

Monthly Briefing

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

Alliance Outlines Farm Bill Priorities

The Family Farm Alliance earlier this month hand-delivered a letter to the highest ranking official at the Natural Resources Conservation Service (NRCS) that will serve to guide the organization's advocacy efforts as the next Farm Bill takes shape. That letter will also be used as a briefing document to solicit other like-minded organizations to join Farm Bill advocacy efforts on Capitol Hill.

The Alliance played an active role in the development of the last Farm Bill. In particular, working with a diverse coalition of commodity groups, conservation organizations, and urban water users, the Alliance developed a framework that ultimately became the Agricultural Water Enhancement Program (AWEP).

The Farm Bill provides a forum where farmers, ranchers and constructive environmental groups can join forces for a common good. Ranchers in the West depend on the availability of both public and private land for economically viable



Idaho in 2009 received \$6.9 million from the Farm Bill Agricultural Watershed Enhancement Program to fund four water user efficiency projects.
Source: USDA NRCS.

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operations. The single most important factor leading to the loss of wildlife and ecologically degraded landscapes is fragmentation from development, not from farming and ranching. Ranchers want a stable business climate for their operations; conservation groups want healthy and productive landscapes.

“We will continue to work with conservation groups who share a mutual interest in supporting working ranches and healthy landscapes and to ensure that continued emphasis is placed in the Farm Bill to support incentive-driven conservation programs,” said Alliance Presi-

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O'Toole to Speak at Annual Colorado Water Workshop

Pat O'Toole, a Wyoming sheep and cattle rancher will represent the Family Farm Alliance on a panel discussing energy and water planning needs at the upcoming 36th Annual Colorado Water Workshop. The three-day event conference is planned for July 20-22 at Western State College in Gunnison.

Workshop organizers seek to provide a variety of perspectives on a wide range of related topics, including:

- microhydro and integration of energy production into irrigation facilities;
- bioethanol (food and nonfood crops and crop waste);
- biomethane and energy production from processing of agricultural wastes and wastewater;
- renewables on ag land (especially wind and solar);
- use of energy produced water for irrigation and livestock watering;
- energy efficiency for irrigation and rural communities;
- development of workforce, education facilities, and other support for clean energy economic development in rural areas; and
- the impact of climate change dialogues.

O'Toole will join a distinguished group of panelists from the U.S. Bureau of Reclamation and the State of Colorado, as well as the following representatives, to discuss Western water, energy and renewable energy planning efforts and needs:

- Chris Beck (USDA Intergovernmental Affairs)
- Tom Iseman (Western Governors Association)
- Jordan Macknick (National Renewable Energy Lab)
- Mike Bowman (25x25)
- Rick Krause (American Farm Bureau)
- Jeremy Peters (National Farmers Union)
- Brian Starkebaum (CO Ass. of Conservation Districts)
- Jon Scholl (American Farmland Trust)

"I will focus my remarks on the need to begin planning efforts now, and not wait until we are forced to make decisions during a crisis," said O'Toole. "Relying on agriculture to be a shock absorber to soften or eliminate the impending water shortage is not planning. It is a choice to put our heads in the sand and hope for the best. It is a decision that could worsen our nation's economy and security."

For more information on the workshop, and to register, contact Jeff Sellen by phone (970-943-3162) or e-mail (jsellen@western.edu).

2011 Alliance Farm Bill Priorities (Cont'd from Pg 1)

dent Patrick O'Toole (WYOMING). "Thousands of water and land conservation projects have been completed across the Western United States, and these efforts should continue. We will urge policy makers to give Farm Bill conservation programs a priority and fund those programs accordingly."

While in Washington for the Alliance's May 2011 D.C. "fly-in", Alliance farmer lobbyists met with David White (Chief, NRCS) and focused exclusively on the Farm Bill.

"We explained to Chief White our desire to tweak AWEP so that irrigation districts can be funded and apply those monies more efficiently towards meaningful water quality and water quantity improvements on the ground," said Alliance Executive Director Dan Keppen (OREGON). "Chief White listened, asked good questions, and then suggested that we write him a letter with our recommendations and observations gleaned from AWEP implementation in recent years."

That letter was later prepared with input from the Alliance's Advisory Committee. Patrick O'Toole handed Chief White the letter earlier this month in Bozeman (MONTANA).

The Alliance letter noted growing concern that over half of today's active farmers and ranchers are between 45 and 64 years old.

"We must find ways to encourage young farmers and ranch-

ers to stay with agriculture," said O'Toole.

One way to do this via the new Farm Bill would be to include a provision to fund a public relations campaign that highlights farming, such as a series that highlights successful farmers from various states and their success stories. These tools could be used in classrooms and other forums to support and promote farming. Another idea would be to support local farmers by providing their children with college grants, with the condition that they come back to their local area to farm after their education is complete.

The letter further outlined the Alliance's interest in finding ways to improve the AWEP and facilitate low head hydro-power development within existing water delivery systems. Finally, the letter expressed support for incentive-driven conservation programs, more local and state control of the funding for those programs, increased emphasis on deteriorating forested watersheds, and streamlined program implementation.

Alliance leaders have started outreach efforts to reunite the former AWEP coalition and solicit interest on a coordinated approach to work with like-minded interests on the Farm Bill.

"The response has been good so far," said O'Toole. "We are using our letter to Chief White as a basis for our proposed policy platform on this Farm Bill."

Alliance Calls on Obama Administration To Withdraw Clean Water Act Guidance

Earlier this month, the Family Farm Alliance transmitted its formal comment letter to the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers' (Corps) on proposed Guidance Regarding Identification of Waters Protected by the Clean Water Act (CWA), also referred to as "draft guidance".

"Clean Water Act jurisdictional issues are uncertain, particularly in areas where Western farmers and ranchers store, move and apply water for irrigation," said Alliance Executive Director Dan Keppen. "While the draft guidance would theoretically preserve certain current CWA exemptions enjoyed by the agricultural community, the draft guidance's approach to defining "other waters" of the U.S. is so expansive that it could be interpreted to render such exemptions meaningless."

Section 6 of the draft guidance, which addresses "other waters" of the U.S., is particularly vague. This uncertainty brings with it the risk of additional regulations, time-consuming and potentially expensive procedures, expanded opportunities for litigation, and a shift from local and state water management towards increased federal agency regulation and oversight.

"Our farmers and ranchers simply do not need another layer of difficulty added to a profession that is already saddled with significant challenges," said Alliance President Patrick O'Toole, who operates a sheep and cattle ranch in Wyoming. "We do not believe that additional enforcement and regulation are needed at this point. The case for expanded federal jurisdiction of the CWA and attendant tightened regulation has been greatly exaggerated, in our view."

The draft guidance is seen the Alliance and others as a "rule in disguise".

"We have asked that the draft guidance be withdrawn, and EPA and the Corps should commence with a transparent, formal rulemaking process," said Keppen.

Background

The Obama Administration in late April rolled out its national "clean water framework", which describes current key federal activities of the EPA, U.S. Army Corps of Engineers, the Executive Office of the President, the Department of the Interior, and the U.S. Department of Agriculture in protecting U.S. water resources. The idea of the "framework" is to promote innovative partnerships with state, regional, and local governments in implementing such water quality and quantity protective efforts. The draft guidance is intended to clarify CWA jurisdiction for permitting programs, and is designed to "close loopholes" in inter-

preting CWA statutes, including expanding jurisdiction to "small streams feeding big streams" and to wetlands beneficial to water quality.

Administration spokespersons insist that the draft guidance maintains all of the statutory exemptions provided by the CWA.

"As our nation's foremost conservationists, farmers, ranchers and forest owners have a values system rooted in rural America that recognizes we cannot continue to take from the land without giving something back," said Agriculture Secretary Tom Vilsack. "The draft Clean Water Act guidance...reflects USDA's work with our federal partners by maintaining existing exemptions for ongoing agricultural and forestry activities, thereby providing farmers, ranchers and forest landowners with certainty that current agricultural and forestry activities can continue."

At this point, EPA does not intend to rely solely on the final guidance for the long term and will instead commence the more lengthy process of promulgating regulations under a rulemaking soon in order to provide consistency and predictability with regard to CWA jurisdictional determinations in the future.

Congressional Reaction

Many elected officials disagree with the Administration's direction on this matter.

Rep. Greg Walden (OREGON) signed on to an April 14, 2011 letter with 170 other Members of Congress protesting the Administration's guidance efforts.

"The draft guidance as written would give federal regulators additional leeway and clarification from existing Bush-era guidance to regulate more tributaries to waters of the U.S., as well as additional wetlands that have a "significant nexus" to jurisdictional waters under the Clean Water Act," said Rep. Walden. "The effect of the guidance will be to reverse decisions by the United States Supreme Court that recognized limits to the federal government's regulatory authority, and to undermine the long-standing federal-state partnership in the regulation of waters."

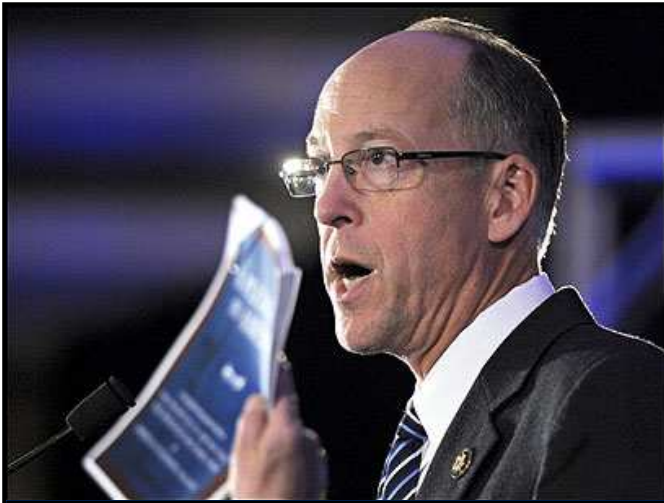
The signatories of the Congressional letter assert that the new December 2010 guidance goes beyond clarifying the scope of the CWA and suggests that the Army Corps of Engineers and the EPA are trying to rewrite CWA regulations to broaden the scope of the agencies' regulatory jurisdiction over

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Comment Period Extended 30 days (Con't from Pg 3)

isolated wetlands without the transparency and public involvement of a rulemaking process.

Rep. Walden and other Congressional critics believe this expansion will result in confusion, permitting delays, and added costs and burdens for communities, farmers, small businesses, industries and other Americans.



U.S. Rep. Greg Walden (OR). Source: KATU News.

Alliance Efforts

The Family Farm Alliance has dedicated significant time and energy in recent months reacting to, assessing, and planning how to respond to the release of the Obama Administration's national "clean water framework".

"We have been anticipating this announcement for some time, ever since we submitted detailed comments on EPA's draft General Pesticide Permit, 5-Year Strategic plan and draft Clean Water Strategy last year," said Keppen.

The Alliance on June 3rd joined dozens of other national organizations and urged EPA and the Corps of Engineers to extend the public comment period for the draft guidance.

"We urged EPA to consider extending the comment period so the full extent of the effects of the guidance can be analyzed and expressed in comments," said Keppen. "Our members are most concerned about potential economic impacts involved. We need to fully assess the effects the draft guidance will have on our family farmers' and ranchers' efforts to manage water and steward the environment in the most efficient and effective manner possible."

While EPA spokespersons had initially hinted that the comment period would not be extended, the Administration later agreed to push back the comment deadline to July 31, 2011.

The Alliance has worked with a variety of other organi-

zations representing the "regulated community" to share resources and assess the draft guidance. These efforts culminated in the development of the letter that was sent to Administration officials earlier this month.

Go to www.familyfarmalliance.org to download the PDF version of the Alliance letter to EPA and the Corps.

Call to Action

"Last year, we anticipated that it would be difficult to get EPA and other Administration agency policy makers to back off on the approach they have been taking, so we focused our efforts on alerting our members and other regulated producers to what was happening, while also working with some Members of Congress to raise the issue with them," said Keppen. "Now, we are urging that Western farmers and ranchers and irrigated agriculture organizations send their own letter to EPA and the Corps outlining their concerns."

The 30-day extension will provide others sufficient time to prepare substantive and helpful comments on the draft guidance as well as intelligently identify the real potential impacts to their communities.

"EPA and the Corps need to hear from our individual members," said O'Toole. "A letter that arrives in D.C. from a family farm carries more weight than you can imagine."

Such letters should be addressed to:

Ms. Donna Downing
Office of Water (4502-T)
Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460
CWAwaters@epa.gov
Attn: Docket ID No. EPA-HQ-OW-2011-0409

Mr. David Olson
Regulatory Community of Practice (CECW-CO-R)
U.S. Army Corps of Engineers
441 G Street, N.W.
Washington, D.C. 20314
David.B.Olson@usace.army.mil
Attn: Docket ID No. EPA-HQ-OW-2011-0409

The comment period for the draft guidance will end July 31, 2011. Again, EPA and the Corps agreed to extend the comment period by 30 days after receiving calls for an extension by the Family Farm Alliance and numerous other organizations. The draft guidance will not be implemented until it is finalized sometime this fall. For more information on this issue, go to (<http://www.whitehouse.gov/administration/eop/ceq/initiatives/clean-water>).

AGree Unveils Advisory Committee to Shape Policy Path

Family Farm Alliance President one of 29-Member Committee

AGree, a new initiative to transform food and agriculture policy, on June 23 announced the 29 members of its Advisory Committee, who will help shape and guide the direction of the initiative’s strategy and objectives. Patrick O’Toole, a sheep and cattle rancher from Wyoming, represents the Family Farm Alliance on the committee, which is seeking to find long-term, global food and agriculture policy solutions.

The Advisory Committee is a core component of AGree’s endeavor to change the current inertia on agriculture issues. AGree intends to engage a broad array of stakeholders to develop solutions to improve agricultural productivity and environmental performance at the national and global levels; enhance availability of and access to nutritious foods; and promote opportunities for rural communities to succeed economically.

The committee is composed of experts with diverse experience in their respective fields including farmers, ranchers, nutritionists, energy experts, environmentalists, scientists, technology developers, economists, business owners, international development veterans, and public health specialists (*see Pg 6*).

“It is important that all voices on food and agriculture issues have an equal chance of being heard,” said Gary Hirshberg, AGree Co-Chair and President and CE-“Yo” of Stonyfield Farm. “The Advisory Committee will allow that evidence-based discussion to take place, and I am excited about what we may learn from each other.”

On May 3, AGree held a series of launch events in order to reach out to stakeholders, policymakers, and national and local media. More than 100 people joined AGree leadership for a press conference at the National Press Club in Washington, D.C. The AGree Co-Chairs also conducted a multi-state satellite media tour that included interviews with both national and regional broadcast media. Later that evening, AGree hosted a reception to bring together key stakeholders and policymakers.

The initial meeting of the Advisory Committee took place in Minneapolis (MINNESOTA).

“The Advisory Committee is a testament to the fact that food and agriculture affects many different parts of our lives and successful policy must be developed with all of these parts in mind,” said Dan Glickman, a third AGree

Co-Chair and a former U.S. Secretary of Agriculture. “The discussions will be intense but I believe the Advisory Committee will help steer AGree down the most effective path to transform food and agriculture policy.”

The Advisory Committee will provide key inputs that will help shape and direct AGree research topics and reports, discussion forums and policy recommendations — in coordination with the four co-chairs and a Research Committee.

The Advisory Committee will meet several times a year with each other and the other AGree participants to discuss evolving problems and solutions in food and agriculture.

“I am excited to announce such a dynamic list of experts to advise AGree on food and agriculture policy from such varied perspectives,” said Deborah Atwood, Executive Director of AGree. “It is an honor that these experts have committed their time and attention to AGree and it highlights a growing consensus that AGree’s distinctive and inclusive approach to these issues is needed.”

Pat O’Toole notes that AGree leaders have striven to be very “judicial” in how this effort is being introduced to the public. He sees a common thread that ties many of the Advisory Committee members together: food security.

“It’s clear that the makeup of the Advisory Committee and the nature of the foundations supporting this effort that there is an understanding we will need to produce more food for the world,” said O’Toole. “At the same time, we are losing human, land and water resources in our own country, with an expectation that we should be doing more. The challenge will be to do just that. We need to recruit more farmers, keep resources from going other places, and grow more food.”

AGree will utilize broad stakeholder input and best-in-class research to find long-term solutions for agricultural, food and rural development issues in U.S. and international policy. It will provide a platform for diverse interests concerned and committed to finding solutions to food and agriculture issues.

“We have started a process with AGree that will demand a lot of diplomacy, credible information from organizations like the Family Farm Alliance and a boat-load of patience,” said Atwood. “We feel honored that Pat O’Toole has joined our effort.”



Patrick O’Toole, branding new cows in Wyoming, in between trips back East to engage in national agricultural policy forums.

AGree Advisory Committee Members

- [A.G. Kawamura](#) (Former Agriculture Secretary of California)
- [Bev Eggleston](#) (EcoFriendly Farms, Virginia)
- [Carl Mattson](#) (Wheat Farmer, Montana)
- [Chuck Benbrook](#) (The Organic Center, Oregon)
- [Claire Wang](#) (Columbia University, New York)
- [Connie Veillette](#) (Center for Global Development, D.C.)
- [Craig Cox](#) (Environmental Working Group, Iowa)
- [Debra Eschmeyer](#) (Food Corps and Harvest Sun Farm, Ohio)
- [Elizabeth Thompson](#) (President of Environmental Defense Action Fund, DC)
- [Eric Olsen](#) (Feeding America, DC)
- [Fred Yoder](#) (National Corn Growers Association, Ohio)
- [Ginny Ehrlich](#) (Alliance for a Healthier Generation, New York)
- [Hal Hamilton](#) (Sustainable Food Lab, Vermont)
- [Jeff Dlott](#) (SureHarvest, California)
- [Jeremy Embalabala](#) (National 4-H Council, Illinois)
- [Johanna Nesseth Tuttle](#) (Center for Strategic and International Studies, DC)
- [Judith Redmond](#) (Full Belly Farm, California)
- [Kristin Weeks Duncanson](#) (Duncanson Growers, Minnesota)
- [Mark Keenum](#) (President, Mississippi State University)
- [Nancy Straw](#) (West Central Initiative, Minnesota)
- [Ousmane Badiane](#) (International Food Research Policy Institute, DC)
- [Patrick O'Toole](#) (Family Farm Alliance)
- [Paul Guenette](#) (ACDI/VOCA, DC)
- [Rekha Mehra](#) (International Center for Research on Women, DC)
- [Robert Thompson](#) (Visiting Scholar, Johns Hopkins University, DC)
- [Rudy Arredondo](#) (National Latino Farmers and Ranchers Association, DC)
- [Shiriki Kumanyika](#) (University of Pennsylvania School of Medicine)
- [Steve Flick](#) (Show Me Energy Cooperative, Missouri)
- [Susan Heathcote](#) (Iowa Environmental Council)

A list, bios and pictures of the AGree Advisory Committee members can be found on the AGree website:
<http://www.foodandagpolicy.org>

Alliance Rep Testifies at House Hydro Hearing

The House Water and Power Subcommittee recently held a legislative hearing on Rep. Adrian Smith’s Small-Scale Hydropower Enhancement Act of 2011 (H.R. 795), which will wholly exempt projects built on existing, man-made water conduits from the Federal Energy Regulatory Commission (FERC) licensing process. This hearing was the first in a series of general hydropower-related bills heard by the Subcommittee this year.

Gary Esslinger (NEW MEXICO) testified on behalf of Elephant Butte Irrigation District and the Family Farm Alliance in support of the bill, which appeared to receive bipartisan support from subcommittee members during the hearing.

“There are many potential benefits of low-head hydropower,” Esslinger testified. “Of primary importance, tapping this resource will allow local communities – particularly in rural areas – to contribute green power to the grid and maintain the low energy costs that are essential to economic growth. Additionally, low-head hydropower will provide an alternative revenue source for irrigation districts struggling to keep water assessments down while maintaining aging infrastructure and developing necessary water conservation measures.”

Despite these promising opportunities, Esslinger explained that the FERC licensing process is outdated and slow-moving, despite the Commission’s claim to the contrary.

“A major bureaucratic stumbling block is in our path,” said Esslinger.

Esslinger’s hope is that H.R. 795 will alleviate these administrative bottlenecks by effectively exempting low-head hydropower developed on structures like ones in his district, which are located within existing irrigation canal systems, from the FERC process altogether.

“Western irrigation infrastructure is beset by too many challenges to ignore the promise that low-head hydropower represents,” Esslinger testified.

The role of Gary Esslinger and the Family Farm Alliance at the June 23rd hearing reflects the Alliance’s high priority on

continuing to seek administrative and legislative solutions to streamline the regulatory process associated with developing low-head, low-impact hydropower development in existing conveyance systems.

Bob Lynch, an attorney who represents several water agencies in Arizona, also testified in support of the bill.

“I am appearing here today to enthusiastically support the study that Section 4 of H.R. 795 directs be undertaken,” Lynch testified. “The Department of the Interior can become the small-scale hydropower capitol of the United States. While it and Reclamation are beginning to move in that direction, Congress needs to assign them this role so there is no question about their authority.”



Elephant Butte Irrigation District’s Drop 8 facility flows 300 cubic feet per second and provides an ideal opportunity to install low-head turbines in an existing delivery canal that can produce clean power with no impacts to the environment. Photo Courtesy of EBID.

Bureau of Reclamation Deputy Commissioner Robert Quint offered the Obama’s Administration’s position on the bill, which promotes a belief that environmental laws should continue to apply even if permitting requirements were lifted and urged that the bill wait until the department finished studies by the end of the year.

“Western irrigation infrastructure is beset by too many challenges to ignore the promise that low-head hydropower represents.”

**Gary Esslinger, Elephant Butte Irrigation District
Family Farm Alliance Advisory Committee**

Thank You to Our New and Supporting Members!

JUNE 2011

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Reinke Manufacturing Company (NE)

San Luis Canal Company (CA)

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Keppen at his NEW e-mail address: dankeppen@charter.net, or visit our website:

www.familyfarmalliance.org



Contributions can also be mailed directly to:
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22895 S. Dickenson Avenue
Riverdale, CA 93656.