

Monthly Briefing

A Summary of the Alliance's Recent and Upcoming Activities and Important Water News

Nomination of Senator Salazar Applauded by Family Farm Alliance President

Family Farm Alliance (Alliance) President Patrick O'Toole, a sheep and cattle rancher from Wyoming, earlier today voiced support for President-elect Barack Obama's nomination of Senator Ken Salazar to be the next Secretary of the Interior. O'Toole used the occasion to introduce an important water policy paper that the Alliance hopes can be used by the incoming Obama Administration to develop solutions to Western water problems that balance environmental demands with economic realities.

"For 20 years, the Alliance has focused on ensuring the

availability of reliable, affordable irrigation water supplies to Western farmers and ranchers," said O'Toole. "Farming and ranching is hard work, and it will take more hard work to solve some of the most contentious issues in the West. Ken Salazar would be an Interior Secretary we can work with to develop bipartisan solutions to the water challenges facing Western rural communities."

O'Toole points to Senator Salazar's understanding of Western rural issues and his proven track record of developing practical solutions to complicated problems. For example, earlier this year,

President Bush signed a measure sponsored by Senator Salazar, called the "[More Water, More Energy, Less Waste Act of 2007](#)". That bipartisan bill could lead to the clean-up and usability of significant volumes of groundwater brought to the surface during oil and gas drilling or coal bed methane extraction. This water could then be used for irrigation and other purposes.

Alliance members also recognize that Senator Salazar's family have farmed and ranched the same Colorado land for five generations.

"We know he will have a special appreciation for the

challenges facing Western family farmers and ranchers," said O'Toole.

Two top environmental challenges that will likely receive priority attention from the Obama Administration are water infrastructure needs and climate change. The infrastructure issue is dealt with at length in the new Alliance report, "Western Water Policy: The Challenges and Opportunities of our Times – Our Legacy for the Next Generation". The Alliance in 2007 released another report that provided the perspective of Western irrigators on climate change.

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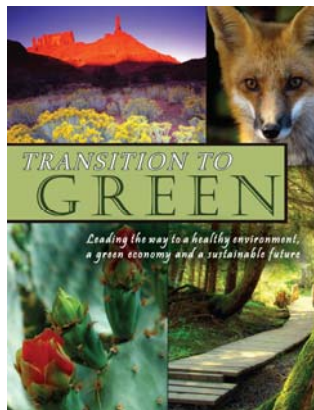
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Environmentalists Send Plan to Obama

As reported recently in the *Washington Post*, regardless of who takes over at the agencies, the new leadership team will face impatient scrutiny from environmental activists eager to change federal environmental policy. Environmental groups following the election sent President-elect Obama a lengthy set of proposals for nearly every federal land management and regula-



tory agency.

Priorities include greater funding for renewable energy and conservation programs, and a more expansive view of Clean Water Act protections.

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Figure 1: Report to President-Elect Obama, recently submitted by 29 environmental groups. .

Alliance Applauds Selection of Senator Salazar

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PDF versions of both reports can be downloaded at the Family Farm Alliance website: www.familyfarmalliance.org.

The water needed to meet growing urban, power, and environmental demands in the West is being siphoned off from agriculture, undermining rural farming communities and the nation's food security. The Alliance will call upon the Obama Administration to help develop a more rational strategy that will combine water conservation and development of new supplies to meet the needs of the growing West without destroying its agriculture base.

"We believe society will reject an approach which leads to shuttering farming communities to meet urban growth, recreational demands and environmental requirements," said O'Toole. "Our nation needs a stable domestic food supply, just as it needs a stable energy supply."

"We are hopeful that Senator Salazar will apply his balanced approach and join us to develop creative water solutions that protect rural economies and communities as well as fish and wildlife," said Alliance Executive Director Dan Keppen. "We know this can be done without taking scarce water resources away from existing water users."

Keppen said Alliance members look forward to an Interior Department that engages in objective, transparent and thoughtful decision making, based on a thorough examination of all the relevant science and policy considerations. Earlier this week, the Alliance [filed a request](#) under the federal Information Quality Act to ensure that the U.S. Fish and Wildlife Service – an Interior agency – corrects erroneous information included in an issue ordered by the Service on Monday that is estimated to cut California's dwindling water supply by a third or more.

"We hope that Senator Salazar will manage Interior with a similar concern for sound science and transparency," said Keppen, who appeared on National Public Radio's [All Things Considered](#) yesterday and commented on the latest selection made by the Obama transition team.

"With his choice of Ken Salazar for Interior Secretary, President-elect Obama is sending a tremendously positive message of understanding about the problems faced by people living in the West," said O'Toole. "His commitment to balancing environmental demands and economic realities inspires our confidence in this new administration."

"With his choice of Ken Salazar for Interior Secretary, President-elect Obama is sending a tremendously positive message of understanding about the problems faced by people living in the West."

Patrick O'Toole

President

Family Farm Alliance

Alliance Charges Federal Water Cuts Not Based on Best Science

The U.S. Fish and Wildlife Service (USFWS) failed to meet the standards of the Endangered Species Act when it issued an order earlier this month that threatens to cut California's dwindling water supply by a third or more. That is what the Family Farm Alliance charged on December 16 as it filed an action under the federal Information Quality Act that is intended to ensure that the new federal requirements are based solely on the best available information.

"The law requires USFWS to base its decisions on evidence, not assumptions or its own prejudices," said Dan Keppen, Executive Director of the Family Farm Alliance. "The more important the action,

the more impact it's likely to have, the higher the quality standards to which it should be held."

USFWS' new Biological Opinion demands severe reductions in the operation of the State Water Project and the Central Valley Project in order to protect an endangered species of minnow called the Delta Smelt. Public water agencies throughout the state have expressed concerns that the restrictions will have a devastating effect on water supplies for two thirds of the state's residents and more than two million acres of irrigated croplands.

"We're taking this action on behalf of families and consumers across the country," said Keppen. "Everyone in California will

be harmed by USFWS' ruling, but the immediate impact is likely to fall heaviest on food production in the Central Valley. Anything that hurts the Central Valley that badly will affect food supplies throughout the United States."

The action by the Family Farm Alliance demands corrections to dozens of errors and procedural violations in the preparation of USFWS' Bio-

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Alliance Charges Federal Water Cuts Not Based on Best Science

(Continued from Page 2)

logical Opinion. For example:

- Among other things, the Family Farm Alliance charges that USFWS failed to comply with federal guidelines intended to exclude biased and inaccurate information and to ensure the integrity of expert peer reviews.
- USFWS at one point blames entrainment at the pumps for the smelt's decline and at another point in the same analysis acknowledges that the data demonstrates that entrainment is not driving population dynamics.
- USFWS also falsely blames the pumps for the effects of toxic wastes dumped by others, the reproductive habits of invasive species, and global warming.

California is currently suffering one of the worst droughts in its history. But that has not stopped efforts by environmentalists and some regulatory agencies to cut down on the state's water supply to protect the smelt. The new Biological Opinion was ordered by a federal court ruling last year that reduced the state's water supply by one third, causing the loss of thousands of jobs and the destruction of millions of dollars worth of crops.

Last month, state Fish and Game officials instituted new regulations on behalf of another species of smelt that could have even more devastating impacts on water supplies for Southern California and the Bay Area as well as the Central Valley. Experts with the state Department of Water Resources and dozens of other public water agencies have complained that Fish and

Game's action was not supported by its own scientific studies.

Congress established the Information Quality Act in 2001, according to its express terms, with the intent of "ensuring and maximizing the quality, objectivity, utility and integrity of information disseminated by Federal agencies" According to a report by the General Accounting Office, IQA guidelines are in effect in all but one cabinet agency, ensuring that USFWS must comply with its requirements.

"It's vitally important to everyone who lives in California that any action the federal government takes in this critical area should be based on the best available information," said Keppen. "It is just as important to the protection of farmers throughout the country that we don't allow a precedent to be set in California that allows anything less than the best information to slip through."

If the information in the draft Effects Analysis is not corrected, the Alliance is concerned that water users will face drastic and potentially permanent reductions in the water they need to live, grow their crops, run their businesses, and water agencies will have insufficient supplies to satisfy demand. The economic and social consequences could be immediate and devastating if land is fallowed due to a lack of water. In some cases farmers could even lose entire permanent crops such as orchards and vineyards, causing irretrievable losses of their investment in those crops.

IQA Background

The Information Quality Act (IQA), sometimes referred to as the Data Quality Act, was enacted in December 2000. The act required the Office of Management and Budget (OMB) to issue guidance to federal agencies designed to ensure the "quality, objectivity, utility, and integrity" of information disseminated to the public.

The IQA can have a significant impact on federal agencies and their information dissemination activities. OMB's report on the implementation of the act during FY2003 provided numerous examples of agencies changing their policies and publications in response to administrative requests for correction from affected parties.

To see the transmittal letter and detailed request document filed by the Family Farm Alliance, as well as the effects analysis prepared by U.S. Fish and Wildlife Service, go to the Family Farm Alliance website: www.familyfarmalliance.org.

2008 Western Water Policy Recommendations

- The U.S. must adopt an overriding national goal of remaining self-sufficient in food production. Food security is homeland security. Policy decisions on a wide range of issues should then be evaluated to be sure they are consistent with that goal.
- State and local governments must consider the impacts of continued growth that rely on water transfers from agriculture and rural areas and to identify alternatives.
- When water laws and environmental laws conflict, balanced solutions that respect the both the socioeconomic realities of the West and the ecosystem must be found.
- State laws and institutions must be given deference in issues relating to water resource allocation, use, control and transfer.

Source: 2008 Alliance Policy Report (see related story, page 3)

- The best decisions on water issues happen at the state and local level, as “one size fits all” national policies cannot reflect the unique and diverse circumstances encountered throughout the West.
- Aging water infrastructure must be addressed promptly and with priority commitments, as failure do to so will create a failed legacy for the next generation.
- New water supplies must be developed to provide for recreational and environmental needs, allow for population growth and protect the economic vitality of the West.
- Western water research needs must be prioritized and coordinated.
- Real management is needed in the real “reservoir” of the West; our federally-owned forest lands in upper watershed areas.

The Challenges and Opportunities of our Times:

Our Legacy for the Next Generation

2009 Family Farm Alliance Annual Conference

March 5-6, 2009

Monte Carlo Resort & Casino

Las Vegas, Nevada

For more information, please contact us at 707-998-9487 or ffameeting@aol.com.

Register Now for 2008 Alliance Conference

At a time when historic political change is rolling through Washington, DC, the Family Farm Alliance is poised to engage our new leaders in Washington and collectively face the challenges and create opportunities that will define the future of the American West.

Recognizing the value of irrigated agriculture is vital. Understanding the current and future role of irrigated agriculture in the West through aggressive action to repair aging infrastructure and create new water supply enhancement projects is imperative.

Properly managing federal watersheds and encouraging federal agencies to work with the agricultural community to solve local water challenges are equally crucial.

Through thoughtful planning, the new Administration can play a truly important role in helping to solve water issues that today seem so insurmountable.

Join us in Las Vegas and learn firsthand what key environmental policy officials and Western water managers are preparing to do as a new Administration begins to work with Congress on issues of vital importance to Western rural communities.

Conference information and registration forms can be downloaded at www.familyfarmalliance.org.

For more information, please contact us at 707-998-9487 or ffameeting@aol.com.



ALLIANCE
Annual Conference Hotel Reservations

Monte Carlo

Special Family Farm Alliance Rate:
Nights of March 2-6 \$150.00/night + tax
(A limited number of preferred rate rooms are available for the night of Friday, March 6. See information below for details.)

Room Reservation Deadline: January 30, 2009 or until our stock is filled.
Please note the room block may fill prior to the cutoff date, so make your reservations early!

Make your reservations directly with the Monte Carlo Reservations Department:
- By phone: (800)311-8999 use code XFFA09
- Online: Choose "Hotel Reservations" link at www.montecarlo.com & enter group code XFFA09

IMPORTANT INFORMATION:

- All hotel room reservations must be made directly with the Monte Carlo Reservations Department by calling (800) 311-8999 or online at www.montecarlo.com.
- Family Farm Alliance members must use code "XFFA09" to get the special rate. (Rates cannot be changed in check-in or check-out for guests who fail to identify their reservations at the time of the reservation).
- Reservations must be received by the Monte Carlo by close of business on Friday, January 30, 2009 to receive guaranteed group rate.
- Reservations after January 30 are subject to availability and may be at a higher rate.
- A limited number of additional non-reservation rate rooms for the night of Friday, March 6, at \$150 plus tax. Priority night rooms will be assigned on a first come first serve basis.
- The Monte Carlo reserves the right to increase or decrease the number of rooms. Credit cards will be charged for one night for the entire stay on reservations to date.
- All rates are subject to change and will be made directly with the Monte Carlo Reservations Department at (800) 311-8999.
- Changes are fully refundable up to 75 hours of scheduled arrival date. Cancellations made after 75 hours of scheduled arrival will be charged for one night.

Family Farm Alliance, P.O. Box 1760, Cheshire, Utah, CA 94312 or Fax 707-998-9997
If you need more information, please contact us at 707-998-9487 or ffameeting@aol.com

Conference information and registration forms can be downloaded at www.familyfarmalliance.org

Environmentalists Propose Recommendations to Pres-Elect Obama

(Continued from Page 1)

The report also includes recommendations aimed at fixing what the activists claim is a broken regulatory review process at the Office of Management and Budget. Key recommendations are summarized within in the inset box on this page.

Of note, the environmental coalition proposes a bipartisan water commission to evaluate national water policy. A similar effort was undertaken during the Clinton Administration. Patrick O’Toole, a Wyoming rancher and current Family Farm Alliance president, served on the Clinton Administration’s Western Water Policy Review Advisory Commission. O’Toole was the only commissioner representing the entire West’s irrigated agriculture and, in the end, refused to sign the report, opting instead to prepare a dissenting alternative report.

The 29 groups that crafted the report include Greenpeace, Friends of the Earth, Environmental Defense Fund, Sierra Club, the Natural Resources Defense Council, the League of Conservation Voters, the National Audubon Society, Oceana, the World Wildlife Fund and the National Parks Conservation Association.

“We can only hope the Obama leadership team will take a careful look at these proposed actions before accepting them at face value,” said O’Toole. “Some of these actions could generate tremendous uncertainty and risk to Western irrigators.”

And Now, For a Slightly Different Perspective...

The Family Farm Alliance has developed its own policy recommendations and has transmitted s Western water policy report to President-elect Obama’s transition team. It is intended to provide the Obama Administration with guidance on Western agricultural, water resources and environmental matters. See a summary of the Alliance policy recommendations on Page 2.



Important Recommendations to President-Elect Obama Proposed by 29 Environmental Organizations

Halting Projects that are Costly and Environmentally Damaging - Direct the U.S. Army Corps of Engineers to identify and cease work on projects that are outside of the Corps’ main mission areas (for example, projects that would focus on irrigation, which is not a traditional Corps mission).

Review existing contracts - Direct Reclamation to review existing and proposed irrigation contracts in the context of best available technology to ensure beneficial use of water.

Revise Reclamation’s Mandate and Require Coordination with EPA and the Corps of Engineers— Reclamation should recognize the scarcity of freshwater resources in the West in order to promote efficient water use. Work with the Corps and EPA on setting flow standards for rivers and creating a bipartisan water commission to evaluate national water policy.

Address Climate Change – The new administration should issue guidelines to all land management agencies to incorporate climate change in planning and management decisions, the report says. Reclamation should address climate change considerations in its water management plans.

Protect Endangered Species –Reverse several Bush Administration policies on endangered species and commit more funding for endangered species, wildlife refuges and adaptation planning.

Emphasize Conservation at USDA - Agriculture Department appointees should revive the Conservation Reserve Program and to put a greater focus on environmental and wildlife benefits in other farmland conservation programs. The Natural Resources Conservation Service should shift other conservation programs to focus on environmental priorities.

The full report prepared by the environmental coalition is available at:
http://docs.nrdc.org/legislation/files/leg_08112401a.pdf

Figure 3: New Family Farm Alliance Policy Report. PDF printable versions to be made available at www.familyfarmalliance.org

Oregon / Activists Want Higher Columbia Flows

Environmental activist organizations and the state of Oregon filed a motion last month for a temporary injunction spilling more water over eight federal dams and raising overall flows for the Columbia and Snake rivers, starting in April. The Nez Perce Tribe also filed a brief in support of the request. The filing is the latest step in a series of challenges from the groups to salmon recovery plans proposed by the federal government.

"In general, the motion asks for more spill and more water for flow augmentation," said Norm Semanko, executive director of the Idaho Water Users Association. "However, there are some important limits on what is being asked from the Upper Snake."

Specific to flow augmentation, the motion asks that the court order the federal government to meet the flow targets in a 2000 biological opinion "on a weekly basis....to the maximum extent possible", using "all available sources of water". From the Upper Snake, plaintiffs are requesting 427-487 thousand acre-feet (KAF) "consistent with the terms of the Nez Perce-Snake River Basin Adjudication Agreement. The Nez Perce Tribe's brief says that the Tribe has supported and continues to support the Upper Snake operational regime encompassed by the Snake River Basin Adjudication (SRBA) Agreement in all forums."

Key to all of this, says Semanko, who serves on the Family Farm Alliance Advisory Committee, is the fact that the SRBA

contains many important protections and limitations, including the requirement that water can only be obtained from willing sellers, consistent with state law.

Officials with the Corps of Engineers, Bonneville Power Administration and Reclamation said they had not yet fully reviewed the injunction, but still support NOAA Fisheries' latest recovery plan. They also argued that current projects being conducted with three states and several American Indian tribes, as well as an overhaul of the river system, "have resulted in measurable and significant improvements in fish survival."

The salmon groups are currently fighting the government's latest proposal in court, and a hearing is planned for Jan. 16 in Portland. Responses from the federal government, other states (including Idaho), river user groups, and the other tribes (which are all supporting the federal government's position now), are due February 13; replies by the environmental groups, Oregon and the Nez Perce Tribe are due February 27.

Idaho irrigators and water users have are concerned that salmon groups would require more water from Idaho's tight supply.

"We will continue to coordinate with the attorneys for the federal government and the State of Idaho, as well as the river user groups, to make sure that Idaho's reservoir water supplies are protected, consistent with the Agreement," said Semanko.

To learn more about Columbia and Snake River issues and other developments important to NW irrigators, check out the **Idaho Water Users Association 71st Annual Convention** Jan. 21-22, 2009. Double Tree Hotel Riverside Boise

<http://www.iwua.org>

Recent Reclamation Developments

Reclamation has published the interim final rule which establishes the criteria for the [Rural Water Supply Program](#) and is seeking comments on the rule, which must be submitted by January 16, 2009. Go to www.regulations.gov and search the docket identification number BOR-2008-0002 and follow the instructions for submitting a comment.

BOR has announced that the first funding opportunity for fiscal year 2009 under the

Water for America Challenge Grant Program is now available online at www.grants.gov. Reclamation is seeking proposals for [cooperative projects](#) that create water banks and markets or improve the water delivery efficiency of a system through conservation or operational improvements. Proposals must be submitted by January 14, 2009.

Reclamation is also seeking proposals for [system optimization reviews](#), which pro-

vide a broad look at system-wide efficiency focused on improving efficiency and operations of a water delivery system, water district, or water basin. Proposals must be submitted as indicated on www.grants.gov by January 28, 2009.

House Natural Resources Committee Agenda for the 111th Congress

Rep. Nick Rahall (D-WEST VIRGINIA), Chairman of the House Natural Resources Committee, last month outlined the agenda his committee intends to pursue in the new Congress. While the proposed agenda emphasizes tribal trust responsibilities and fish and wildlife programs, there is also an encouraging tone regarding the importance of Western family farms.

“Water is the lifeblood of communities and economies throughout the West,” Chairman Rahall said in a written statement. “Drought conditions, effects of climate change, and conflicts over allocation are undermining the reliability of water supply for municipal and agricultural use. Small farmers are feeling the pressure to convert their lands for development. Improving the reliability of water supplies requires innovative approaches and coordination with local water managers.”

Chairman Rahall noted that, over the past fifteen years, it is clear that the era of large, new federal water projects is ending.

“New water supplies for the growing West will come from water reuse projects, water conservation efforts, or appropriately scaled storage,” he stated. “The demand for water reuse projects is increasing yearly and outpacing federal funding.”

In addition to promoting a “new era of water management” where the Committee will “work with the new Administration to promote collaboration, conservation, restoration, and the integration of new technologies”, Chairman Rahall identified the other following priorities:

Planning for the Effects of Climate Change on Land and Water Resources - the Committee will continue its efforts to bring together scientists and the managers of water, land, and biological resources to discuss the fed-

eral role in identifying the effects of climate change and to promote problem-solving strategies to sustain our natural resources and the ecosystems upon which they depend.

Protecting the Public's Right to Know – the Committee will work to reject legislative and regulatory efforts “intended to weaken the application of the National Environmental Policy Act”.

Recovering Endangered Species - the Committee will work with the new Administration to explore innovative measures to recover endangered populations of fish, wildlife, and plants in an era of limited budgets. The Committee will seek collaborative solutions to improve the management of the endangered species programs at the Fish and Wildlife Service and National Marine Fisheries Service and encourage the issuance of appropriate guidance, regulations, and partnerships.

Honoring Water Claims of the First Americans - as Western communities face more demands for water, we can expect that more tribes will assert their water rights. The Committee intends to maintain vigilant oversight of the ongoing federal negotiations while prioritizing legislation that resolves these claims.

The Family Farm Alliance since 2005 has been invited to testify 16 times before the Natural Resources Committee and other congressional water committees in Washington.

“We are pleased to see that Chairman Rahall recognizes the pressures that Western family farmers and ranchers are facing,” said Alliance Executive Director Dan Keppen. “The relationships we have developed with Mr. Rahall and others on both sides of the aisle in Congress will be critical to the success of our efforts in the next two years.”

“New water supplies for the growing West will come from water reuse projects, water conservation efforts, or appropriately scaled storage.”

**Rep. Nick Rahall
Chairman,
House Natural Resources Committee**

Klamath River Dam Removal Agreement Signed by U.S., CA & OR Tentative Deal Would Trigger the Largest Dam Removal Project in History

Last month, Secretary of the Interior Dirk Kempthorne, Oregon Governor Ted Kulongoski, California Oregon Governor Arnold Schwarzenegger, and PacifiCorp Chairman & CEO Greg Abel, signed an Agreement in Principle (AIP) that defines the path to what would be the largest dam removal in US history. PacifiCorp, federal officials, and state agencies plan to work with local stakeholders including Tribes, irrigators, conservation groups, commercial fishermen, and local governments to reach a final agreement within months.

“PacifiCorp is making a private property rights decision,” explained Luther Horsley of the Klamath Water Users’ Association (KWUA), “we support this agreement as part of a larger plan to provide water and power security to local irrigators.”

The Agreement presumes that the removal of the lower four Klamath dams will begin in 2020. The signing of the AIP is critical to the more comprehensive Klamath Basin Restoration Agreement (KBRA) released earlier this year. The KBRA includes a plan to reintroduce salmon to the Upper Basin, provide dependable irrigation deliveries to Project Farmers, a means to reconcile water rights disputes, and ensure affordable renewable power for farms in the future.

While KWUA supports the KBRA and AIP, downstream landowners adjacent to the river and some irrigators outside of the Klamath Project blasted the decision by states and PacifiCorp to move toward removing the dams.

The proposed KBRA contains support for an agreement with PacifiCorp for dam removal. With the AIP signed, the potential for such an agreement is very real and increases the likelihood that the KBRA will go forward. The KBRA is intended to result in reliable water and power supplies for agriculture, communities and National Wildlife Refuges.

While KWUA does not advocate dam removal as a standard practice, in their unique situation this piece of the puzzle is one of the larger struggles that they have been working to achieve. This includes the water and power pieces, which when addressed through the KBRA, will be pivotal for sustaining agricultural production and communities throughout the basin. Other involved parties have determined that dam removal is a critical priority for restoring fisheries, a goal project irrigators support.

A final agreement based on the business terms of the AIP would have to be developed by June 30, 2009 and legislation would have to be enacted in order for the final agreement to go forward. Assuming those things occur, the Secretary of Interior will make a final assessment (based on numerous studies to be conducted related to cost and potential impacts) by March 31, 2012 to confirm the current view

Statement by President Bush on Conservation of Klamath River Basin

White House News

November 13, 2008

I congratulate the many people of the Klamath River Basin in Oregon and California who recently put forward a shared vision for conservation of the river. The agreement my Administration announced today with Oregon, California, and PacifiCorp, the company that owns four hydropower dams on the Klamath River, will advance that vision. Federal, State, and private partners will now begin studying the feasibility of removing four hydropower dams on the river. This is the first phase of a long-term conservation program for upriver salmon habitats.

This agreement turns what was a conflict into a conservation success. For years, there had been disagreement among irrigators, States, tribes, conservationists, and others. Beginning with the drought of 2001, the community, working in partnership with the Federal government, rallied together to find a long-term solution. Since 2002, my Administration has requested and Congress has provided approximately \$90 million annually - a total of more than \$500 million - for Klamath Basin activities. Working together, the Federal government and its partners have restored irrigation and more than 10,000 acres of fish habitat and banked for conservation more than 800,000 acre-feet of water. These actions have provided adequate water for farmers while also helping species recover.

Together, we have produced an agreement that will greatly reduce the risk of future shutdowns of the irrigation system. I applaud this example of Cooperative Conservation and thank everyone who worked to bring it about.

of the US, California and Oregon about whether dam removal is in the public interest. Providing the Secretary of Interior gives the go-ahead for dam removal, PacifiCorp would transfer ownership to a government designated dam removal entity (DRE) after the DRE had obtained necessary permits, and the DRE would then undertake the removal of the dams and also protect PacifiCorp (and ratepayers) from any additional liability.

For more information and a full version of the AIP, please visit www.kwua.org.

California Public Water Agencies Sue to Protect Further Cutbacks

State's Economy Threatened by Yet Another Tiny Delta Fish

Over thirty public water agencies in the Central Valley filed a lawsuit earlier this month to block a new regulation that would enable state Fish and Game officials to cut off up to a million acre feet of water for two-thirds of California's people. Those reductions in freshwater supplies would come on top of the court-ordered cutbacks that last year reduced the state's water supplies by roughly one-third in the midst of the drought.

"We're taking this action to protect the public interest in our own water supply," said Jean P. Sagouspe, a farmer on the westside of the San Joaquin Valley and past president of the Family Farm Alliance. "The Department of Fish and Game's plan represents an abuse of power and a failure of good science and common sense."

The lawsuit filed jointly by Westlands Water District and the San Luis and Delta-Mendota Water Authority (SLDMWA) is one of three suits filed against the Fish and Game regulation by public water agencies from Northern and Southern California as well as the Bay Area. Together, the public water agencies opposed to the regulation are responsible for delivering water to more than 25 million Californians and nearly two million acres of agricultural land.

Fish and Game officials want to shut down the operation of the state and federal pumps in order to protect a species of minnow called the longfin smelt. But Fish and Game's own studies show that longfin smelt do not live anywhere near the pumps. As a result, the agencies point out that shutting down the pumps will not produce any benefit for the fish.

Worse, the Department of Fish and Game is proposing to do nothing at all to reduce the effects of toxic pollution, invasive species, and other problems that the department's own scientists admit are harming longfin smelt.

If the new restrictions are enforced and the drought persists, Water Resources Director Lester Snow has warned that it "could create a water supply and delivery crisis the likes of which Californians have not seen in decades." In

November, the Department of Water Resources joined with public water agencies from throughout California in submitting extensive scientific evidence in an unsuccessful effort to persuade the state Fish and Game Commission not to adopt this rule.

"California's leaders should be working together to conserve our limited water supplies and help the public get through this drought emergency," Sagouspe said. "Instead we see two state agencies working at cross purposes. Nobody benefits if Fish and Game follows through on this plan that proposes to spill into the ocean enough fresh water to serve five million people for an entire year."

The new rule adds an additional and very expensive measure of uncertainty to the water crisis California is facing. Even if Fish and Game doesn't start shutting down the pumps, public water agencies are required to make arrangements for alternative supplies in case they do – a process that will add an estimated \$220 million to local water bills. Farmers will face additional problems in securing financing to plant their crops if there's no assurance there will be enough water to grow them. And new housing developments cannot proceed under California law unless they can demonstrate they have a secure water supply.

California's Endangered Species Act requires that actions taken to protect a species have to be proportionate to the actual threat they face. Westlands' suit, however, points out that if as few as 50 longfin smelt are harmed out of a species that numbers in the millions and ranges as far north as Alaska, Fish and Game would be empowered to begin shutting off water supplies for millions of people at an untold cost of billions to the state's economy.

"There is no proportionality here," said Sagouspe. "No rhyme or reason to the regulation. It simply reflects a false and destructive obsession with blaming the pumps for every ailment in the Delta."

Source: Sarah Woolf, Westlands Water District



Figure 4 : Folsom Lake, on the American River, near Sacramento, is currently at 23% of average storage capacity. The Sacramento and San Joaquin Rivers 2-year streamflow is in the lowest 10% of the historical range.

Source: California Department of Water Resources

What to Watch for in the 111th Congress

On January 6, 2009, the 111th Congress will begin, and will likely work right through until inauguration. The economic stimulus package will be the initial focus of Congress, since Democratic leaders would like to present a completed stimulus legislative package to President Obama on his first or second day in office.

Work on the stimulus package will likely drive every thing else in the new Congress. Among other elements, the new stimulus package would include significant funding for Bureau of Reclamation infrastructure. House Water and Power Subcommittee Chairwoman Napolitano (CALIFORNIA) recently sent a letter to Appropriations Committee leaders requesting that water-related infrastructure be given attention as leaders in the House consider additional actions to stimulate the economy.

An omnibus package of 150 public lands, water and resources bills did not come up during last month's lame-duck session. Instead, the legislation will be reintroduced in January as the "first or second" action taken by the new Congress, Senator Harry Reid (NEVADA) has vowed. Senator Reid and other Democrat leaders on the Hill are packaging together all of the other un-passed appropriations bills into a

single package which could be enacted in the first week or so of the new president's term. This omnibus bill could also be melded with the stimulus bill into one legislative package.

"An FY 09 omnibus appropriations bill must still be assembled," said Joe Raeder, the Family Farm Alliance's representative in Washington, D.C. "In the mean time, a continuing resolution is still in place."

The omnibus package is important for water agencies in the West because it contains the House-passed legislation for implementing the Lower Colorado River Multi-Species Conservation Plan (MSCP) and other important bills, including the San Joaquin River settlement agreement. The bill will be immediately placed on the Senate calendar and can be brought to the floor at any time without the need to go through the committee process.

The omnibus combines 53 land and water resources bills the Senate Energy Committee approved by unanimous voice vote last month with a 96-bill package from the committee that was already awaiting consideration on the floor. Chief among these measures and of interest to Western irrigators include bills that would address aging infrastructure challenges (e.g. Jackson Gulch rehabilitation project in Colo-

rado, and a canal safety bill introduced by Senator Reid), climate change (SECURE Water Act), and construction projects (Arkansas Valley Conduit). The Senate convenes on January 6.

"The Family Farm Alliance continues to work with House and Senate staff on a number of ideas to advance tools and funding to address Western aging water infrastructure challenges," said Raeder.

Meanwhile, observers will quickly get a sense of the direction the Obama Administration will be going immediately after the New Year. Cabinet confirmation hearings will begin immediately in the new Congress. The administration will also roll out its proposed budget during the first week of February.

"Both forums will give us a sense of what priorities will be dealt with in the coming year," said Raeder.

Climate and energy legislation will likely consume much of the Congressional focus. Some key proposals that did not make it through the 110th Congress (e.g. the controversial Clean Water Recovery Act, or CWRA) have a better chance of success with the new Congress and an administration that is more in line philosophically with the proponents of CWRA.



Farm Foundation Releases New Report

As we look to the future, agriculture in the United States and around the world faces a difficult challenge: how to feed a growing world. The Farm Foundation earlier this month released an important new study entitled "30 Year Challenge, Agriculture's Strategic Role in Feeding and Fueling a Growing World".

Sheldon Jones, Vice-President for The Farm Foundation and Family Farm Alliance Advisory Committee Member, says "This is the beginning

of a great opportunity. There is a lot of work to do to develop the strategies, policy and implementation of same to meet the 30 year challenge."

If you are interested in receiving a copy of the final Farm Foundation report and executive summary, please contact Sheldon at (630)-571-9393 or by e-mail at sheldon@farmfoundation.org.

Thank You to Our New and Supporting Members!

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Make your tax-deductible gift to the Alliance today! Grassroots membership is vital to our organization. Thank you in advance for your loyal support. If you would like further information, please feel free to contact the Alliance at (541)-850-9007 or visit our website:

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