

Monthly Briefing

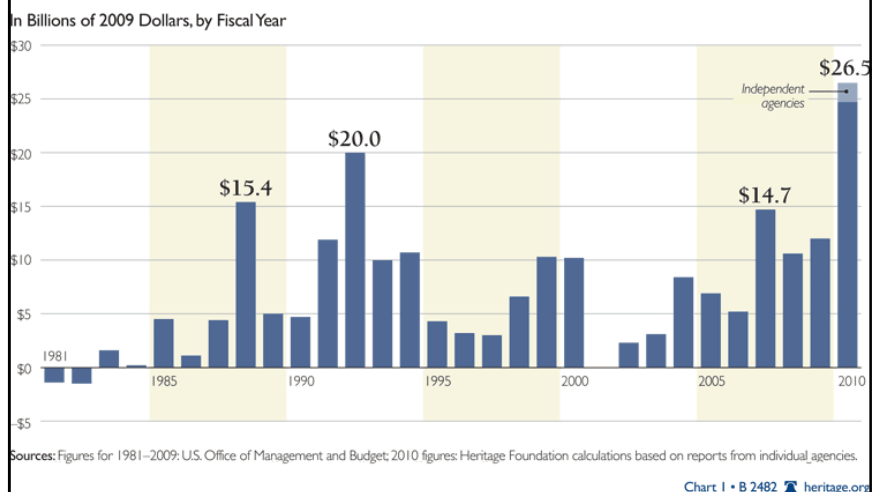
A Summary of the Alliance's Recent and Upcoming Activities and Important Water News

Four Alliance Witnesses Travel to DC to Testify on Federal Regulatory Impacts to Irrigators

On Tuesday, April 5th, four representatives of the Family Farm Alliance testified before the House Subcommittee on Water and Power. The Subcommittee, chaired by Rep. Tom McClintock (R-CALIFORNIA), held an oversight hearing on "Creating Abundant Water and Power Supplies and Job Growth by Restoring Common Sense to Federal Regulations" in Washington, D.C. Chairman McClintock called the hearing to spotlight regulations Republicans say are inhibiting job creation. McClintock intends to tackle what he sees as excessive regulatory burdens and noted that the subcommittee would "have its hands full in meeting this obligation." All of the subcommittee members, save one, participated in the hearing.

After opening comments by the subcommittee members, Alliance Executive Director Dan Keppen (OREGON) led things off and testified on the "big picture" impacts of federal regulations on Western irrigated agricul-

Cost of Major New Regulations



The cost of major new regulations, including environmental rules that impact Western agricultural communities, has been the topic of several recent oversight hearings conducted by the Republican-controlled House of Representatives.
Source: House Committee on Natural Resources

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ture. Keppen said farmers were urging their children to go into other businesses even as demand for food is projected to increase.

"As a country, we have become complacent because food production has been taken for granted for too long," Keppen said.

Other witnesses - all members of the Family Farm Alliance Advisory Committee - included Wade Noble (President of NWRA), Paul Orme (an Arizona attorney who represents agricultural water users) and Norm Semanko (executive director of the Idaho Water Users Association). Other witnesses were Jon Sholl (American Farmland Trust), whose testimony focused on

Alliance Reps Testify in D.C. (Cont'd from Pg 1)

voluntary conservation activities that work with, and alongside, regulations protecting the environment, and Dick Pool (President of Pro-Troll Products in California).

Bay-Delta Fish / Science Issues Front and Center

During the question and answer session, Republicans on the Subcommittee zeroed in on the numerous Obama administration regulations intended to improve fisheries and water quality in California. Many farmers believe these same regulations are actually driving them out of business. Democrats, led by ranking member Grace Napolitano (CALIFORNIA) and Rep. John Garamendi (CALIFORNIA) defended the role of regulation in upholding the law and protecting the environment.

Mr. Pool testified in regards to the economic devastation incurred by the coastal fishing industry in recent years, which he alleged was caused primarily by water being pulled from the Bay-Delta for supplying San Joaquin Valley agriculture. During questioning, he was put through the ringer by Republicans and Democrat Jim Costa, who represents farmers in the Fresno (CALIFORNIA) area.

Chairman McClintock spoke out against federal endangered species population studies in California that ignored "huge populations" of hatchery-grown fish.

Republicans and Democrats went back and forth with Mr. Keppen and Mr. Pool over whether a steep decline in salmon populations in California were attributable to water pumping from the Bay-Delta. Rep. John Garamendi (D-CALIFORNIA) argued that pumping was "one of many" stressors in the heavily populated region.

"To simply say that regulation is the problem is ignoring the fact that the problem is us," said Mr. Garamendi. "It's the demand for water from all of us."

Other Topics

Norm Semanko, Wade Noble and Dan Keppen were provided opportunities to elaborate on how new storage facilities could help meet new environmental water demands generated by implementation of federal environmental laws. Norm Semanko focused his comments on EPA's recent aggressive

rulemaking efforts, particularly relative to pesticide and aquatic herbicide use, and EPA's bias against storage projects. Mr. Semanko was able to describe how new EPA pesticide regulations are duplicative of existing federal pesticide labeling regulations.

"The application of aquatic herbicides in canals, ditches, drains and other irrigation delivery and drainage facilities is statutorily exempt from the definition of "point source" under the Clean Water Act and therefore does not require a Clean Water Act permit," said Semanko. "The EPA proposal fails to clearly state that Clean Water Act coverage is not required for these activities. EPA appears to be employing these new rules as a vehicle to eliminate or dilute the existing statutory point source exemptions."

Mr. Noble addressed concerns water users have with proposed NCLS standards that could also apply to water delivery canals.

"We support NCLS efforts applicable to Corps of Engineers flood control facilities," Mr. Noble testified. "It is, however, not appropriate to apply similar standards and methodologies to water delivery facilities operated by the Bureau of Reclamation and its local partners."

Paul Orme, an Arizona attorney who represents agricultural water users, explained how proposed EPA emissions controls for Navajo Generating Station could put some Arizona farmers out of business because of higher pumping power costs that they will shoulder.

"If the EPA restrictions are fully implemented, agricultural lands will shrink by 35-50%, reaching upwards of 35,000 acres," Mr. Orme testified. "With anticipated urban growth in the area over the next 50 years, water supply and water quality problems may be further exacerbated due to over-pumping in the near term."

You can visit the [Committee Hearings](http://naturalresources.house.gov/live) webpage for all of the written testimony and additional information. The hearing room was filled to capacity, and a live stream was broadcast at <http://naturalresources.house.gov/live>.

"Overall, I think the hearing was a success, and it provided an amazing opportunity to have the Alliance message broadcast in an important forum," said Mr. Keppen.

"For many years, the central objective of our water and power policy was to create abundance – to make the desert bloom as the Bureau of Reclamation's founders put it. But this original mission seems to have been lost to a radical and retrograde ideology that seeks to create, maintain and ration government-induced shortages. We need to return to abundance as the central objective of our water and power policy – by providing abundant water, clean and cheap hydroelectricity, new recreational centers, desperately needed flood protection, burgeoning fisheries and re-invigorated farms."

Subcommittee Chairman Tom McClintock (CA-04).

Alliance Leaders Participate in National Ag Landscapes Forum

Two Family Farm Alliance leaders played a prominent role in a Washington, D.C. forum hosted earlier this month by a high-level agriculture policy committee. Alliance President Patrick O'Toole (WYOMING) moderated the *Water Security: Quality, Quantity and Water Rights* session, on April 7. Alliance Advisory Committee member Marc Thalacker, the general manager of Three Sisters Irrigation District (OREGON), was one of the featured speakers on that panel. Other panelists include Jeff Jacobs of the National Academy of Sciences, G. Tracy Mehan of Cadmus Group, and Kristen Saacke-Blunck of Penn State University.

Mr. O'Toole last year was appointed to a Blue Ribbon Panel established to support the development of the Natural Resource Conservation Service's (NRCS) Program and Policy Statement. This process is mandated by the Resource Conservation Act. The Blue Ribbon Panel is in the process of developing a set of background papers which will examine critical resource conservation issues. A series of half-day regional roundtables were recently held around the country that brought together practitioners, agricultural and environmental interests together to discuss regional perspectives on potential policy approaches related to agriculture, climate change, water resources, and landscape integrity (fragmentation and farmland protection). The regional roundtables formed the foundation for the April 7-8 national forum on agricultural landscapes held in Washington, D.C.

"This process will hold considerable weight in forming the administration policy platform that will influence how the Farm Bill is developed in Congress," said Mr. O'Toole.

Pat O'Toole also participated in three Western regional workshops leading up to the D.C. forum. Other Family Farm Alliance leaders were chosen to speak at the regional workshops, as well. Alliance Advisory Committee Chairman Dick Moss (CALIFORNIA), Mr. Thalacker and Alliance

Executive Director Dan Keppen (OREGON) delivered presentations in Portland (OREGON) while Alliance members Dan Thelander and Brian Betcher (ARIZONA) spoke to the workshop in Tempe (ARIZONA).

"Our message was consistent at the regional meetings, and similar points to the points Marc Thalacker and I made in Washington," said Mr. O'Toole. "The Family Farm Alliance comes to the table with solutions that work in the real world. We support incentive-driven conservation programs, more local and state control of the funding for those programs, and streamlined implementation."

Mr. O'Toole noted that USDA needs to be much more flexible with its conservation programs. He said it makes no sense for an area to return money to USDA for one program which is undersubscribed - because it isn't suitable for that area - while at the same time not having enough money for another program in the area which is oversubscribed.

Marc Thalacker focused much of his presentation on how the Farm Bill can be used to improve the Agricultural Watershed Enhancement Program (AWEP) and facilitate low head hydropower development in existing water delivery systems.

Dave White, chief of USDA's Natural Resources Conservation Service (NRCS) addressed how federal budget pressures will influence Farm Bill discussions, which have already started.

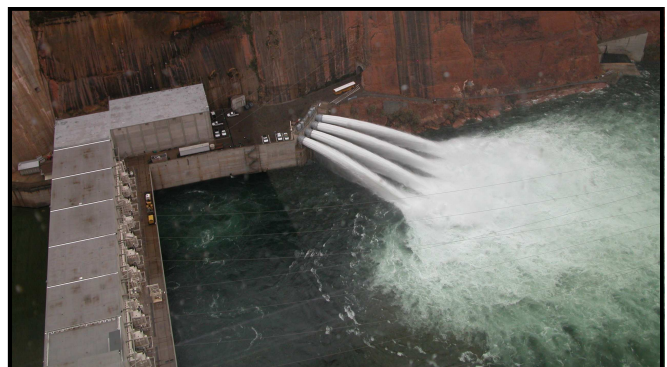
"Do we need four easement programs?", Mr. White asked. "Do we need all the various cost-share programs? Is there an opportunity to gain efficiencies through program consolidation?"

Bill O'Conner, a former Republican House staffer told the group that the farm budget could see substantially reduced funding for conservation over the next decade. He noted there are now 17 conservation programs at USDA, when 25 years ago there were two.

The forum was hosted by NRCS, American Farmland Trust and Farm Foundation NFP.

Court Rules in Favor of Hydropower Interests on Glen Canyon

The December 2010 Family Farm Alliance Water Review reported on the attempt by the environmental community to use the National Environmental Policy Act and the Endangered Species Act to attack hydropower generation at Glen Canyon Dam. Alliance member Colorado River Energy Distributors Association participated in this litigation as an intervener to protect the interests of the communities and tribes that rely on this hydropower. On March 30, 2011, the federal court entered a order and final judgment in this case that ruled against the environmental plaintiffs on all issues and every theory that they raised in the three-year long litigation of this case. It is likely that the environmental plaintiffs will appeal this decision to the Ninth Circuit Court.



High flow tests at Glen Canyon Dam Source: USGS

Two New Colorado River Studies Released

Earlier this month, two publications that address Colorado River water management issues were released to the public. The first – the Colorado River Ag/Urban/Enviro Working Group – is an effort that the Family Farm Alliance was closely involved with. The second is a new report prepared by Carpe Diem West, called “Thinking Like a River Basin”.

“Ag/ Urban / Environmental Water Sharing: Innovative Strategies for the Colorado River Basin and the West”

The Western States Water Council - the water policy arm of the 18 Western Governors – recently considered recommendations a working group representing agricultural, environmental, and urban interests. The report - “Agricultural/Urban/ Environmental Water Sharing: Innovative Strategies for the Colorado River Basin and the West” - is the result of convening representatives from The Nature Conservancy, Family Farm Alliance, Western Urban Water Coalition and two dozen others. The full report is available at www.cwi.colostate.edu/watersharing.

Colorado State University’s Water Institute facilitated the meetings and produced the report as a response to a 2008 challenge by the Western governors: “States, working with interested stakeholders, should identify innovative ways to allow water transfers from agricultural to urban uses while avoiding or mitigating damages to agricultural economies and environmental values.” The project was funded by the Walton Family Foundation.

Some strategies detailed in the report include:

Highlights of the Ag/Urban/Enviro Recommendations for Water Sharing

- Expedite the permitting process when programs or projects have broad support of agricultural, urban, and environmental sectors.
- A governor-championed federal/state pilot review process should be established where a state liaison and a federal designate are appointed to co-facilitate concurrent agency review and permitting without repetitive, costly information exchanges. Permitting is important to protect environmental, economic, and social values, the group agreed, but cumbersome permitting processes often lasting years need an overhaul.
- Design robust processes that give environmental, urban and environmental stakeholders opportunities to plan together early on, instead of one-sided “decide, announce, defend” processes that frequently result in opposition and polarization.
- Foster a flexible, watershed based approach that can lead to cross-jurisdictional sharing of infrastructure, cooperatively timed water deliveries, and strategies to facilitate real-time, on-the-ground, state-of-the-art water management for optimal benefit of cities, farms, and the environment.
- Break down legal, institutional, and other obstacles to water-sharing strategies by developing criteria and thresholds that protect agriculture, the environment and any third parties to water sharing transactions.

- Farmers and cities in Arizona trading use of surface water and groundwater to the advantage of both;
- Ranchers in Oregon paid by environmentalists to forego a third cutting of hay to leave water in the stream for late summer fish flows;
- A ditch company in New Mexico willing to sell shares of water to New Mexico Audubon for bird habitat on the same terms offered to a new farmer to grow cantaloupe;
- A California flood control and water supply project creatively managed stored surface water to meet multiple goals of restoring groundwater, maintaining instream flows for wild salmon and steelhead, and providing water for cities and farms;
- Seven ditch companies cooperating in Colorado in a “Super Ditch” scheme to pool part of their water through rotational fallowing, for lease to cities, while maintaining agricultural ownership of the water rights.

In coming months, group members will meet with environmental, agricultural, and urban groups throughout the Colorado River Basin and the West to encourage further dialogue.

“Thinking Like a River Basin”

Carpe Diem West, a non-profit 501 (c)(3) organization that “engages a broad-based network of experts, advocates, decision makers and scientists to address the unprecedented impacts the growing climate crisis is having on water in the American

West” released [Thinking Like a River Basin: Leaders’ Perspectives on Options and Opportunities in Colorado River Management](#). The report, prepared by the [University of Mon-](#)

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Colorado River Studies Released (Cont'd from Page 4)

tana's Center for Natural Resources and Public Policy, is based on a series of confidential interviews with "prominent members" of the Colorado Basin community.

Family Farm Alliance President Patrick O'Toole and Executive Director Dan Keppen participated in a conference call where Carpe Diem spokespersons first announced the report.

On the call, Sarah Bates, an author associated with the University of Montana's Center for Natural Resources and Public Policy, explained efforts to poll 29 "prominent" Colorado River Basin leaders to focus on challenges and options to move ahead productively.

"There are no easy decisions on rivers like the Colorado – our job is to provide a process to navigate those 'gnarly rapids,'" said Ms. Bates.

As one might expect, the views of this diverse group show nothing resembling consensus. But the report's authors did find some trends:

- There is near unanimity that the river is at or near its capacity to meet current demand. While very few respondents attribute it to climate change,

there is a widespread belief that drought is the new normal.

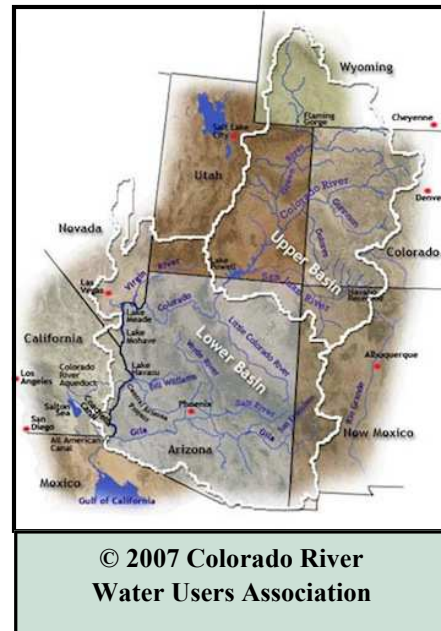
- There is a strong culture of avoiding litigation as a means of solving water conflicts. Leaders on all sides stated a preference for collaborative processes such as the negotiations that led to the 2007 Colorado River Accord.
- Many respondents saw value in opening decision making processes to a wider range of stakeholders - either within or alongside existing processes. Even some leaders who had reservations about doing this acknowledged that pressure is mounting to "set a larger table".

So, what should be done about this?

There were many diverse ideas proposed, including interest in "engaging a new entity to broaden participation in decision-making". Proposed improved water management actions include expanded conservation, urban water reuse, augmentation of water supplies, and implementation of water transfer / water

banking programs.

The Family Farm Alliance representatives monitoring this effort have stressed that Carpe Diem West actively engage key agricultural water interests and senior water rights holders in the Colorado River Basin as this process moves forward.



House Passes Bill to Prevent Duplicative Pesticide Permit Regs

The House of Representatives on the last day of March passed bipartisan legislation that would block new regulations that would subject farmers, mosquito control districts, and others to duplicative permitting and tens of thousands of dollars in counter-productive fines. H.R. 872 is intended to address negative economic and public health consequences of the ruling posed by the case *National Cotton Council v. EPA* (6th Cir. 2009). Under the court ruling, pesticide users would have to obtain a duplicative permit under the federal Clean Water Act (CWA) or be subject to a fine of up to \$37,500 per day per violation. The new permitting process would not only endanger public health by subjecting mosquito control districts to new permitting requirements under the CWA, it would put further strain on states whose agencies would have to establish

new systems to administer and comply with the requirements.

The bill amends the existing federal laws to clarify Congressional intent and eliminate the requirement of a National Pollutant Discharge Elimination System permit for the application of pesticides already approved for specific use under a different federal law. Clarification is needed from Congress to prevent further duplicative regulation and CWA application permits for the use of pesticides by farmers and foresters in accordance with existing federal pesticide labeling laws. Alliance Advisory Committee member Norm Semanko and his allies in Idaho played a huge part in the successful House passage of this bill.

"The bi-partisan passage of this measure truly provides welcomed regu-

latory relief for Idaho water users who must employ aquatic herbicides to keep canals free and clear of weeds for water delivery and to avoid flooding," said Mr. Semanko, Idaho Water Users Association Executive Director.

Coincidentally, on March 28 the Federal Court extended the stay which would allow spraying this year from April 9 to October 31. Spraying will still be controlled under the original permitting process.

"The strong bipartisan vote in the U.S. House coupled with the Court extending the stay truly was a double dose of good news for Idaho's water community," said Semanko. "We look forward to further consideration of this important bill by the U.S. Senate and having it signed into law later this year."

Western States Water Council Elevates Concerns with Proposed Canal Standards

The Western States Water Council (Council) earlier this month adopted a resolution stating that any proposed legislation creating a national program of safety standards for levees and flood water conveyance canals should not apply to federal or non-federal water supply canals. The Council still supports the development of a national program of safety standards for levees and flood water conveyance canals, however.

“There are major institutional differences between levees and water supply canals and the “political systems” commonly used to govern levees that warrant treating them separately,” the Council resolution states, which was adopted on April 15 in Santa Fe (NEW MEXICO).

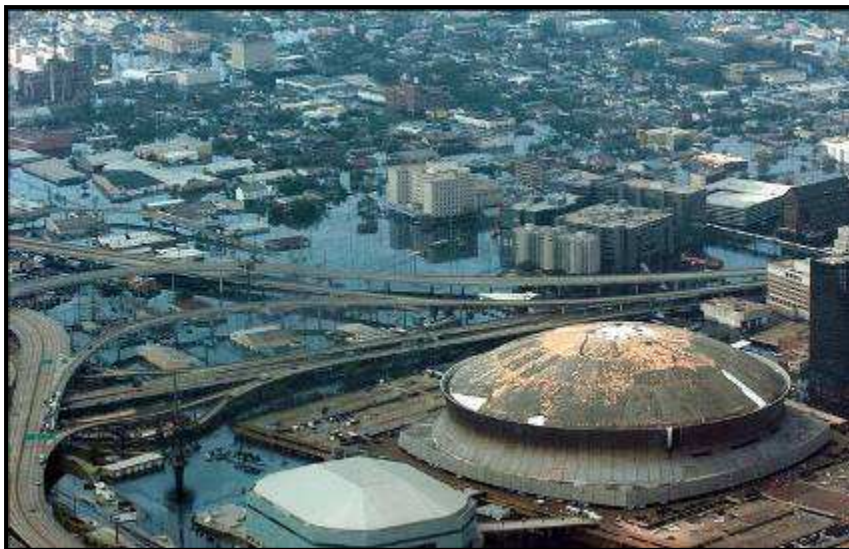
This action is just the latest of several taken in recent months as Western water managers have become increasingly vocal about actions undertaken by the National Committee on Levee Safety (NCLS).

Background

NCLS was authorized in the Water Resources Development Act of 2007 and includes the U.S. Army Corps of Engineers (Corps) and FEMA as the only federal agencies represented on the Committee. The Committee was established to deal with post- Hurricane Katrina flood risk issues, with an emphasis on Corps levees. However, the Committee has developed a plan that essentially would apply Corps-level engineering specifications and standards to levees and canal embankments throughout the country, with little to no coordination with the Bureau of Reclamation (Reclamation) and

Western water managers. The draft report and presentation are available on the “Documents” link on the main NCLS web page (www.nfrmp.us/ncls/docs). The NCLS is now considering legislation that would implement this plan, and thus far, concerns raised by Reclamation and Western irrigation interests do not appear to be gaining traction.

Correspondence with NCLS



New Orleans flooding, post-Katrina. The National Committee on Levee Safety was commissioned to prepare for and help prevent future levee failures in urbanized areas. Western irrigators believe that irrigation canals in the West do not present as large a threat as the urban levees targeted by NCLS and could misrepresent the greater need for river levee protection.

Source: U.S. Army Corps of Engineers.

Last October, the Family Farm Alliance crafted a letter to the NCLS co-signed by the National Water Resources Association (NWRA) and the Association of California Water Agencies (ACWA).

“This letter outlined the concerns we have with the direction the NCLS is taking,” said Dan Keppen, Executive Director of the Family Farm Alliance. “Water users and Reclamation do not believe that the provisions of the Levee Safety Act apply to facilities operated by Reclamation or entities responsible for managing works trans-

ferred from Reclamation. Clearly, the Act applies to levees, which it defines as embankments that provide protection relating to seasonal high water and other weather events.”

Keppen and others maintain that this is in contrast to Reclamation canals which are designed to deliver water under site-specific conditions.

“The nation-wide inspection program and new project condition and maintenance standards required by the proposed legislation would be duplicative of existing federal law, and would increase costs without a corresponding increase in

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WSWC Addresses NCLS (Cont'd from Pg 6)

public safety or assurances of financial support,” said Keppen. “It would also open up the potential for greater liability to water project operators.”

NCLS recently responded to the contention made by water users and Reclamation that the new program should not bind Reclamation conveyance facilities, and that response was not encouraging. Overall, the response indicated NCLS and Reclamation maintain an “honest disagreement” about whether water delivery canals should be subjected to the requirements of the proposed levee safety program. While Reclamation believes Congress did not intend for water delivery canals to be subjected to new requirements administered by the Corps, NCLS contends Congress believed all canals should be included (subject to certain potential exemptions).

NCLS Vice-Chair Eric Halpin in Boise (IDAHO) last February led a discussion about this requirement, and presented his justification about why the NCLS included water delivery canals within the scope of its deliberations. According to several sources, most of the water users present at the Boise workshop took exception to the NCLS position.

Congress and Governors Beginning to Pay Attention

This issue is starting to resonate a bit more publicity outside of the Western water buffalo community. Senator Udall (NEW MEXICO) recently let Secretary Darcy of the Corps know he was concerned about the “canals are levees” issue during a hearing by the House Transportation and Infrastructure subcommittee on the Corps’ FY 2012 budget proposal. Senator Udall’s efforts were likely sparked by a recent letter on this topic sent to the New Mexico congressional delegation by Alliance Advisory Committee member Gary Esslinger.

“I write to express concern with the NCLS assertion that standards intended to govern flood control levees should also

“I write to express concern with the NCLS assertion that standards intended to govern flood control levees should also be applied to western water delivery canals. Such application will place a redundant and costly regulatory burden on the structures that represent the lifeblood of southern New Mexico’s agricultural economy, without providing an increase in public safety.

**Gary Esslinger
Elephant Butte Irrigation District
March 11, 2011 Letter to
New Mexico
Congressional Delegation**

be applied to western water delivery canals,” Mr. Esslinger wrote. “Such application will place a redundant and costly regulatory burden on the structures that represent the lifeblood of southern New Mexico’s agricultural economy, without providing an increase in public safety.”

The recent action by the Western States Water Council, which serves as the water advisory body to the Western Governors Association, marks an important step in efforts to elevate this issue with elected officials and other important water policy makers.

Alliance Action

“The Alliance and our allies in Washington, D.C. have been meeting with Congressional Committee staff to advance our concerns,” said Mark Limbaugh, the Alliance’s representative in Washington.

Earlier this year, key Congressional committees were sent a joint recommendation letter from the Alliance, NWRA and ACWA that highlighted collective concerns about the NCLS inclusion of Western water delivery canals and ditches within their proposed levee program. The February 2011 Family Farm Alliance annual meeting and conference featured a panel discussion on this topic, where NCLS spokespersons did not appear to budge from their position and confirmed the NCLS approach to including all forms of levees and canals in their deliberations.

The Alliance is currently coordinating with NWRA and ACWA to arrange a face-to-face meeting this spring with the NCLS chairman, Eric Halpin and the FEMA representative on the NCLS.

Further attention was placed on this topic at a recent House Water and Power Subcommittee meeting held in Washington (see lead story, Page 1), where Alliance Advisory Committee member Wade Noble outlined the NWRA/Alliance concerns on this very issue.



Gary Esslinger, Treasurer / Manager EBID

NAS Study Raises Concerns with Proposed CEQ Revisions To Federal Agency Water Resources Planning Processes

A National Academy of Sciences (NAS) independent review of critical proposed changes to federal agency water resources planning processes draws many of the same conclusions also reached by Western agricultural interests.

Background

In July 2009, the White House Council on Environmental Quality (CEQ) released draft revisions to the Principles and Standards (P&S) of the *Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies* (P&G). The first set of "Principles and Standards" (P&S) was issued in September 1973 to guide the preparation of river basin plans and to evaluate federal water projects. Following a few attempts to revise those initial standards, the current P&G went into effect in March 1983.

According to the NAS study, since the early 1980s there have been many changes in the national water resources planning landscape. For example, there have been increased cost-sharing requirements for local water project co-sponsors and there has been some decentralization of decision making authority in water project planning and operations. Scientific understanding and appreciation of the natural functions of aquatic ecosystems have increased, and environmental protection and ecosystem restoration have become primary planning objectives for some projects, such as Florida Everglades restoration. At the same time, traditional water resource sectors, such as inland navigation and hydroelectric power production, remain important to many parties. Many national water planning challenges involve balancing decisions and resources among a greater number of water resource users and interests.

In light of these developments, many groups—including committees of the NAS - have recommended that the P&G be reviewed and modernized. In the 2007 Water Resources Development Act (WRDA 2007) U.S. Congress directed the Secretary of the Army to revise the P&G. Congress also directed the Secretary to consult with other entities, including the National Academy of Sciences. During the process of revising the P&G, lead responsibility for the revisions was reassigned from the Secretary of the Army to the Council on Environmental Quality (CEQ). The CEQ released its "Proposed National Objectives, Principles and Standards for Water and Related Resources Implementation Studies" in December, 2009.

NAS and Alliance Note Similar Concerns with Proposal

In April 2010, the Family Farm Alliance (Alliance) formally responded to CEQ's efforts to prepare new standards for all federal water projects. CEQ's standards, which were then forwarded to the NAS for further review, was seen by the Alliance as an effort to elevate the environmental impacts of water projects to equal footing with traditional cost-benefit economic calculations. The Alliance letter stated that the apparent goal of the CEQ effort to avoid adverse impacts to ecosystems would prevent nearly any proposed water infrastructure project moving forward.

Similarly, the report released from the NAS National Research Council (NRC) *Committee on Improving Federal Principles and Guidelines for Water Resources Planning* found that the 2009 proposed revisions "lack clarity and consistency in several respects", including:

- The distinctions and relations among "objectives", "principles", and "standards" are not clear. *The April 5, 2010 letter from the Family Farm Alliance to CEQ also noted this, and observed that no standards were provided for quantification of benefits and costs.*
- The 2009 proposed revisions exhibit ambiguity in identifying the federal agencies, programs, studies, and projects to which they will be applied. *Similar concerns were raised in the Alliance's April 2010 letter, which recommended that proposed standards must respect and reflect existing contracts and comply with Reclamation law. The Alliance also observed that it was unclear how the P&S would apply to non-federal entities involved with federal partners.*
- The planning principles and steps presented in the document are not fully consistent and lack sufficient coherence in defining a process for planning or implementation. *The Alliance letter to CEQ similarly recommended that, in several parts of the proposed principles and standards, vague terminology must be re-defined with clarity. The Alliance feared that the addition of difficult-to-decipher terminology and uncertain scope and study processes for new projects would increase the potential for litigation and delay, and ultimately promote redundant and questionable processes.*

For these reasons, the NAS report concluded that "detailed advice on specific planning procedures at this point would be premature."

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NAS Review of CEQ Proposal (Continued from Page 8)

Alliance Reaction

The proposed P&S will form a central component of water resources public policy in the U.S. and will directly influence the type, nature and specific features of federal water resources projects agencies recommend for Congressional authorization. They are critical to determining what federal investments are made in water resources and how they are made. Congress recognized this, too, when it passed WRDA in 2007.

"It was our understanding that the intent of 2007 WRDA was to provide a more balanced approach to water resources management decision making," said Alliance President Patrick O'Toole in April 2010. "Unfortunately, the draft document clearly elevates the non-structural and environmental elements over economic and human benefits and safety."

This apparent bias was viewed with great concern by Alliance members, who run irrigations systems and flood control works throughout the Western United States. Without more emphasis on the economic impacts, human benefits and safety issues, jobs will continue to be lost and communities will become increasingly threatened by natural disasters that can be planned and mitigated for.

"The increased control exerted by federal agencies through a variety of means has increasingly led to gridlock in the management of water supplies in the West," said Alliance Executive Director Dan Keppen. "We fear that the draft P&S, if implemented, will lead to more of the same."

Western water users do not want to see a program that becomes mired in a process that ultimately delays implementation of critical projects. Those projects - especially those that enhance water supplies - already are very time-intensive and any additional delay for planning and studies will only add to the time frame for providing relief.

"We are pleased that the NAS has raised meaningful, important issues with the CEQ's initial draft of the P&S," said Keppen. "CEQ must revise its draft P&S to reflect those findings. We will continue to monitor this process and engage as necessary on behalf of our West-wide membership."

The Alliance is in the process of drafting a letter to President Obama and other Washington policy makers, emphasizing the need to ensure that a new draft P&G be made available for public review and comment, particularly due to the nature and extent of the revisions to be incorporated into a new draft.

Durango Water Forum: "Different Views, Same Goals"

The Southwestern Water Conservation District hosted its 29th annual water seminar on April 1st, 2011 in Durango (COLORADO). Alliance Executive Director Dan Keppen spoke at the event.

"The Durango forum provided a good opportunity to share information about the Family Farm Alliance with the local community and discuss the priority issues we are currently working on," said Mr. Keppen, who also participated in a panel discussion / debate with Jennifer Pitt, from the Environmental Defense Fund (see below).



Jennifer Pitt (Environmental Defense Fund) and Dan Keppen (Family Farm Alliance) on April 1 in Durango (COLORADO) reenacted debates they had in a 2010 workshop intended to find common ground on Colorado River water management issues. Source: Bruce Whitehead, Southwestern Water Conservation District.

Thank You to Our New and Supporting Members!

MARCH-APRIL 2011

CHAMPION (\$5000 and more)

Washington State Water Resources Association Westlands Water District (CA)

ADVOCATE (\$1,000 -\$5,000)

Elephant Butte Irrigation District (NM) Heart Mountain Irrigation District (WY)

Klamath Drainage District (OR) Las Vegas Valley Water District (NV)

Nebraska State Irrigation Association Nebraska Water Users Association

Payette River Water Users Association (ID) Poe Valley Improvement District (OR)

Salt River Project (AZ) Southeastern Colorado Water Conservancy District

Upper Arkansas Water Conservation District (CO)

DEFENDER (\$500-\$1,000)

Carlsbad Irrigation District (NM) Colorado River Water Conservation District

Dieppenbrock Harrison (CA) Fertilzona-Casa Grande LLC (AZ)

Garrison Diversion Conservation District (ND) Houston Engineering, Inc. (ND)

North Platte Valley Irrigation Association (NE) Pine River Irrigation District (CO)

David Slopek Farms LTD Co. (NM)

PARTNER (\$250-\$500)

Davis and Weber Counties Canal Company (UT) Gering-Ft. Laramie Irrigation District (NE)

Hermiston Irrigation District (OR) Jackrabbit (CA) Gary Robertson (CA)

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