



MEMORANDUM

TO: SAN LUIS & DELTA-MENDOTA WATER AUTHORITY BOARD
FROM: DAN KEPPEL, EXECUTIVE DIRECTOR
SUBJECT: UPDATE REPORT
DATE: FEBRUARY 5, 2024

This memo is intended to keep you apprised as to what is happening regarding policy issues the Family Farm Alliance (Alliance) is engaged in. In the past month, much of our efforts have focused on advancing farm bill ideas with Western Senators and committee staff, preparing for our 2024 annual meeting and conference, monitoring federal agency administrative proposals, public outreach, and organizational administrative matters. These issues and other matters important to our members are further discussed in this memo.

BIDEN ADMINISTRATION

1. Bureau of Reclamation (Reclamation): IJA Implementation

The Family Farm Alliance helped lead nation-wide coalitions in support of Congressional action to advance the Infrastructure Investment and Jobs Act of 2021 (IIJA) and the Inflation Reduction Act of 2022 (IRA). The IIJA includes \$8.3 billion for Reclamation, as part of a proposal advanced by over 230 water, ag and urban organizations. That coalition was led by a steering committee that included the Alliance, Association of California Water Agencies (ACWA), California Farm Bureau Federation, National Water Resources Association (NWRA) and Western Growers. The IIJA investment will repair aging water delivery systems, secure dams, complete rural water projects, and protect aquatic ecosystems. The Alliance now wants to ensure that most of these dollars would be spent on-the-ground for the intended purpose. Over the past two years, we worked with a subset of Reclamation leadership, led by the Commissioner's office, to find ways to make implementation of the IIJA - particularly the Aging Infrastructure Account (AIA) and the WaterSMART program - more efficient and responsive to water user concerns.

a. PEC 05-03

Last December the Alliance and National Water Resources Association (NWRA) co-signed and transmitted a letter to Reclamation regarding concerns we have on recent changes Reclamation has made to a draft Directive and Standard (D&S), Funding and Extended Repayment of Extraordinary Maintenance Costs (PEC 05-03). The Alliance and NWRA in 2021 worked closely with Reclamation to address some troubling provisions contained in the original draft D&S. It's now essentially been completely re-written.

Last month, Alliance representatives had a virtual meeting with Karl Stock, who, before assuming his new job as regional director, had been overseeing the revision effort on PEC 05-03. He gave us a “heads up” on some of the major changes to expect, which are reflected in the revised draft of PEC 05-03. Importantly, the revised document shows the changes Reclamation has made to address our concerns regarding the new requirement to use the contractor’s reserve fund prior to using AIA funds. The requirement is still there, but language has been added that it is at the Regional Director’s discretion, if regular appropriations are used. It now notes that maintenance of the reserve fund will be considered as a priority factor for AIA awards. This is intended to differentiate between circumstances where regular appropriations for this type of work are limited, compared to situations like what we're seeing now, when AIA funds are more plentiful.

There are some changes that improve the emergency fund issue. However, some of our members still have concerns about Irrigation Ability to Pay (ATP) analyses and the potential impacts of a new ATP analysis on existing ability to pay levels as set in current repayment contracts. We also raised the issue of extraordinary maintenance (EXM) authorities. The draft proposal would only allow projects factored by the Commissioner for “urgency” and the “immediacy” of the need for associated actions and commitments of resources. We believe long-term work to permanently resolve urgent EXM repairs should qualify as EXM and be eligible as such for funding out of the AIA. For now, it appears that Reclamation will not change this language in this go-around but wants to have continued discussions on this in the future.

Reclamation staff will send this document out to all those who commented, as well as to those that are signed up on the ListServ to receive notices of Reclamation Manual releases posted for review. They will include a date and time when Reclamation will hold an additional discussion/engagement session for interested participants walking through this change, and inviting any additional comments they have.

b. Implementation of Reclamation Financial Assistance Programs

Last year, the Alliance -working with Idaho Water Users Association and Nampa and Meridian Irrigation District – met with leaders from Reclamation regarding ongoing efforts to improve the customer experience for entities receiving financial assistance from Reclamation. Since our letter of February 2, 2023, we have exchanged written correspondence and met personally in late

February, April, October, and informally during the recent Colorado River Water Users Association event in Las Vegas. Reclamation established a small team to conduct a review to identify opportunities for efficiency improvements in Reclamation’s WaterSMART and related financial assistance programs. The review team is comprised of a cross-section of Reclamation leaders from across the West. The team focused specifically on three areas for WaterSMART Program and financial assistance improvement opportunities: 1) Communication; 2) Process; and 3) Staffing. Reclamation Deputy Commissioner David Palumbo recently responded to the Alliance with a formal letter outlining (from a high level) the team’s major recommendations and the status of implementation. It also includes a section that suggests how we as an organization can help things along from our end. Here’s a summary of the key recommendations, below.

i. Communication

The team recommended, and Reclamation has developed, a new “Schedule Tracker” graphic to communicate updates such as expected dates that funding opportunities will be released, expected application deadlines, dates that applicants will be notified of status, and so forth. Reclamation is now using this Schedule Tracker graphic on the WaterSMART website – initially for the programs that have funding opportunities open now and have been gradually incorporating it for all WaterSMART grant categories. The letter includes links to the program pages where the graphic is now in use.

ii. Process

The review team recommended that Reclamation further develop and publish multi-year notices of funding opportunities (NOFOs). Reclamation has already begun to use multiple application deadlines in WaterSMART funding opportunities so that stakeholders know the current application deadline and the next deadline as well. Reclamation is “extremely confident” that this change will help increase the lead time available to project sponsors, so they can plan for the next year or two. Reclamation will also continue to combine categories of funding as much as possible to simplify the process, as was done in its new Planning and Design NOFO this year. In addition, Reclamation is continuing to standardize WaterSMART NOFO templates for each category.

Reclamation continues to collect and analyze ways to streamline internal processes to shorten the time between submission of an application and award of receipt of funding as much as possible. Among other action items, Reclamation is assessing the ability to complete reviews concurrently by financial assistance operational staff and financial assistance policy staff, as well as resolve comments within five business days. In ideal circumstances, consistently complete applications will allow for Financial Assistance Operations and Water Resources and Planning Office review of applications concurrently.

iii. Staffing

Staffing financial assistance programs and reviewing the dozens of applications is a significant workload impact to Reclamation staff that is often added to their regular duties. To lighten this

workload, Reclamation has assigned Grants Management Officers and Environmental and Cultural Specialists earlier in the process, during red flag reviews of application groups. Reclamation is also recommending that Regional Directors designate regular Application Review Committee (ARC) participants and make it a core duty for certain subject matter experts. The agency is also starting to designate standing ARC members to decrease timelines and provide more consistent reviews. And, Reclamation is implementing use of advanced forms to further automate portions of the ARC process before selectees move into the financial assistance process.

c. DOI's Remote Work Policies

The House Subcommittee on Oversight and Investigations on January 18 held an oversight hearing on the impacts of the U.S. Department of the Interior's (DOI) remote and telework policies, an issue that some have observed may be impacting the effectiveness of federal agencies to administer IJA and IRA projects. Republicans in the House of Representatives believe it is past time for all federal agencies to return to appropriate, pre-pandemic levels of in-person work agency-wide. Currently, non-supervisory, telework-eligible employees across the DOI's agencies are only required to be in the office two days every two weeks, and telework-eligible senior executives, supervisors and managers in the National Capital Region are only required to be in the office 50 percent of the time. House Republicans have proposed a solution to the in-person absenteeism of federal employees, [the Stopping Home Office Work's Unproductive Problems or the SHOW UP Act](#), which, among other directives, would return federal agencies to pre-pandemic levels of telework.

d. WaterSMART Small-Scale Water Efficiency Projects

The WaterSMART Small-Scale Water Efficiency Projects For Fiscal Year 2024 and Fiscal Year 2025 NOFO closed on January 16. Reclamation reports that, due to a large number of incomplete applications, the closing date has been extended now until February 6, 2024 at 4:00 p.m. (Mountain). Apparently, there is a discrepancy between the mandatory application components listed in the NOFO and those identified as mandatory in the Grants.gov package. The NOFO requires applicants to submit a completed Budget Information Form and a signed Assurances Form, depending on whether the project is a construction or non-construction project. The Grants.gov application package notation that these forms are "optional" should be disregarded.

If you have already submitted an application, please review your Workspace on Grants.gov to verify all mandatory application components identified in the Application Checklist on page iii of the NOFO and in Section D.2.2 Application Content were submitted. The Grants.gov system does not allow users to amend their application packages after submission. If your application is missing any mandatory components, a new application package must be submitted by February 6, 2024, 4:00 p.m. MST in order for your project to be considered for funding. Reclamation says that an application that fails to include the mandatory application components is marked incomplete and will not proceed to a merit review. After February 6, 2024, the NOFO and the Grants.gov

application package will be amended to reflect mandatory forms and the second application period will close on July 9, 2024.

2. U.S Environmental Protection Agency (EPA): Radhika Fox Departs Office of Water

After serving three years at EPA, Assistant Administrator for the Office of Water Radhika Fox last month announced that she will depart the agency at the end of this month. Appointed by President Biden and confirmed with bipartisan support by the U.S. Senate, Assistant Administrator Fox spearheaded EPA's effort to implement billions of dollars of funding to tackle water pollution from lead and PFAS. Assistant Administrator Fox is the first woman of color and the first person of Asian American descent to lead EPA's Office of Water. We have an excellent working relationship with Radhika, who we formally supported during her Senate confirmation process. She had originally committed to speak at our annual conference in February, but over the holidays notified us that she could not. Now we know why. Radhika's interim replacement is Bruno Pigott (Principal Deputy Assistant Administrator in the Office of Water).

DEVELOPMENTS IN CONGRESS

3. President Biden Signs CR Pushing Shutdown Deadlines to March

President Joe Biden last month signed a stopgap continuing resolution (CR), the third in four months, to avert a partial government shutdown that was set to begin on January 20. The "laddered" CR extends funding for government agencies until March 1 (four spending measures, including Energy and Water) and March 8 (remaining eight spending bills). House and Senate negotiators later in the month reached an agreement on top-line allocations for the 12 annual government-funding bills. Sen. Patty Murray (D-WA.) and Rep. Kay Granger (R-TX), chairs of their respective Appropriations Committees, had been in discussions since January 7 to determine funding amounts. The agreement allows subcommittees to proceed with negotiations on the specifics of a spending package. Work is now progressing (hopefully) on the 12 appropriations bills, which had been on hold until the top-line allocations were settled. Congress faces continuing resolution (CR) deadlines of March 1 and March 8, with four bills (20% of discretionary funding, including veterans, transportation, agriculture, energy and water programs) due on March 1 and the remaining eight bills (80% of funds) due on March 8. The lists of which federal agencies are funded by each of the 12 spending bills is available [here](#).

Senators in both parties yesterday finalized a deal on stricter border and immigration policies that is headed toward an uncertain floor vote in the coming days. The \$118 billion agreement, which was released yesterday and negotiated for months, would tighten the standard for migrants to receive asylum, automatically shut down the southern border to illegal crossings if migrant encounters hit certain daily benchmarks and send billions of dollars to Ukraine, Israel and Taiwan as well as the border (*POLITICO*, 2/4/24).

The House will come back to DC early on February 28 from its late-February two week recess, just two days before the first March 1 CR deadline. Initial funding negotiations on top-line allocations for each of the 12 appropriations bills continues to drag on, with subcommittees still waiting for their allocations to start negotiating the details of bicameral bills. As previously reported, the long-delayed appropriations process threatens to further derail the farm bill in 2024. Both the House and Senate Ag Committees are still far from hammering out drafts of the massive legislation that's expected to hit \$1.5 trillion. *POLITICO* recently reported that some GOP lawmakers are starting to privately expect that a farm bill won't move until after the November elections, if it does at all this Congress. A lame duck farm bill, however, is a heavy lift....

4. 2023 Farm Bill

The farm bill is an omnibus, multiyear law that is typically renewed about every five years. The House leadership chaos of January 2023 had wide implications for the farm bill — including holding up work on the bill and complicating its eventual path to passage. Given the delays from the debt ceiling and appropriations negotiations, lawmakers have yet to release the draft text of the Farm Bill legislation in both chambers. But some House Republicans in particular are privately acknowledging that a lame duck farm bill might be the only option. Key topics of debate between Democrats and Republicans include SNAP (food stamp assistance) and funding levels for climate change and rural energy programs.

Once again, the Alliance has worked closely on this with its partners in the Western Agriculture and Conservation Alliance (WACC) on the next Farm Bill. The Alliance and many of its members are strong supporters of the NRCS Watershed and Flood Prevention Operations Program (WFPO, often referred to as the “PL-566” Program). The Alliance and its allies last year worked with the office of Senator Michael Bennet (D-COLORADO) on legislation intended to streamline PL-566. The legislation aims to improve the PL-566 program by streamlining the program's planning and administrative processes and creating parity in funding allocations between southeast states and other areas of the country.

As is the case with many issues related to the farm bill, this one is contentious, with the Senate and House ag committees having differing perspectives on making changes to PL-566, which has long been a “go-to” funding source for flood control projects in the Southeast. However, there does appear to be agreement that PL-566 implementation could be streamlined, and that NRCS state conservationists should be given more oversight authority, pulling control away from NRCS HQ in D.C. We continue to work on advancing initiatives that ensure that more of the PL-566 dollars make it out West, via the developing Farm Bill or through the appropriations process.

a. PL-566 Appropriations Letter

Last week, we worked on a letter to Congressional leaders and appropriations committees, expressing support to include the \$70 million in programmatic funding for WFPO that was included in the Senate Agriculture, Rural Development and Drug Administration spending bill.

The House version of ag appropriations essentially zeroed this program out. We wrapped that letter up last Thursday and transmitted it to several offices on Friday morning. Over FIFTY organizations signed on, including SLDMWA. This will make a difference. I like what the Authority's Scott Peterson (who also happens to be the Vice-Chair of our Advisory Committee at Family Farm Alliance) said: "It looks like something from NASCAR, with all of those logos". A related letter from the Western Ag and Conservation Coalition (WACC) also went out last week on this matter, which included support from some of the larger, constructive conservation groups.

b. Western Senators Call for Long-Term Drought Provisions in the Farm Bill

U.S. Senators Michael Bennet (D-COLORADO) and Deb Fischer (R-NEBRASKA) joined Oregon Democrat Senators Jeff Merkley and Ron Wyden in a bipartisan effort last month, calling on the Senate Agriculture Committee to address long-term drought in the upcoming farm bill. "Agriculture is the economic backbone for rural communities in our states," the Senators wrote. "However, severe, long-term drought is devastating these rural areas. During periods of droughts, our farmers and ranchers face diminishing crop and livestock outputs. These negative effects reverberate through the community, affecting not just individual producers, but the broader local economy and food system." In addition to Merkley, Wyden, Bennet, and Fischer, this letter was also signed by thirteen other Western Senators. Full text of the letter can be found [HERE](#). The Alliance and the WACC were consulted by Senator Bennet's office as this letter was developed late last year and provided input and support.

5. GAO: Foreign Investment and Ownership of American Farmland

The U.S. Government Accountability Office (GAO) last month [released a report](#) highlighting the risks associated with foreign investment and ownership of American farmland. Foreign ownership and investment in US farmland, pastures and forests jumped to about 40 million acres in 2021, up 40% from 2016, according to Department of Agriculture data. The report underscores the current lack of information regarding land ownership, posing a potential threat to national security. Safeguarding our food supply is crucial, and the report emphasizes the need to address the influence of foreign adversaries on American farmland. The GAO made six recommendations, including that the USDA share more timely and complete data with the Committee on Foreign Investment in the US, an interagency panel led by the Treasury Department that reviews foreign business deals.

6. NYSE Withdraws NAC Proposal

In a significant development, the New York Stock Exchange (NYSE) last month withdrew the proposed amendment to the Listed Company Manual, which aimed to introduce a new listing standard for Natural Asset Companies (NACs). The potential listing of Natural Asset Companies on the NYSE raised concerns about granting foreign adversaries the ability to control our public lands. Considerable pressure came from states and Republicans in Congress who voiced concerns that this would fund locking up millions of acres of BLM and Forest Service lands through funding

companies through the New York Stock Exchange. [Here's a letter](#) from the state attorneys general from Kansas and Utah blasting the proposal.

7. **House Republicans Introduce Clean Water Act Reform Bills**

House Republicans have introduced five bills aimed at modifying the Clean Water Act (CWA), with the goal of reducing obstacles faced by energy companies and businesses seeking CWA permits. The bills, unveiled by lawmakers on the House Transportation and Infrastructure (T&I) Committee, include the "[Nationwide Permitting Improvement Act](#)," introduced by T&I Water Resources and Environment Subcommittee Chair David Rouzer (R-NC), which would require the Army Corps of Engineers to consider only the effects of dredge-and-fill activities when issuing nationwide permits. Another bill, "[Reducing Permitting Uncertainty Act](#)," from Rep. Pete Stauber (R-MN) and Rouzer, would limit the EPA's timeframe for vetoing permits, while a third, the "[Judicial Review Timeline Clarity Act](#)," from Rep. Eric Burlison (R-MO) and Rouzer, would impose time limits on legal challenges to federal wetlands permits.

The additional bills, the "[Water Quality Criteria Development and Transparency Act](#)," from Rep. Burgess Owens (R-UTAH) and Rouzer, and the "[Confidence in Clean Water Permits Act](#)," from Rep. John Duarte (R-CALIFORNIA) and Rouzer, would address transparency in EPA's water quality criteria and seek specificity in pollution limits under the NPDES program while protecting permit holders from what is described as "frivolous lawsuits." The bills are unlikely to become law in the divided 118th Congress, but they highlight how Republicans would change the CWA if they had the votes. Democrats, for their part, have introduced the "[Clean Water Act of 2023](#)," to increase EPA and Corps' oversight of wetlands after the *Sackett* Supreme Court decision reduced regulation of wetlands under the CWA.

8. **House Subcommittee Legislative Hearing Addresses Forest Health Bills**

While 2023 in America saw the smallest number of acres burned in more than two decades, wildfires and forest health remained a top priority for policy and law makers in Washington, D.C. The numbers show a wildfire season with more than 2.6 million acres burned as of December, according to [data](#) from the National Interagency Fire Center. It's the lowest number dating back to 1998, when 1.3 million acres were burned. In recent years, a priority initiative for the Alliance has been to continue advocating for active forest management in federal Western watersheds and better quantifying watershed health improvements associated with these and other water conservation actions.

The House Subcommittee on Federal Lands on January 31 held a legislative hearing on five bills that would reduce the federal estate, increase recreation opportunities, empower local communities and promote forest management with innovative tools to streamline bureaucratic red tape. One of those bills, [H.R. 674](#), *the Root and Stem Project Authorization Act of 2023*, introduced by U.S. Rep. Dan Newhouse (R-WASHINGTON), would address barriers that prevent forest

management projects by promoting an innovative new model to finance forest restoration that reduces fire risk and benefits rural economies. To learn more, click [here](#).

IN THE COURTS

9. U.S. Supreme Court Hears Fishing Cases that Challenge Agency Powers

The U.S. Supreme Court (SCOTUS) heard arguments last month in two cases that could severely weaken the power of administrative agencies to set regulations. The cases, coming from New Jersey and Rhode Island-based herring fishing enterprises, initially challenged a Commerce Department rule requiring fishermen to pay for federal monitors aboard their boats. But the arguments dealt almost entirely with “Chevron deference,” a principle giving wide latitude to federal agencies to write regulations that the high court established in the 1984 case *Chevron v. Natural Resources Defense Council*. That ruling has for decades restricted federal courts from deciding questions of policy unless there is a clear breach of the law or the Constitution. The Supreme Court’s upcoming decision is almost certain to drive reams of new litigation and result in conflicting circuit decisions, legal observers say, given widespread expectations the justices will overturn or significantly cabin the doctrine. In the wake of the arguments, both supporters and opponents of Chevron are widely predicting its demise, after four conservative justices all expressed eagerness to overturn the nearly 40-year-old doctrine established in 1984 by a unanimous high court.

10. Supreme Court to Hear Arguments Over the Tri-State Rio Grande Agreement

SCOTUS is set to hear arguments on March 20 regarding the Biden Administration's objections to a multistate agreement governing the waters of the Rio Grande. The deal involves Texas, New Mexico, and Colorado, aiming to establish a new reporting system to ensure equitable water distribution from the Rio Grande to Texas. The agreement, which was approved by a federal judge, originated from Texas' 2013 claim before SCOTUS that New Mexico was taking an unfair share of the river's flows under the 1938 Rio Grande Compact. However, the Biden Administration opposes the deal, contending it overlooks concerns about groundwater pumping in New Mexico. The case, *Texas v. New Mexico and Colorado*, emerged from a 2013 lawsuit filed by Texas against New Mexico, focusing on the impact of groundwater pumping south of the Elephant Butte Reservoir on Compact deliveries to Texas. The settlement proposes a new measurement gauge near El Paso, Texas, accounting for both groundwater pumping and river flows. Alliance member Elephant Butte Irrigation District is smack in the middle of this litigation.

ALLIANCE INITIATIVES

11. 2024 Annual Conference

February 21-23, 2024 are the dates for our annual meeting and conference, which will be held at the Silver Legacy Resort & Casino in Reno (NEVADA). Here’s a summary of what’s in store:

- Keynote speakers are Jessica Fox (environmental market specialist) and Michael Brain (DOI Principal Assistant Deputy Secretary).
- Reclamation Roundtable, including all five regional directors and Deputy Commissioner David Palumbo, and John Watts, the Commissioner’s new senior advisor. Commissioner Camille Touton will join us virtually, since her daughter will be turning two years old on the first day of our conference.
- “We’re Here to Help – Help us Help You!” –Learn more about how universities are interacting and communicating with Western irrigators. Moderated by Sharon Megdal (Director, University of Arizona Water Resources Research Center), panelists include university representatives from universities in Arizona, California and Colorado.
- “Muddy Reflection”: A look back at the 2023 water season. Justin Harter, general manager of the Naches-Selah Irrigation District in Washington’s Yakima River Basin will share his experiences and offer tips for other Western water managers who may have to tackle unexpected challenges resulting from our mismanaged federal forests.
- A Look at D.C. from the Hill –Panelists include key House and Senate staff directors from both parties, as well as Bill Ball, House Speaker Johnson’s new natural resources advisor. Moderated by Mark Limbaugh (The Ferguson Group).
- Making PL-566 Work Better West of the 100th Meridian - Julie O’Shea (Executive Director, Farmers Conservation Alliance) will lead a panel discussion on finding ways to maximize the effectiveness of the Natural Resources and Conservation Service (NRCS) Watershed and Flood Prevention Operations Program, commonly referred to as the “PL-566” program. Panelists will include Astrid Martinez (NRCS Conservation Planning and Technical Division Director, Jed Jorgensen (DOE), Mike Britton (North Unit Irrigation District and a representative from Reclamation.
- Lower Snake River Dam Removal - Todd Ungerecht (Family Farm Alliance policy advisor) will moderate a panel of Pacific Northwest elected officials, power, agriculture and water experts to provide the perspectives of those left out of the closed-door negotiations. Panelists include Paul Arrington (Executive Director, Idaho Water Users Association), Scott Corwin (President and CEO of the American Public Power Association), Chris Voigt (Washington State Potato Commission), and former Congressman and House Resources Committee Chair “Doc” Hastings (R-WASHINGTON).
- Colorado River Tribal Panel – Agriculture and Water: Past, Present and Future. Anne Castle, who served as Assistant Secretary for Water and Science in President Obama’s Interior Department, will moderate this panel of three tribal representatives from the

Colorado River Basin. Panelists include Manuel Heart (Chairman, Ute Mountain Utes), Josh Moore (CRIT) and Daryl Vigil (Jicarilla Apache).

- Where's the Recourse? Regulatory Excesses of ESA Implementation - Very few in the public understand the power that lies in the hands of non-elected government officials charged with implementing the federal Endangered Species Act. Hear some real-life horror stories from Karen Budd-Falen (Budd-Falen Law Offices and former Deputy Solicitor for Wildlife and Parks at DOI), Mauricio Guardado (General Manager of United Water Conservation District, Oxnard, California), and Paul Simmons (Executive Director, Klamath Water Users Association).

The conference will wrap up at noon on Friday, but we're working on showing the Colorado River documentary "Green Desert" for our "afternoon tour" segment, and the producer of the film will be there in person. E&E News last week ran a story that essentially summarized our 2023 annual conference, but the timing is good, and we'll use it as a prop to push THIS year's conference. Check out "[Will a shrinking Colorado River shrivel the produce aisle?](#)".

NEWS FROM AROUND THE WEST

12. Dam Removal in the West

All of the recent news in my neighborhood – the Klamath Basin (Southern OREGON / Northern CALIFORNIA) - has been dominated by mainstream media coverage of the historic removal of hydroelectric dams on the Klamath River. This is the largest dam removal undertaken in the history of the planet, and the NGOs, tribes and states of California and Oregon are understandably in a state of euphoric frenzy right now. Dam removal represents the peak of success for certain environmental interests in the West, and the dam removal bandwagon is overflowing right now with gushing supporters. However, as many in our community have predicted, the very unique circumstances that led to the removal of the Klamath dams have been lost in the media coverage.

Advocates and analysts are now eyeing four dams on the Lower Snake River in Washington as the next big dam removal in the queue, even though the circumstances surrounding that area and Klamath are vastly different. The Klamath dams were privately owned by PacifiCorp, and they provided minimal benefits outside of the hydroelectric power generation purpose they were originally designed for. Along the Snake River, there are irrigators who rely on the reservoirs behind the targeted dams. The Columbia River dams are also the primary power source for the Pacific Northwest, and there is immense barge traffic responsible for exporting northwest wheat that is tied to the controlled water levels provided by the dams. A new USDA-funded report found the Columbia and Snake River transportation system contributes about \$346 million to the region's economy each year.

Now, California Governor Gavin Newsom is taking ambitious steps to restore salmon populations, which includes a series of actions, including removing barriers and modernizing infrastructure for

salmon migration, restoring and expanding habitat for salmon spawning and rearing, protecting water flows and water quality in key rivers at the right time, modernizing salmon hatcheries, and more. Of course, media coverage has emphasized the governor’s pledge to expedite the removal or bypassing of aging dams. Actually, the entire approach and the action items are generally supported by the [“Holistic Approach to Healthy Rivers and Landscapes”](#) that water agencies in the Sacramento are advancing to recover fish species in the Sacramento Valley, recreate floodplains and other Pacific Flyway habitat for birds and other species, while protecting communities and sustaining farming in the region.

Despite all of the recent media and political hoopla celebrating dam removal, elected officials in the Pacific Northwest representing agriculture and power interests are pushing back.

House E&C Subcommittee Hearing on Fate of Snake River Dams

Last Tuesday, the House Energy and Commerce Subcommittee on Energy, Climate, and Grid Security held a hearing entitled “Exposing President Biden’s Plan to Dismantle the Snake River Dams and the Negative Impacts to the United States.” The hearing examined the management and operations of federal dams on the Columbia River and its tributaries, and actions taken by the Biden Administration to plan for the removal of the Lower Snake River dams. The nearly 4-1/2-hour hearing covered a lot of ground. Chairwoman McMorris Rodgers' opening statement framed well the concerns about the Biden Administration's closed-door deal with select environmental plaintiffs and tribes. The Chair's entire statement is [here](#) and worth watching. [CLICK HERE](#) for the link to the whole hearing. The letter [we sent to USDA Secretary Tom Vilsack last April](#) – expressing concerns about the lack of representation from agriculture in the settlement negotiations – was also submitted to the Chair and accepted into the hearing record.

Our policy and communications consultant, Todd Ungerecht, is working to set up a great panel discussion at our upcoming conference on this topic, which will include Doc Hastings, the past Chair of the House Committee on Natural Resources, Paul Arrington (Executive Director, Idaho Water Users Association), Scott Corwin (President and CEO of the American Public Power Association), and Chris Voigt (Washington State Potato Commission).

ADMINISTRATIVE & MISCELLANEOUS

- Our friends at the Irrigation Association included articles in the January 9 on-line edition of *Irrigation Today* “News Harvest” about our upcoming annual conference. We were also quoted in an article about the federal negotiations involving the Lower Snake River Dams. [CLICK HERE](#) to see both articles.
- I spoke last month at the Four States Irrigation Council meeting in Fort Collins (COLORADO) and moderated two panels at the Mid-Pacific Water Users Conference in Reno (NEVADA).

- ACWA has hired Ian Lyle as its new Director of Federal Relations to lead its advocacy team in Washington D.C., including advocating on behalf of member agencies before Congress and at federal executive branch agencies. He replaces David Reynolds, who retired in December after 30 years at ACWA. Lyle has two decades of experience working collaboratively with federal, state and local partners. He worked for 10 years in Congress, and also worked for the National Water Resources Association, first as Director of Federal Affairs, and then as its Executive Vice President.
- Westlands Water District (District) has announced that Jeff Payne is the new Assistant General Manager. In this role, Jeff will primarily oversee the District's legislative and regulatory affairs. Most recently, Jeff served as the Deputy Regional Director in Reclamation's California Great-Basin Region. Prior to that, Jeff was the Director of Water Policy at Friant Water Authority and a Principal Engineer for MWH Global.
- The Board of Directors for the Sacramento River Settlement Contractors has announced that Thad Bettner has joined them as their new Executive Director. Thad has worked for water agencies in the Sacramento and San Joaquin Valleys, and he has thirty-three years of experience with irrigation and water agencies on the local, state, and federal levels. From 2006 through 2023, he served as general manager of the Glenn-Colusa Irrigation District.

This is a quick summary of just a few of the issues the Alliance has been engaged in. Please do not hesitate to contact me at 541-892-6244 or dan@familyfarmalliance.org if you would like further information about what the Alliance is doing to protect water for Western irrigated agriculture.