



P.O. Box 216 Klamath Falls, Oregon 97601

April 5, 2010

Mr. Terry Breyman
Associate Director for Natural Resources
Executive Office of the President
Council on Environmental Quality
722 Jackson Place NW
Washington, D.C. 20503

Re: Proposed National Objectives, Principles and Standards for Water Resources Studies

Dear Mr. Breyman:

On behalf of the Family Farm Alliance (Alliance), I would like to thank you for the opportunity to review the proposed National Objectives, Principles and Standards for Water and Related Resources Implementation Studies (P&S). We look forward to working with you further in this process as it evolves, because much work remains to be done. In its present form, the draft P&S carries very few benefits and presents many risks, complications, additional costs and uncertainty for our members.

The Alliance is a grassroots organization of family farmers, ranchers, irrigation districts and allied industries in 16 Western states that is focused on one mission: To ensure the availability of reliable, affordable irrigation water supplies to Western farmers and ranchers. As an organization, we pride ourselves in bringing a proactive and constructive approach to problem-solving in the Western water arena. We have developed substantial comments on the draft proposal with the assistance of Western farmers, ranchers, irrigation and flood control district managers, and water professionals who fear the broad and unintended problems that this proposal carries with it. Our general and specific comments are detailed in the attached document.

General Reaction of Alliance Members to the Actual Draft Legislation

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 the Water Resources Development Act (WRDA) in 2007.

Our members are very concerned that CEQ's draft proposal falls short of enacting the policy model envisioned by the Congress in WRDA 2007. In fact, the draft does not really establish a set of principles at all, but instead uses the concepts of "principles," "guidelines," "procedures," and "standards" interchangeably. As a result, the draft is vague and it is difficult to see how it will be actually implemented.

It was our understanding that the intent of 2007 WRDA was to provide a more balanced approach to water resources management decision making. Unfortunately, the draft document clearly elevates the non-structural and environmental elements over economic and human benefits and safety. This apparent bias is viewed with great concern by our members, who run irrigation 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 are avoidable.

Key Concerns

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. We fear that the draft P&S, if implemented, will lead to more of the same. Our current concerns, listed below, are detailed further in the attached document:

1. The Water and Related Resources Implementation Study standards must respect and reflect existing contracts and comply with Reclamation law;
2. It is unclear how the P&S apply to non-federal entities involved with federal partners;
3. In several parts of the proposed principles and standards, vague terminology must be re-defined with clarity;
4. The addition of difficult-to-decipher terminology and uncertain scope and study processes for new projects may increase the potential for litigation and delay;
5. The proposal promotes redundant and questionable processes;
6. No standards are provided for quantification of benefits and costs;
7. The draft proposal establishes a predetermined set of priorities and biased watershed, ecosystem and non-structural assessment approach;
8. Peer review standards that are consistent with the Information Quality Act and Endangered Species Act should be promoted;
9. This is not the proper forum to address national water policy implications.

Conclusions

We fear this proposal as currently drafted could bring water project development to a halt. The process it creates is daunting and uncertain, and the costs and delays it would impose could preclude many planning and development efforts. We 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. Thank you for this opportunity to comment on this draft document. We look forward to seeing how our concerns are addressed and working with you further in the coming months on this important process.

If you have any questions, I encourage you or your staff to contact me at (541)-892-6244.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Keppen', with a stylized flourish at the end.

Dan Keppen
Executive Director