2019 Family Farm Alliance Annual Conference: 
“Standing at the Crossroads” in Western Water

“Crossroads” was the theme of the Feb. 21-22, 2019 Family Farm Alliance annual meeting and conference, which drew over 200 farmers, ranchers, water managers, conservationists, policy makers, and government officials to the Eldorado Resort in Reno (NEVADA).

It’s a term that means different things for different people. Some remember it as the title of a song by the legendary bluesman, Robert Johnson. Others know it as a terrible movie starring Britney Spears. Most, however, agree that it represents a point at which a crucial decision must be made that will have far-reaching consequences.

Water users and policy makers throughout the West find themselves at a variety of crossroads, and this year’s conference provided a diverse set of high-profile speakers to address issues ranging from Colorado River drought planning to pressing environmental litigation to finding new ways and partnerships to solve problems on the ground.

“When smart people sit down and put their heads together – being cognizant of the farmer’s burden to balance food production and environmental health – they can come up with some intelligent solutions that guide them in the right direction,” said Alliance executive director Dan Keppen (OREGON). “Family Farm Alliance members have a long and proven history of sharing experiences and learning from one another.”

Alliance President Patrick O’Toole, a rancher from Wyoming, opened up the general session with welcome remarks that stressed the importance of the Western irrigated agriculture industry, at a time when fewer and fewer producers are feeding and clothing an expanding global population. He described a recent conversation he had with former U.S. Secretary of Agriculture Tom Vilsack.

“I noted to Secretary Vilsack that just one percent of our population is feeding the rest of the country,” said Mr. O’Toole. “He corrected me, and said it’s actually close to 1/10th of one percent.”

Mr. O’Toole also recounted a survey conducted when he was in the Wyoming State Legislature, where corporate managers were asked about the ideal candidate for job openings.

“The message we received – loud
and clear - is that corporations will always hire a kid raised by farmers or ranchers, no matter what his major is,” he said.

For farmers to succeed and be profitable, he said, “all we need is water and prices.”

“In the West, we all know agricultural water is viewed by some as the reservoir for growth,” he said. “The Family Farm Alliance has a role in telling our story. Our vision is to be here for a long time.”

The best way for farmers and ranchers to tell their story was a recurring theme throughout the conference, both in the internal Alliance leadership meetings as well as the general session. Mr. Keppen recounted the challenges Central Valley growers faced during the 2014-2015 drought period, when urban news outlets regularly vilified agriculturists. He urged everyone in the audience to make a difference in their own neighborhoods.

“The people who want to help us don’t care what the Los Angeles Times writes,” said Mr. Keppen. “They care what your hometown paper says.”

Keynote Speakers

Luncheon keynote speaker A.G. Kawamura third-generation farmer from Southern California and a former secretary of the California Department of Food and Agriculture, spoke to the aggressive and constructive approach farmers and ranchers must take to be heard and forge their future.

“We need to form, not a think-tank, but a ‘do’ tank,” he said. “In order to survive, we must have predictable and well thought-out water systems.”

The Friday morning keynote speaker was Bureau of Reclamation Commissioner Brenda Burman, who expressed admiration for the “strength and professionalism” of the Family Farm Alliance, and put in a plug for her own agency.

“We are water professionals that are passionate and driven,” she said. “We are the stewards of other people’s water.”

She walked through an impressive list of positive developments made in Western water under the Trump Administration’s leadership. Starting with the recent wet hydrology - “what a difference a year makes” – she emphasized Reclamation’s work on safety of dam issues, the WaterSMART program, and new storage projects.

“We are finding new and creative ways to include new storage to increase supply reliability,” she said, noting that enlarging Shasta Dam (CALIFORNIA) can be done “safely, economically, in an environmentally sound manner.”

Dr. Tim Petty, the Interior Department Assistant Secretary for Water and Science – who oversees the Bureau of Reclamation and U.S. Geological Survey – also had good things to say about Reclamation and the Trump Administration’s focus on Western water issues. Dr. Petty is a member of President Trump’s “Water Subcabinet”, which includes assistant secretary – level representatives from other federal agencies involved with water issues, including the Environmental Protection Agency, Department of Agriculture, and the Army Corps of Engineers. He said the Subcabinet allows him to get calls from Reclamation about problems, communicate with other agencies, and get the right people talking to one another to solve problems.

“The Bureau of Reclamation offers solid advice,” he said.

President Trump’s 2018 western water executive memo was a development remarked upon by many conference attendees, including Commissioner Burman.

“Recognize this moment,” she told the audience, referring to the historic significance of President Trump’s memo.

Internal Meetings

The two-day conference general session was preceded by a full day of meetings with the Alliance board of directors and Advisory Committee, where 2019 priority issues and actions were identified. Key initiatives identified by the leadership of the Alliance for 2019 are summarized on Page 3 of this Monthly Briefing.

“This conference was a great way to show off the Alliance, and a tremendous way to start the busy year ahead,” said Mr. Keppen. “I would like to thank our board, Advisory Committee, Mark Limbaugh, Norm Semanko, Susan Errotabere and our conference planner – Jane Townsend – for another successful conference.”

The Annual Meeting and Conference general session wrapped up at noon on Friday, February 22th, and was followed by a tour of the Tesla Gigafactory, outside of Sparks, a 25-minute drive from the Eldorado. Once complete, Tesla expects the Gigafactory to be the biggest building in the world – and entirely powered by renewable energy sources. In mid-2018, battery production at Gigafactory reached an annualized rate of roughly 20 GWh, making it the highest-volume battery plant in the world.

This Monthly Briefing is dedicated to coverage of other 2019 conference highlights.
FAMILY FARM ALLIANCE PRIORITY INITIATIVES FOR 2019

The Family Farm Alliance board of directors and Advisory Committee met in Reno the day before conference general session to set 2019 priorities for the organization.

- Continue to interface with the Trump administration and push for the development of a West-wide executive water memo, similar to that developed for California and the Pacific North-west last year;

- Modernize and improve implementation of the ESA. Look for opportunities to work with EDF and other partners to see if efforts to protect the monarch butterfly can be done with assistance from farmers and ranchers;

- Improve implementation of the Clean Water Act (CWA) WOTUS and other proposals; including CWA revolving loan funds;

- Curb regulations & administrative actions that threaten Western irrigated agriculture;

- Advocate for repairing aging water infrastructure and developing new storage and delivery infrastructure by engaging in Congressional infrastructure negotiations. Continue to advocate that agriculture should not be the default “reservoir” for meeting new water demands;

- Seek ways to streamline the regulatory process for water and power projects;

- Push for continued support of grants and pursue innovative financing opportunities;

- Continue to advocate for means of simplifying the title transfer process;

- Continue to advance the arguments made in the 2015 Colorado River Basin policy paper;

- Influence 2018 Farm Bill guidance and rulemaking;

- Find ways to entice new people to enter and stay in Western irrigated agriculture;

- Use climatic extremes and repackage the Alliance 2008 climate change report to advocate for “climate-smart” agriculture and needed changes in Western water policy;

- Advocate for active forest management that could potentially increase water yield, improve water quality, and provide for jobs, and reduce the cost of firefighting while increasing forest resiliency. In addition to underscoring the positive aspects of active forest management, advocate for the importance of appropriately measuring any new water gained through water enhancement approaches.
Sustaining Agriculture, Wildlife, and People

Privately-owned wet meadow habitats in the Intermountain West are typically associated with irrigated agriculture and occur on working ranches and farms in landscapes important to wildlife, native fish, and people. These working wet meadows are under significant pressure due to urban and exurban growth, associated shifts in water policy, drought and changing environmental conditions, and in some landscapes, declining aquifers.

A diverse group of high-profile speakers provided perspectives around these issues and how conservation programs, policies, and partnerships can support working lands, wildlife habitat, and western communities. Presented by representatives of the Intermountain West Joint Venture (IWJV), speakers included Ron Alvarado (Oregon State Conservationist, USDA Natural Resources Conservation Service), Paul Souza (Regional Director, Pacific Southwest Region, U.S. Fish & Wildlife Service), Dave Smith (Coordinator, IWJV), and Laurel Anders (Communications Coordinator for IWJV).

**Importance of Ag to Western Wetlands**

Dave Smith led off the discussion with an explanation of the snowpack-driven systems that feed wetlands in Western mountain areas. While 70 percent of the land in the West is owned by the federal government, 70 percent of the wetlands occur on the 30 percent of the land in private ownership.

“Wetland resiliency comes from senior water agricultural water rights remaining functional and lucrative,” he said. “Irrigated working lands provide multiple environmental and societal benefit.”

Mr. Smith explained how his organization strives to conserve working wet meadows and water for agriculture, in part through IWJV’s new “Water 4” initiative, which is helping to tell the story of contributions by Western agricultural irrigators. This year’s objectives seek to grow funding and expand partnerships for the initiative, develop and implement robust communications, and build field delivery capacity. Initial Water 4 hubs include the Upper-Middle Rio Grande River, the Southern Oregon – Northeastern California area, Eastern Idaho, and Bear River (UTAH).

**NRCS Efforts**

Ron Alvarado described the business model NRCS is employing in Oregon to tackle natural resources challenges, one that uses a strategic approach and is partner-centric, cost-effective, focused and result-oriented. The planning process is locally-led, and several long-range plans are already in place. Wildfire protection and repair actions, salmon health and water conservation are priorities. So is water conservation.

“We have great ability to make an impact on water savings,” Mr. Alvarado said. “We’ve already upgraded 50 irrigation systems in Oregon, and have reversed the historic trend of water loss.”

**Tell the “Rancher Story”**

Laurel Anders is the Communications Program Coordinator for IWJV. She summarized recent research regarding Western rancher perspectives on flood irrigation. Through two landowner-led workshops—one in Lakeview (OREGON) and one in Baggis (WYOMING), researchers gathered information regarding ranchers’ experiences with flood irrigation, and the numerous factors—natural, financial, political, etc.—that impact why ranchers employ flood irrigation.

Many of the ranchers interviewed felt they were vilified for their use of water, and urged conservationists to communicate the “rancher story”, and share the research results with agencies and professionals. They emphasized the need for flexibility in design of place-based conservation delivery systems, and the importance of employing a partnership approach to connect with ranchers, and foster development of the next generation of agriculturists.

“There is a need for place-based planning and succession planning,” said Ms. Anders.

Ranchers want to build partnerships with state-level decision makers, and build capacity of university extension ser-

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**Paul Souza, the Director of the U.S. Fish and Wildlife Service**

Pacific Southwest Region is the newest face on the IWJV board. “We need to keep farmers farming and keep ranchers ranching,” he told the audience from the podium. “We need to keep agriculture from being pitted against conservation.”

*Photo courtesy of Morgan Howard.*

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Colorado River DCPs: Perspectives from Ag Players

The Colorado River is a vital water resource in the southwestern United States and northwestern Mexico. It irrigates nearly 5.5 million acres of farmland and sustains life and livelihood for over 40 million people in major metropolitan areas including Albuquerque, Cheyenne, Denver, Las Vegas, Los Angeles, Phoenix, Salt Lake City, San Diego and Tucson. Since 2000 the Colorado River Basin has experienced its most severe drought in recorded history and the risk of reaching critically low elevations at Lakes Powell and Mead—the two largest reservoirs in the United States—has increased by nearly four times over the past ten years.

Recognizing growing risks in the basin, Reclamation and the basin states have worked for several years to develop meaningful drought contingency plans (DCPs) for the Upper and Lower Colorado River basins. The governor’s representatives from each state endorsed a Reclamation goal to complete DCPs by the end of 2018. The four Upper Basin states approved their DCP in December 2018. However, efforts among the Lower Basin states of California and Arizona delayed DCP completion past the January 31, 2019, deadline set by Reclamation Commissioner Brenda Burman last December.

Just weeks before the Alliance annual conference, the Department of the Interior, through Reclamation, submitted a notice to the Federal Register, seeking recommendations from the governors of the seven Colorado River Basin states for protective actions Interior should take amid the ongoing severe and prolonged drought.

It was against this backdrop that two panels consisting of high-profile Colorado River representatives addressed the DCPs on the last day of the Alliance’s annual conference general session.

Upper Colorado River Basin DCP Panel

The first DCP panel featured the voices of Family Farm Alliance members from Colorado’s Front Range, West Slope and Wyoming. Panelists included Mark Harris (General Manager, Grand Valley Water Users Association), Patrick O’Toole (Yampa River watershed rancher), Bennett Raley (Northern Water general counsel), and Bruce Whitehead (Southwestern Water Conservation District general manager). The panel was moderated by Upper Colorado River Commission Executive Director Amy Haas.

Ms. Haas in her opening remarks provided an update on Colorado River hydrology, which at the time, was looking encouraging, with good snow conditions in the upper watershed areas. However, she noted, the DCPs have been driven by a long trend of inflows into Lake Powell that have been far below average.

In his opening remarks, Bennett Raley noted that the modern history of the basin is that progress has been done in an incremental fashion, and that decent current hydrology should not be used as an excuse not to continue those efforts.

“All of those measures were built on the ones that came before,” said Mr. Raley. “However, we cannot let the good outlook now prevent us from taking action now. Let’s not be distracted by what we all hope is a great water year.”

When asked by Ms. Haas whether the DCPs would be in place for 2020 water year, panelists expressed uncertainty but noted that something needed to be done.

“There is no way to know if the DCPs will be in place by the deadline,” said Mr. Raley. “We need to have Plan B before then.”

Pat O’Toole noted that the Yampa Basin had its lowest flow levels in recorded history last year, which he believes raises questions on what to do if that continues.

“Action will be taken whether agreements are reached by August, or not,” added Mr. Harris.

Considerable discussion focused on what Upper Basin agriculture can expect relative to short-term water supply certainty. Mr. Harris underscored the importance of everyone doing their due diligence and striving to maintain open conversation. Mr. Whitehead emphasized the importance of water as a key component to certainty in agriculture.

“Our bank account really is Lake Powell,” said Mr. Whitehead.

Mr. Raley had a different take.

“You can’t really make a broad statement on water certainty in agriculture,” countered Mr. Raley. “The water supply is constantly changing.”

The panelists also discussed how they envision agricultural water users getting involved in the Upper Basin DCP pro-

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A Look at D.C. from Capitol Hill
Committee Staffers Discuss 116th Congress

General session attendees got the inside scoop on how the new Congress will tackle Western water and environmental challenges from Republican and Democrat staff directors on Capitol Hill. The Alliance’s representative in Washington – Mark Limbaugh, of The Ferguson Group – moderated a panel of staff from key congressional water committees and conservation and water groups, including Lane Dickson (Republican Professional Staff, Senate Energy and Natural Resources Committee), Matt Muirragui (Democrat Staff, House Water, Oceans & Wildlife Subcommittee, via teleconference), William Ball (Republican Staff, House Water, Oceans and Wildlife Subcommittee), Jimmy Hague (Senior Water Policy Advisor, The Nature Conservancy) and Ian Lyle (Executive VP, National Water Resources Association).

House WOW Subcommittee Perspectives

Mr. Ball explained the new dynamic with his committee, which is now under Democrat control for the first time in eight years. His boss on the Subcommittee for Water, Oceans and Wildlife (WOW) is Ranking Member Tom McClintock from California, a strong proponent for increasing water storage.

“Mr. McClintock likes to say droughts are nature’s fault, but lack of storage is ours,” Mr. Ball recounted.

He anticipates that Republicans on the Subcommittee will continue to push for storage, increased hydropower, and permitting reform.

“We’ll keep pushing these issues with Congress, and we’ll support this administration, which cares about Western water issues,” Mr. Ball said.

Matt Muirragui is the staff director for Subcommittee Chairman Jared Huffman (D-CALIFORNIA). He believes infrastructure is the biggest issue of interest right now, and said the Chairman’s priority is seeking new financing mechanisms for infrastructure repair and building.

Senate ENR Committee Outlook

Lane Dickson provided the Republican perspective of the Senate Energy and Natural Resources Committee and noted that the 116th Congress was off to a good start.

“They shut down the 75% of the government that doesn’t handle water,” he joked.

On a more serious note, Mr. Dickson reported that the Senate and House recently passed a lands package that includes several provisions supported by the Family Farm Alliance, including title transfer legislation that will provide opportunities to take Western water facilities out of federal ownership. He also believes the storage agenda will continue to move forward. A big part of that will involve spending and financing.

“There’s something for everyone in storage,” he said.

Stakeholder Perspectives

Jimmy Hague advocates in Washington, D.C. on behalf of The Nature Conservancy (TNC), the world’s largest NGO, whose mission is to “protect lands and waters on which all life depends”. The immediate priority for TNC has been the public lands package noted by Mr. Dickson. Long-term priorities in this Congress be engaging in development of the infrastructure package, and advocating for fish recovery programs.

Ian Lyle stressed the importance of educating lawmakers in the new Congress on the importance of water infrastructure, particularly relative to the Bureau of Reclamation, which on paper only directly benefits half the nation. However, the billion-dollar federal investment in Reclamation’s annual budget produces a $40 billion ripple effect nationally.

“Water is an economic multiplier,” he said. “If you’re not being heard form, people don’t know you need assistance.”
Reclamation Roundtable: “Getting water to the people”

Four regional directors, two deputy commissioners, and one deputy regional director from the Bureau of Reclamation participated once again in an interactive discussion of key policy issues in a time-honored Alliance conference tradition: The Bureau of Reclamation Roundtable. Dan Keppen (Alliance Executive Director) moderated a panel that included regional directors Mike Black (Great Plains Region), Brent Rhee (Upper Colorado Region) Lorri Gray (Pacific Northwest Region); and Ernest Conant (Mid-Pacific Region). Deputy Regional Director Jackie Gould represented Reclamation’s Lower Colorado Region, David Valverde (Deputy Commissioner for Operations) and Karl Stock (Acting Policy Director) also participated in the roundtable discussion.

Deputy Commissioner Shelby Hagenauer introduced the panel, and in her opening comments discussed how Reclamation is working on employing creativity and focusing on “getting water to the people”. She also outlined Reclamation’s plans to conduct a stakeholder workshop in April to share information with Reclamation’s water and power customers and get feedback on a variety of issues. The workshop — since scheduled for April 16 - 18 in Denver (COLORADO) will feature breakout sessions on: 1) WaterSMART; 2) Economic benefits and cost estimates in Reclamation planning studies; 3) Identifying, designing and executing repairs and replacements at transferred work facilities; 4) Improving the environmental review process; and 5) Cultural resources compliance on transferred works.

The workshop is “another way to engage”, said Ms. Hagenauer.

Mr. Keppen posed a series of questions to the panelists, including implementation of the federal Endangered Species Act (ESA), President Trump’s Western water memo, new water infrastructure projects, and the 2018 Western wildfire season.

Looking back at the 2018 Wildfire Season

Today, on average, seven to eight million acres of forests and grasslands burn annually, about double the figure from three decades ago. Wildfires are now often larger, more catastrophic, and deadlier. Western wildfires are being impacted by decades of fire suppression, longer fire seasons, pest/insect infestations, reduced snowpack in high elevation forests and increasingly severe droughts. Last fall, the most destructive wildfire in California history – the Camp Fire – destroyed the town of Paradise. Another large fire – the Carr Fire, created a “24/7 emergency status for power plants” in the vicinity of Redding, California, according to Ernest Conant. That fire burned to within a few yards of Keswick Dam, operated by the Bureau of Reclamation, which regulates outflows from upstream Shasta Dam.

Wildfires are impacting Reclamation operations in different ways across the West. They present risks to facilities, damage equipment, and can fill downstream reservoirs with sediment and debris.

“Debris from upstream burn areas overwhelmed trash racks in the Boise area last year,” reported Ms. Gray.

In the Incident Command structure employed during fire emergencies, Reclamation works together through formal agreements with other federal, state and local agencies to help with damage control.

“Not any one of us owns those issues,” said Ms. Gould.

ESA Challenges and Success Stories

The ESA impacts water management throughout the Bureau of Reclamation Western service area.

In the Lower Colorado River region, the Multi Species Conservation Program has a 50-year life span, involving a half-dozen federal agencies and 41 non-federal partners. Cottonwood and mesquite habitat provide homes for “birds, fish, critters and bugs”, said Ms. Gould.

Further upstream, in the Upper Colorado River Region, collaborative fish recovery efforts along the Colorado and San Juan rivers feature water user engagement on program implementation and coordination teams.

“We have over 2,500 different projects on the Colorado, Continued on Page 11
Benefits from Landscape-wide Forest Management

Recent deadly and devastating Western wildfire disasters have underscored the importance of improving on-the-ground management that can lead to improved forest health. Family Farm Alliance President Patrick O’Toole moderated a Thursday morning panel that included Tomer Hasson (Senior Policy Adviser for The Nature Conservancy) and Ryan Serote (Salt River Project, ARIZONA), who discussed how sound, active forest management can improve water yield, provide new jobs, and reduce the cost of firefighting, all while increasing forest resiliency.

Quantifying Water Yield Improvements

Mr. O’Toole reported that the U.S. Forest Service (USFS) recently conducted research on the Upper North Platte River showing that management restricting timber harvest had already severely impacted the watershed and water yield to the tune of a minimum of 160,000 acre-feet (AF) per year. The literature and research show that implementing a 100-year rotation on all eligible timber lands would sustain an increase of 50-55,000 AF of water per year – for just one part of one forest in the state of Wyoming.

“There is a significant gain in water supply to streams because the consumptive use of water is reduced when the number of trees growing as forests are managed to avoid the conditions that result in catastrophic wildfires,” said Mr. O’Toole. “Improved water yields also have positive implications for downstream species protected by the Endangered Species Act.”

Mr. O’Toole and other Alliance members believe applying these findings across upland forested areas within the Colorado River system suggests that active forest management could potentially increase water yield by several hundred thousands of acre-feet per year. The Alliance will be developing a case study highlighting the North Platte River example because of the abundance of available scientific literature, including a publication developed by the USFS.

“In addition to underscoring the positive aspects of active forest management, this case study can also be used to underscore the importance of appropriately measuring any new water gained through this and other water enhancement approaches.” Alliance board member Don Schwindt (COLORADO) said at the conference.

Collaborative Forest Stewardship

Mr. Hasson reported on several projects The Nature Conservancy is involved with in the Western U.S., including the French Meadows restoration project west of Lake Tahoe, California and the Rio Grande Water Fund in New Mexico. Following the 2011 Los Conches fire in New Mexico, rainfall generated sediment that impacted water infrastructure. Over 70 different organizations have been engaged, investigating fire behavior in areas that have been restored versus areas that have not. The Colorado Forest and Water Alliance is another example of collaborative stewardship that forming up around forest health.

“There are more and more organizations partnering together to change governance of forest health issues,” said Mr. Hasson.

An encouraging trend of shared stewardship across landscapes is based on relationships, partnerships and collaboration, and uses placed-based goals to promote health forests. “Relationships can survive political transitions,” said Mr. Hasson. “Insects and fire and disease don’t give a damn about administrative boundaries.”

Importance of Forested Areas to Water Supplies

Ryan Serote works for the Salt River Project, which operates and manages seven reservoirs that serve the metropolitan Phoenix (ARIZONA) area. The water derives from upland forested areas, often consisting of low-value timber and overgrown forests.

“Arizona has certainly seen its share of catastrophic fires,” he said.

Mr. Serote says healthy forests are valuable because they provide water quality and quantity benefits. Arizona lacks a truly viable timber industry, but 20-year contracts that actively manage the forests are proving to be a great motivator for that industry. New technology will help modernize the industry, and federal forest managers are slow to warm to the idea of more aggressive management techniques.

“There is need for some culture shift in the Forest Service, but I think they’re on track,” Mr. Serote noted.

Looking for Ideas

Mr. O’Toole said society needs to start to put value on rural communities as well as watersheds when it comes to fire control.

“Do people understand how bad it really is?” he asked the audience. “The forest systems are the lifeblood of the West.”

Mr. O’Toole believes that grazing and hunting are critical to proper management of federal lands, and that federal lawmakers - including his U.S. Senator, John Barrasso from Wyoming - are looking for other ideas.

“Those ideas come from you,” he told the audience.

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Perspectives on the 2018 Farm Bill

The Family Farm Alliance worked closely with a coalition of Western agriculture and conservation interests to influence the 2018 farm bill signed into law by President Trump in December. Alliance Director Marc Thalacker (Three Sisters Irrigation District, Oregon) moderated a panel that included two speakers who joined him on the dais in Reno: Jack Rice (California Farm Bureau Federation) and Laura Ziener (Trout Unlimited). Josh Maxwell (Senior Staff, U.S. House Committee on Agriculture) participated via video conference from Washington, D.C.

Laura Ziener said the Farm Bill conservation title contains programs that can complement the work the Bureau of Reclamation is trying to do with more limited funds.

“As we worked on the Farm Bill, we looked to see how we could help Reclamation that pipeline of good projects that are in the works,” she said.

The new Farm Bill authority signed into law in December of 2018 will make more of these kinds of multi-benefit projects possible. For the first time, the NRCS can now partner with irrigation districts or canal companies on projects that “effectively conserve water, provide fish and wildlife habitat, or provide for drought-related environmental mitigation” where such projects are part of a larger “watershed-wide project.”

Mr. Thalacker in his comments noted that the Tumalo and Three Sisters Irrigation Districts’ modernization investments in partnership with the NRCS in Oregon are excellent examples of projects part of a “watershed-wide project” that provide water conservation benefits for fish habitat and drought resilience.

Mr. Maxwell described the “long, tough rough” taken to complete the 2018 farm bill, which in the end was successful and passed with the strongest House bipartisan vote ever on a farm bill, 369-47.

“This is the most Western farm bill that’s ever been passed,” he said, noting that the Western Agriculture and Conservation Coalition – to which the Alliance, California Farm Bureau and Trout Unlimited all belong – definitely contributed to that flavor.

“There were no cuts to the conservation title, and lots of focus on infrastructure and reduction of administration burdens,” he noted.

Meet Morgan Howard, this year’s Monthly Briefing Special Conference edition’s on-site correspondent! Morgan is a legislative intern with the Idaho Water Users Association, and she and IWUA donated her time for the Family Farm Alliance annual conference general session, where she took notes and captured photos that formed the basis for this month’s special edition of the Monthly Briefing. Thanks, Morgan, and welcome to the world of Western water!

Western Water Litigation Update

Family Farm Alliance General Counsel Norm Semanko moderated a panel of three Western law experts who summarized ongoing important litigation. Ramsey Kropf of Somach, Simmons and Dunn (COLORADO) updated the audience on the 18-year Klamath Basin “takings” litigation case, which the Family Farm Alliance weighed in as a “friend of the court” (or, amicus) in 2018. The Alliance also joined an amicus brief in Friends of the River v National Marine Fisheries Service, which has important Endangered Species Act “environmental baseline” implications, as discussed by Chip Wilkins (Remy Moose Manley, CALIFORNIA). Patrick Sigle – counsel to Arizona’s Salt River Project – summarized groundwater and Clean Water Act concerns associated with County of Maui and Kinder Morgan litigation.
serves, conservation districts and irrigation districts. Incentives for infrastructure maintenance should be offered, and payment options for ecosystem services should also be explored, Ms. Anders believes.

Finding Ways to Help Each Other

Paul Souza, the Director of the U.S. Fish and Wildlife Service Pacific Southwest Region is the newest face on the IWJV board. His region encompasses some of the most vexing resources challenges in the country.

“Water and fire is pretty much my life these days,” he told the audience.

Mr. Souza’s vision for the future ties together both Western irrigators and conservation interests.

“We need to keep farmers farming and keep ranchers ranching,” he told the audience. “We need to keep agriculture from being pitted against conservation.”

Mr. Souza believes policy makers need to think differently about the conservations practices that have been used in the past, and pointed to the voluntary water settlement agreements recently reached by major irrigation districts in California’s Sacramento and San Joaquin valleys.

“What we need to do is to change the game, and do the work on conservation and recovery before listing species as endangered,” he said. “People will do more if they know they have certainty and control upfront before being regulated. We need to find ways to help each other.”

Colorado River DCPs (Continued from Page 5)

cesses, where so far, much of the attention has been placed on how “demand management” of water can be used to help fill proposed newly created storage space in Lake Powell.

Mr. Raley observed that participation in the Upper Basin DCP process will vary because different states handle things differently, a response that was confirmed by other panelists.

Mr. O’Toole said agriculture has to be at the table in the DCP process.

“We’re the people who keep the systems running,” he said.

Bruce Whitehead agreed, saying agriculture must be involved in the conversation to ensure that controls are placed on how demand management is implemented on the West Slope.

“Demand management must be voluntary, compensated and temporary,” he said.

Mr. Harris said he believes all parties take the DCP process seriously.

“However, simply talking about demand management alone is not enough,” he said.

While some claim that the DCPs are simply “band aids”, Bruce Whitehead said that characterization isn’t quite the right term. The DCP is “just another step in the process”, he said.

“I agree with Bruce,” asserted Mr. Raley.

Lower Colorado River Basin DCP Panel

The second Colorado River Basin DCP panel featured the voices of water managers and agricultural producers from Arizona and Southern California. Moderated by Alliance director Dan Thelander (ARIZONA), panelists included Kevin Kelley (Former General Manager of, and current consultant to Imperial Irrigation District), Wade Noble (Yuma County Agriculture Water Coalition), Paul Orme (General Counsel to five special districts in Pinal County, Arizona), and Randy Record (Past Board Chair of Metropolitan Water District of Southern California, current Chair of MWD Agriculture and Business Outreach Committee, member Board of Directors of Eastern Municipal Water District).

In the Lower Basin, Nevada had already signed off on the DCP prior to the conference. Arizona on January 31 passed legislation for it to sign an interstate drought plan, and it also tweaked laws to allow farmers, cities, tribes, and other groups to exchange water as needed under the drought plan. But as of the time of the Alliance conference, Arizona still had not finished the various agreements necessary to

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San Juan and Green rivers,” said Mr. Rhees.

Great Plains Region Director Black explained that the Platte River Recovery Program – started in 2007 – has now completed 8 of 10 milestones, and is nearing completion on the remaining two. That program – which focuses on whooping cranes and pallid sturgeon populations, will require additional Congressional reauthorization.

“We don’t anticipate any serious opposition,” in Congress, Mr. Black noted.

When panelists were asked what kind of changes would improve ESA implementation in their regions, several responded that there needs to be a better way to integrate economic impacts into analyses and to include the public in drafting consultation documents. Miss Gould suggested that Non-Governmental Organizations (NGOs) be brought in as partners to leverage resources and scientific expertise and work together towards finding solutions, as opposed to getting ensnared in litigation.

Director Gray pointed to the model used in the Yakima basin, where a broad group of diverse interests were brought to the table.

“In Yakima, everybody gets something, nobody gets everything,” she said.

Presidential Water Memo & and Streamlined Reviews

Mr. Keppen noted that the Family Farm Alliance and other Western agricultural organizations in October applauded President Trump for taking the unusual move of issuing an executive memorandum intended to reduce regulatory burdens and promote more efficient environmental reviews of water infrastructure projects in the West. The president signed an Executive Memorandum ordering enhanced coordination between Federal agencies that oversee ESA reviews and promised to finalize biological opinions under the ESA for state and federal projects located in the Mid-Pacific and Pacific Northwest Regions of the Bureau of Reclamation.

Director Conant addressed how the presidential memo affects his region, which directs a “team leader” – Fish and Wildlife Service (FWS) Regional Director Paul Souza – to coordinate efforts so biological opinions developed by FWS and National Marine Fisheries Service for Central Valley Project and Klamath Project operations do not conflict. Lori Gray reported that the memo address ESA and National Environmental Policy Act (NEPA) issues on the Columbia River. The biological opinion deadline for Columbia River operations was moved up a year in the executive memo, partially intended to keep at bay the “constant, long-term spin that results from NEPA”, she said. A Memorandum of Understanding between the Corps of Engineers, Reclamation and Bonneville Power Administration guides federal involvement on the Columbia River.

NEPA discussion continued amongst the panelists regarding the benefits of a recent Interior Secretarial Order that directed Interior agencies to look at the overall performance of NEPA compliance. Reclamation leadership has responded by developing comprehensive schedules as well as time and page limits on NEPA document preparation. Karl Stock believes NEPA documents are now being pushed through in an efficient manner.

“Senior levels of Reclamation leadership can now more better understand NEPA analysis and decisions conducted in local area offices,” he said.

Director Gray agrees.

“There is now a better likelihood for people to pick up a NEPA document, read it and understand it now that there are page limits,” she said.

New Infrastructure Projects

Every Reclamation region has new infrastructure projects underway.

Ernest Conant said there are several Safety of Dams projects being addressed in the Mid-Pacific Region, and an 18.5 ft raise at Shasta Dam has been proposed. Derby Dam in Nevada is being fitted with a new, state-of-the-art fish screen, and the Friant-Kern Canal in the San Joaquin requires extensive repair, since it has lost carrying capacity associated with subsidence caused by extensive groundwater pumping during the recent California drought.

In the Great Plains Region, Director Mike Black reported on several projects that are being undertaken by tribes, working with other partners. He also discussed an important federal appeals court decision last year, which allowed a controversial $59 million federal dam project on Montana’s Yellowstone River to move ahead. The 9th U.S. Circuit Court of Appeals reversed a lower-court ruling that sided with environmental groups claiming the Army Corps of Engineers and Reclamation project would be disastrous for the endangered pallid sturgeon.

In the Pacific Northwest, irrigators are undertaking aggressive conservation projects, construction projects are underway in the Yakima Basin, and a new dam safety project is being advanced in the Rogue River watershed.

A remodel of the Hoover Dam visitors center is set to be completed soon, and Reclamation is currently mapping the Hoover Canyon wall using drones, as a means of mitigating risk for falling rocks. Elsewhere in the Lower Colorado Region, fish passage barriers are being addressed in Arizona.

In the Upper Colorado River Region, in addition to Safety of Dams work, approximately $200 million per year is going into a project that will deliver potable water to the Navajo Nation.

“This has really been a socially-rewarding project,” said Upper Colorado Regional Director Brent Rhees.
Colorado River Basin DCP Panels (Cont’d from Pg. 10)

implement those water exchanges.

Paul Orme explained that agriculture has the lowest priority within the Central Arizona Project (CAP) and faces severe cuts to water supply. Farmers served by the CAP are hoping the DCP can temporarily mitigate against total future losses of CAP water.

“Action items are certainly needed to mitigate water supply losses to CAP agricultural water users,” said Wade Noble. However, he noted, Reclamation Commissioner Burman – who he kiddingly referred to as “Maggie Thatcher” - has “imposed her will” to get the DCP done.

California, Mr. Record believes, “is almost there.” Metropolitan Water District of Southern California (MWD) has approved the DCP, and Imperial Irrigation District approval is still in the works.

IID will get on board with the rest of California at some point, said Mr. Kelley.

“Just not yet,” he said.

So what will happen if the DCP is not implemented in the Lower Basin?

No one is really sure, but no one really wants to see that happen.

“We’ll just have to find out what the Interior Secretary will do,” said Mr. Orme. “It probably won’t be good for CAP agriculture.”

Mr. Noble agreed.

“We just have to be prepared,” he said. “We’ll push hard to make sure Arizona agriculture is protected.”

The Lower Basin may face new hurdles when new guidelines are developed by 2026. Paul Orme said he’s not even sure his clients will be around to be included in those discussions. He was surprised when he was recently told that the golf industry has a greater impact than agriculture on the Arizona economy.

“I guess we’ll let them eat golf balls,” he said.

Kevin Kelley pointed to the importance of solving Salton Sea challenges, where the area of exposed dry lake bed has expanded as IID water conservation efforts intended to shift supplies to Southern California municipal use have diminished tailwater inflows to the Sea.

“Even Metropolitan Water District has avoided the Salton Sea for years,” he said. “It’s a long-term impediment to solving our water issues.”

“We will be part of the solution,” countered Mr. Record.

Post-Conference Developments

On March 9, Arizona, Wyoming, Utah, Nevada, Colorado and New Mexico all wrote to the Colorado River Board of California, to demand that California sign the DCP, which has been in the works for more than two years. The California board later in the month voted 8-1-1 to sign on to the multi-state DCP, which now might not be needed for two years because of recent wet weather. However, IID – the largest water user on the river - refused to sign on until the federal government pledged to provide $200 million to clean up the Salton Sea, which has not occurred. In the meantime, efforts are underway in Congress to pass legislation intended to authorize the DCP.

2019 Annual Conference Award Recipients

Distinguished Service Award—Leonard Jordan (pictured, L) retiring Natural Resources Conservation Service Associate Chief for Operations was honored for his decades of service to the U.S. Department of Agriculture. Mr. Jordan worked closely with several Alliance members on Western conservation projects.

Outstanding Achievement Award—Brent Rhees, retiring regional director, Bureau of Reclamation Upper Colorado Region was recognized for his nearly 40 years of service to Reclamation.

John Keys III Memorial Award—Gary Sawyers, long-time general counsel and co-founder of the Alliance over 25 years ago, was honored with this prestigious Alliance award, named in memory of the late Commissioner of the Bureau of Reclamation.

Water Warrior Award - the late Mark Atlas was remembered for his decades of service as general counsel to California’s Sacramento Valley water user community and as a long-time member of the Family Farm Alliance Advisory Committee. The award was received on his behalf by family members who live in Carson City, Nevada.

Leonard Jordan accepts his “Distinguished Service” award at the 2019 annual conference awards presentation on February 22.

Photo source: Morgan Howard