11,429). Islands of bedrock keep the water veined and streaked with white. Wooded slopes rise back from the stream bed, and here and there islands of rock poke through the strands of pine and small oaks, giving the slopes that same kind of stream-bed definition.

The wildness upstream, the winged viaduct downstream—it is close to melodrama, making it almost too easy to interpret the line drawn here as a choice between wilderness and technology, or, as some describe it, between ten miles of primeval white water and the needs of an expanding society.

"I saw that the Stanislaus could be in its final hour," Mark says. "People had been telling me it was a lost cause. The dam was built. It was going to be used.

So, do I let this river go and start working on all the other issues that are equally critical? Or do I drop all these other issues and focus on the Stanislaus? It was a painful decision. But I saw that by concentrating on that one issue, we had a chance to use it as a symbol for what we're doing to all of our land and our resources. Besides, I really had no choice. My heart had touched that place."

He rode up here that Friday night with a friend from Berkeley named Don Briggs, a photographer and surveyor. Early Saturday they computed the rate of rise, where the water would be by Monday, the precise location of 808, and thus how high above the present level Mark should position himself to carry out his ultimatum. Then he started downstream from the bridge alone in a kayak, looking for a well-concealed boulder he could anchor to, one large enough to stretch out on. He had no clear picture of how long he'd be in there—a week perhaps, or two, or three—and he expected search parties. It was extremely important that he be well hidden.

He was not many yards below the bridge when he began to weep. He had not anticipated this, and he could not control it. It wasn't fear. It wasn't grief for the endangered life in this canyon or for the wild things already lost to the rising waters. He was weeping for his mother, and then for all the people he cared about. That morning he had called her to explain what he was doing, and why. She was the kind of mother who worried about her son's exploits. He had expected her to try to talk him out of this, as some of his friends had tried to do, but she didn't. And he had wanted to convey to her the full measure of what he was feeling—the sense of purpose, the rightness, the inner peace, the joy—but he couldn't. He had not been able to ease her anxiety. Now it overwhelmed him, regret for the pain this voyage might bring to her. In all other ways he felt strong. It was the one thing he could do nothing about.

**D**RIFTING DOWNSTREAM, he wept for half an hour. Then his tears subsided. It was a bright morning, with the barest breeze. He began to note the reflections of trees that were slowly going under. The water had been backing up about 18 inches a day. "Those trees were still alive on top," he says, "not yet dead at the roots. It was some of the most intense beauty I had ever seen, like the canyon was going to go out in a blaze of glory."

He came to a rocky face decorated with petroglyphs left behind by a tribe that had lived there before the Miwok. On the far bank he could see the remains of a Gold Rush mining camp. A quarter of a mile downstream he could see what had once been a wide stream-side meadow. Three weeks earlier he had hiked in

to that meadow with a hundred people for a Witness Encampment. Now it was 30 feet under water, as the petroglyphs and the mining remains soon would be.

Originally he had planned to float farther down, into the lower canyon, but the confluence of all these time zones spoke to him. He looked around and immediately saw the spot—a shoulder of bedrock, flat on top, surrounded with foliage. A cliff rose behind it, and there was space between branches to peek out toward the water. He stashed a few supplies, then moved out into the flow again, heading downstream. He still had a lot to do.

Near the main reservoir, already dotted with pleasure boats and weekend fishermen, he parked his kayak and composed a longer reply to O'Shei's letter, in which he wrote:

"I apologize for saying Friday that I no longer trusted you. When I calmed down I realized that I now understand you better and realize how different our values are. . . . I admire your ability to take charge, but regret that you don't implement laws protecting the resources as well as construction schedules. Each one of us must do what we most believe is right."

It would take several hours of steady drilling to cut into the rock, and he knew with this grating, alien noise in the canyon he would risk attracting attention. On Sunday morning he rose before dawn, hiked in with the four-pound sledge and the miner's star drill, and hammered away for two hours before the Sunday river-users began to stir.

"It makes an awful sound, but it's interesting, the way it works. The bit is in the shape of a star. You hold it in place and tap it. At first I was twisting back and forth, getting nowhere. Finally I figured out that by turning it slightly, each time in the same direction, it just steadily chips and chips and chips."

That night a small group of friends and supporters gathered near Parrott's Ferry. Afterward Mark met with the man who had agreed to serve as his contact, the only person who would know his exact location and could bring in news. At one point Mark had nearly given up trying to find someone to do this.

"I made some calls and gradually realized I was asking people to do something far heavier than I was going to do. My plan was to chain myself up so no one could find me. Going in, my feeling was I had a 10 percent chance of stopping the water level, a 10 percent chance I would join all the critters in the lower canyon, and an 80 percent chance of being found. And I purposely made the chain short so that if they did find me, I would sit all around it and make things as difficult as possible to get me off of there. Now for me, all this would be easy. But if I joined my critter friends in the lower canyon, others could feel the pain of that more



# MARK TOLD HIS FRIEND NOT TO COME BACK IF THE RISING WATER EVER REACHED KNEE LEVEL.



Clearcutting, New Melones Reservoir, March 1981.

than I would. It was hard for me to ask somebody to risk taking on that kind of a role."

When a long-time river buddy appeared at the last moment, asking how he could help, Mark recruited him. He had the time to visit every day, he knew and loved the Stanislaus, and he shared Mark's views about life and death. In the days to follow he came to be known as Deep Paddle.

**M**ARK SLEPT THAT NIGHT in the woods near his hideout. Early Monday morning he spent one more hour with the star drill, cutting to a depth of four inches. He drove in the expander bolt, then threaded chain through the bolt's eye-loop, wrapped the chain around one ankle, and snapped the padlock shut. With the key hidden in brush 100 feet away, he sat down on his slab of bedrock to wait. At that point he had no food; he was planning to fast. He had a sleeping bag, a poncho, some books, and a cup for scooping drinking water from the reservoir—which was then two feet below his perch and still rising.

He had told Deep Paddle not to come back if the water ever reached knee level. He did not want anyone but himself to have to deal with that part. Mercifully, no one had to. The water, which had been rising since October, began to level off within the next 24 hours—according to Dubois, who was watching it at closer range than any other player in the drama, and according to Jim Taylor, public affairs officer with the Sacramento district office, who announced on Tuesday that the lake had been "stabilized."

On Monday Colonel O'Shei had re-

ceived the second letter. Also on Monday Harold Gilliam, a *San Francisco Chronicle* columnist, published the first report on the subject. A valve was thrown open, and the corps joined forces with county sheriff's deputies to search the upper and lower canyons.

While more newsmen followed the action, five boats, a helicopter, and a light plane were deployed, and 18 men were sent to tramp the riverbanks—all without success. Dubois had concealed himself better than he realized. Though the stretch of river the searchers had to cover was only ten miles long, the widening waters had increased the shoreline to a length of about 60 miles. There were new bayous, whole treetops to cut through, and clumps of thriving springtime poison oak. He was in there somewhere, but even on Wednesday, when Friends of the River staged a rally outside the state Capitol, only Deep Paddle knew where.

Jerry Brown appeared at that rally and drew cheers and hoots of joy when he called the river "a priceless asset to the people of California and this nation." Brown had already sent a telegram to President Carter on behalf of the Stanislaus and the life of its champion. A Carter aide would soon be contacting someone at Interior, and an undersecretary there would soon be calling someone at the corps and then calling state Resources Secretary Huey Johnson, who would be checking with O'Shei, who would be getting back to Johnson, who would be getting back to Brown. With luck, one or all of them would be getting back to Dubois, who, though the waters had now stopped rising just short of the old Parrott's Ferry Bridge, was not going anywhere until he had written assurance that the filling

wouldn't resume as soon as the corps had him out of the canyon.

For the first three days he saw no one but Deep Paddle and, in the distance, the pilots of approaching planes and launches. He discovered a narrow ledge, a body-sized niche on the underside of his rock. Each time he heard an engine drone he would pull his poncho over him, camouflage himself with scraps of moss and driftwood, and duck out of sight.

"Some of them got close," he says, "but they didn't spot me because they were usually going 25 miles an hour right down the middle of the reservoir. Helicopters would come zooming by, doing the whole canyon in two minutes."

**O**NCE A DAY Deep Paddle appeared with news from the outside, and, on the second day, a small parcel of food. Mark had never fasted before, and he soon decided this was the wrong time to try it. He ate fruit and nuts. At night he slept with a sleeping bag wrapped around him. "The way the zipper works on my bag, I couldn't get into it with my ankle chained."

Though he had planned to read and catch up on paperwork, he spent long hours "getting in touch with the river again." His crusade to save it had taken him into cities, and for most of four years that's where he had stayed. These few days alone at the bottom of the canyon gave him time to rediscover the cycles, the textures, the play of light at dawn and sundown, the chill, the heat, the distant rush of moving water, the profound silence under the rush.

"It took me three days to isolate one tiny sound, to focus on it and realize it was a little shrew poking under the leaves, skittering back and forth looking at me. I had a river otter who would come and play around in front of the rock. Beavers were working across the way. Every kind of insect. Spiders. I was right under a buckeye tree in full bloom. Once I was sitting there and felt this movement right behind me. I turned and saw this huge snake slithering past. It had the coloration of a rattler, but it was just a big gopher snake. 'Sorry, my friend,' I said as he made his exit, 'I didn't mean to trouble you.'"

While Mark waited, while planes and launches buzzed the reservoir, while reporters queried Friends of the River and friends of Dubois, and while six more chained-up protesters appeared on the rocks near Parrott's Ferry Bridge, Jerry Brown sent his chief aide, Gray Davis, to confer with Colonel O'Shei. On Friday a pledge arrived at the governor's office.

# WE'VE GOT 1,300 BIG DAMS, THOUSANDS OF MINOR ONES—AND ONLY 400 MILES OF PRISTINE RIVER.

Then it was only a matter of formalities.

The following Monday, a week from the day Mark Dubois drove in the expander bolt and looped the chain through its eye, a letter from Gray Davis made its way south and east from Sacramento to Sonora, along Parrott's Ferry Road and downstream into the hands of Dubois. The letter noted the corps's renewed commitment to elevation 808, together with a promise from the state to police the water level until the courts and Congress could decide the matter once and for all.

Given the ways of the courts and Congress, this could mean months, a year, maybe more. Mark had bought the river some time and bought its friends time and space to pursue new legislation. Sitting underneath his buckeye tree, he read Davis's letter carefully, then he revealed the whereabouts of his key. He unchained himself and floated back to dry land.

**M**ORE THAN TWO YEARS had gone by when we stood on the old bridge watching the river flow under us. It had not changed much, yet, though many of the players had. Soon after the showdown, Colonel O'Shei, in the normal course of his career, had been transferred to Israel. A few months later, the Corps of Engineers, with a collective sigh of relief, had officially transferred control of the New Melones project to the Interior Department.

In May of 1979 Representative Don Edwards, San Jose Democrat, had introduced a bill in Congress proposing that the nine miles from this bridge eastward become part of the National Wild and Scenic Rivers system. At the time it seemed to be the final hope. After a year in committee the proposal was defeated. That summer Interior Secretary Cecil Andrus ordered the reservoir filled to 818 feet. Though FOR protested, the order was upheld by the U.S. Court of Appeals for the Ninth Circuit. For a while water rose for half a mile beyond the bridge.

In January 1981, FOR petitioned Jimmy Carter—on his way out of the White House—to declare the upper Stanislaus a national monument. The petition was thoughtfully considered and denied. That same month, a group of hand-capped protesters made headlines when they chained themselves to rocks, as Mark had done, saying this was America's most accessible stretch of white water. Then Ronald Reagan took office, and Cecil Andrus was replaced by James Watt.

Meanwhile, the old battle between the



*A sign of the times.*

state and federal governments over control of water uses was still being waged. In 1977, the U.S. Supreme Court had ruled in California's favor, but a federal district court later excepted decisions regarding hydroelectric power. The state in turn had challenged this part of the ruling. Prolonged court action had helped postpone final decisions on the river's fate. On the afternoon we visited Parrott's Ferry, politics and a shallow snow-pack had conspired, and the water level was actually lower than it had been in more than a year. The reservoir's spread was out of sight below the nearest bend.

Still, the concrete wings of the new bridge a mile west threw a shadow back up the canyon. Judging by the altitude of that engineering marvel, floating atop its skinny legs, you could see the plan, you could see how high the water was intended to rise.

Apprehension hung in the air that day. Would the next season's runoff fill the reservoir to the top, as Watt hoped? Would the Ninth Circuit rule in the state's favor, and thus make clear that future water levels would be decided in Sacramento rather than in Washington? Or would the recently unveiled Water Reform Initiative—a measure developed in 1981 by a coalition of conservation groups, including FOR, which outlines a massive rethinking of water policy throughout California—gather enough momentum to buy this river a few more months, maybe another year?

In December, supporters began gathering signatures. They need 340,000 to put it on the ballot by the fall of 1982. Saving the Stanislaus is only a small part of this statewide reform package, but

Dubois hopes that if enough signatures can be gathered before the water reaches the 808-foot level, if enough debate can be generated, those who bargain on the river's behalf will have new leverage.

He leaned against the bridge rail, gazing upstream.

"Look at this place," he said. "There used to be 25,000 miles of rivers and streams and wildlife habitat in California. You know how much we have left?"

"I would guess a few thousand."

"More like a few hundred. We've got 1,300 major dams, thousands of minor dams; we've got polluted streams and dried-up streams and reservoirs and irrigation canals and aqueducts and levees. But in the whole system all we have left is maybe 400 miles of relatively pristine river that people can get to and use and enjoy. And anyone you talk to will tell you that the ten miles from here to Camp Nine is one of the finest canyons in the United States."

"Mark," I said, "what are the river's chances? I mean, in your personal view, being absolutely realistic?"

He turned and gazed at me with his gentle smile and said, "I don't like that use of the word *realistic*. It is a word politicians will use when they are getting ready to try and talk you out of something. 'Okay, let's be as realistic as we can about this,' they will say. 'Here are the realities we are faced with.'"

"The fact is, we create our own realities. If we bring *enough* creative energy and imagination to a situation, we can make it happen. In the past ten years I have seen things no one ever believed would happen. Why? Because certain people refused to believe that they *wouldn't* happen! That is my definition of what is realistic."

He looked upstream again. So did I, thinking about reality. It was easy to believe the truth of what he had just said. The evidence was right there in front of us. By numerous definitions of what is real, that piece of riverscape should have long ago been dead and buried. That it had survived for nearly three years after what so many assumed would be its date of execution was in itself a kind of miracle.

No one can now predict how long the river will continue to live and flow. None of the key ingredients can be measured in advance: court decisions, public awareness, rainfall, snowfall, human thirst. ■

*Santa Cruz novelist James D. Houston is the author of Continental Drift, and was the editor of West Coast Fiction. This is the second in a series of articles about Californians that he is writing for San Francisco magazine.*