

## **Standing Up and Being Heard**

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Last summer, the Bush Administration conducted public “listening sessions” across the county to solicit and exchange ideas on incentives, partnership programs, and regulations that can improve results and promote cooperative conservation and environmental partnerships. The Environmental Protection Agency, the Departments of Agriculture, Commerce and the Interior, and the White House Council on Environmental Quality sponsored the sessions.

The Administration considers these sessions to be a critical element of ongoing efforts to develop widespread support for administrative improvements to the Endangered Species Act (ESA) and regulatory streamlining. These sessions provided an important opportunity to express concerns with the ESA and other environmental regulations. It also put thoughts on record to help ensure that the actions taken by the Administration reflect input from farmers and ranchers who have to struggle with these regulations day-to-day.

Members of the organization I work for – the Family Farm Alliance- weighed in at these meetings in places like Spokane (WA), Redmond (OR), Pinedale (WY), Redding (CA) and Show Low (AZ). At these meetings, the Administration offered up five questions that it sought public responses on. Here are the questions and the typical responses that Alliance representatives provided.

### **How can the federal government enhance wildlife habitat, species protection, and other conservation outcomes through regulatory and voluntary conservation programs?**

The government can find ways to streamline the ESA consultation process, which sometimes takes up to a year to initiate. Establish time limits, and force the agencies to comply. Also, Congress or the Administration should implement the recommendations of the 2006 final report of the National Environmental Protection Act (NEPA) Task Force, chaired by U.S. Rep. McMorris (Washington).

### **How can the federal government enhance cooperation among federal agencies and with states, tribes, and local communities in the application of environmental protection and conservation laws?**

The government needs to improve communication in the consultation process between stakeholders, local entities, and agency staff administering the ESA. It should also

coordinate efforts to avoid duplication of already-existing research and information in areas being reviewed. We need to fix the “disconnect” between policy officials who think outside of the box, and the regulators / agency attorneys on the ground.

**How can the federal government work with states, tribes, and other public- and private-sector partners to improve science used in environmental protection and conservation?**

First, agencies can employ better science in the ESA consultation process. This can be achieved by establishing standards for scientific and commercial data that are used to make decisions under the ESA. In certain cases, agencies should provide peer review of ESA listing decisions and ESA consultations by a disinterested panel. Government should give relatively greater weight to data that have been field-tested or peer-reviewed. Agencies can also provide a “place at the table” for relevant local stakeholders during consultation (also known as “applicant status” for irrigation districts).

Regarding NEPA implementation, analyses should be required to assign value to continued agricultural production in a project area. Impacts of drought and continuing water demands should also be assessed and built into NEPA process.

**How can the federal government work cooperatively with businesses and landowners to protect the environment and promote conservation?**

The U.S. government must encourage regulatory agencies to utilize more senior policy officials to help solve challenging ESA problems. Irrigation districts should have the ability to meet directly with those upper level managers.

**How can the federal government better respect the interests of people with ownership in land, water, and other natural resources?**

Older water projects and infrastructure should be “grandfathered” into proposals advanced by ESA, NEPA, the Clean Water Act, and the like. Senior agricultural water rights are being affected by new rulemaking.

It appears that the Administration has been receptive to hearing from Western irrigators who took the time to travel to the “listening sessions” and advocate for common sense approaches to water and habitat issues that affect Western farmers and ranchers. Let’s hope they do something with what they’ve heard.

September 8, 2006