



Family Farm Alliance Charges Federal Water Cuts Not Based on Best Science

Flaws in Order Cutting California Water Deliveries Will Impact Food Supplies

(Sacramento, CA December 16, 2008) -- The U.S. Fish and Wildlife Service (USFWS) failed to meet the standards of the Endangered Species Act when it issued an order today that threatens to cut California's dwindling water supply by a third or more. That is what the Family Farm Alliance charged today 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' Biological 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

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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.

The Family Farm Alliance represents family farmers, ranchers and allied interests in 17 states including California's Central Valley. Its members also include hundreds of other farm-related organizations, including irrigation districts, commodity associations, private water companies, consulting firms, law firms, and farm implement dealers.

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