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## MEMORANDUM

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**TO:** SAN LUIS & DELTA-MENDOTA WATER AUTHORITY DIRECTORS  
**FROM:** DAN KEPPEL, EXECUTIVE DIRECTOR  
**SUBJECT:** UPDATE REPORT  
**DATE:** MAY 1, 2023

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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 initiating action items following our 2023 annual conference, preparing for and testifying at a House subcommittee hearing, advancing farm bill ideas with Western Senator and committee staff, and engaging in litigation and administrative matters. These issues and other matters important to our members are further discussed in this memo.

### BIDEN ADMINISTRATION

#### **1. Office of Information and Regulatory Affairs (OIRA): Regulatory Review**

The White House Office of Management and Budget OIRA announced two important steps to improve the federal regulatory review process. First, President Biden signed an [executive order](#) that will increase the threshold for benefit cost analysis to \$200 million from \$100 million in annual effects and directs that it be adjusted for GDP growth every three years. This change is intended to help return the number of regulations subject to more rigorous review to levels consistent with earlier administrations. OIRA has also already been [engaging with members of the public](#) to seek feedback on ways to improve public participation in the regulatory process, and the executive order will build on this progress. Second, OIRA is also issuing proposed revisions to its government-wide guidance on regulatory analysis, Circular A-4. The revision updates the discount rate that translates future costs and benefits into present-day values, provides greater support for analyzing distributional effects, and provides more thorough guidance for accounting for risk and uncertainty. OMB is also proposing regulations to [A-94](#), last revised in 1992, which provides guidance on how federal grant money is spent each year.

## **2. Executive Order on Environmental Justice**

President Joe Biden last month issued an Executive Order (EO) on Revitalizing Our Nation’s Commitment to Environmental Justice for All, which calls for advancing environmental justice across the federal government. According to the EO, “environmental justice” means “the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other Federal activities that affect human health and the environment so that people: 1) are fully protected from disproportionate and adverse human health and environmental effects and hazards; and 2) have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices”. Among other things, the order directs that National Environmental Policy Act (NEPA) reviews be carried out in a manner that analyzes the effects of federal actions on communities with environmental justice concerns. It also includes the creation of a new office of environmental justice within the White House Council on Environmental Quality (CEQ). House Republicans quickly hammered the proposal. CEQ intends to issue interim guidance by October 2023 that informs agency implementation of the EO, with final guidance due by October 2024.

## **3. White House: Challenge to End Hunger and Build Healthy Communities**

Last fall, I reported to you that the Biden administration had hosted a September conference focused on nutrition, health, and hunger in America. The White House said the conference was intended to help craft a national strategy to "identify steps the government will take and catalyze the public and private sectors to address the intersections between food, hunger, nutrition, and health." The conference's goals included improving food access and affordability, integrating nutrition and health, and empowering consumers to make healthy food choices. The timing of the conference was held amidst record-high food prices in this country. In the lead-up to the conference, the Biden administration announced billions of dollars in public and private contributions—the latter including money and other resources provided by companies such as Doordash, Chobani, Google, and the National Grocers Association—as part of a "transformational vision" to help end hunger and reduce diet-related diseases such as diabetes by 2030. The White House recently rolled out its “Challenge to End Hunger and Build Healthy Communities” in an effort to meet President Biden’s goal to “end hunger and reduce diet-related diseases” by 2030. Here’s [the fact sheet](#) that announces new public and private sector actions to “continue momentum” from the “historic” White House hunger conference. As continues to be the case with this initiative, there is no mention made of the farmers who actually produce and provide healthy food, and the importance of keeping them in business.

## **4. White House CEQ: Snake River Dam Removal**

On March 31, CEQ conducted a “listening” session to garner public input on proposals to remove Lower Snake River dams. Agricultural water users throughout the Pacific Northwest region have a strong interest in these discussions. Unfortunately, their voices have not been fully included in

these processes. The Alliance’s request to speak at the March 31 listening session hosted by CEQ on the Lower Snake River dams to hear public perspectives on the projects was not granted. Still, some of our members participated in the listening sessions, which were advertised as opportunities for “non-parties” to the litigation to provide input. Instead, the vast majority of the comments generated at the sessions came from the plaintiff groups involved in the litigation, and their affiliates (“8-1 in favor of dam removal”, according to one person who participated). Our members “listened” in dismayed silence as pro-dam breaching advocates dominated the discussion with their talking points. We were asked by some of our Idaho members to send a letter to U.S. Department of Agriculture (USDA) Secretary Vilsack to engage in this process to provide a new perspective. Last month, we transmitted a final letter that highlights our concerns and explains that dam removal would certainly impact irrigated agriculture's ability to export food. The letter highlights food security, which is one of our touchstones.

In the meantime, Congresswoman Cathy McMorris Rodgers and her colleague Rep. Dan Newhouse, both of Washington, introduced legislation last month to protect the four lower Snake River dams. The move came just a few days after President Biden said at the White House Conservation Summit (*reported to you in last month’s update*) that he is committed to working with Rep. Mike Simpson (R-IDAHO) and Washington senators Patty Murray and Maria Cantwell, both Democrats, to save Columbia and Snake river salmon (although the President mistakenly referred to the wrong river in his commitment to bring healthy and abundant salmon runs back to the Colorado River system). President Biden did not say he supports dam breaching and of the politicians he mentioned, only Rep. Simpson has publicly backed the idea.

## **5. Department of Interior, Bureau of Reclamation**

### **a. Asset Management Report**

In 2019, Congress passed the John D. Dingell, Jr. Conservation, Management, and Recreation Act, Public Law No. 116-9, Title VIII, Subtitle G – Bureau of Reclamation Transparency Act (Transparency Act). The Transparency Act requires the Bureau of Reclamation (Reclamation) to provide Congress with a detailed assessment of major rehabilitation and replacement (MR&R) needs, categorization of these repair needs, and regular reporting of information related to Reclamation’s investments in infrastructure. The Asset Management Report (Report) to Congress is a biennial submission. In compliance with the Transparency Act, Reclamation transmitted the first Report to Congress in 2021 and has now submitted the second Report to Congress, both of which can be accessed at <https://www.usbr.gov/infrastructure>.

### **b. Climate Change Adaptation Strategy**

Reclamation two weeks ago released its Climate Change Adaptation Strategy that outlines how Reclamation will combat climate change. The strategy also affirms Reclamation will use “leading science and engineering” to adapt to human-caused climate change. There are four goals:

1. Increase water management flexibility.
2. Enhance climate adaptation planning.
3. Improve infrastructure resilience.
4. Expand information sharing.

Reclamation's [2021 West-wide Climate and Hydrology Assessment](#) identified the human-induced climate change impacts expected to impact the West through the rest of this century. You can read the entire Climate Change Adaptation Strategy at [www.usbr.gov/climate](http://www.usbr.gov/climate).

c. Infrastructure Funding Announcements

Biden Administration Cabinet members and the White House have been busy in recent weeks, announcing boat loads of new infrastructure projects, funded courtesy of the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA). Recall that the IIJA includes \$8.3 billion for the Bureau of Reclamation (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, California Farm Bureau Federation, National Water Resources Association and Western Growers. The IIJA investment will repair aging water delivery systems, secure dams, complete rural water projects, and protect aquatic ecosystems. Detailed information on Reclamation programs and funding provided in the IIJA is available on Reclamation's website: <https://www.usbr.gov/bil/>.

i. Water Conservation and Efficiency Projects

The Department of the Interior last week announced a \$140 million investment for [water conservation and efficiency projects](#) as part of the President's Investing in America agenda to enhance the resilience of the West to drought and climate change. Funding for 84 projects in 15 western states, provided through the IIJA and annual appropriations, will go to irrigation and water districts, states, Tribes and other entities and are expected to conserve over 230,000 acre-feet of water when completed. In the Colorado River Basin, 12 projects will receive more than \$20 million in federal funding from today's announcement, resulting in more than \$44.7 million in infrastructure investments. Once completed, the projects will result in a combined annual water savings of more than 29,000 acre-feet in the Colorado River System. Another 32 projects selected in California will receive \$46.7 million in federal funding. The projects will result in more than \$164.3 million in infrastructure investments in the state and a combined annual savings of more than 65,000 acre-feet once completed, according to Reclamation.

ii. Aging Infrastructure Funding Announcement

Interior two weeks ago [announced](#) the funding choices for their FY 2023 Aging Infrastructure Account projects – this includes funding for 83 projects in 11 states - and Interior Assistant Secretary Tanya Trujillo two weeks ago told me Interior will be continuing to work on additional

funding opportunities and awards throughout the year. Many Alliance members' projects made the list.

iii. \$20 Million from IJA for Drought Resilience Projects

Interior two weeks ago announced \$20 million for four small surface and groundwater storage projects in California and Utah. These projects, funded through the IJA, are essential tools to help conserve water and increase the efficiency of water use in the Colorado River Basin. The announcement came as Department and White House officials were traveling across the Colorado River Basin as part of the "Investing in America" tour to highlight investments from the IJA and the IRA (*see Item 15 for additional Colorado River funding announcements*). Projects announced include three projects in California and one in Utah, including \$9.5 Million for Imperial Irrigation District's Upstream Reservoir Storage Project, \$4.7 Million for Groundwater Banking Joint Powers Authority's Phase 1 of the Kern Fan Groundwater Storage Project, and \$1 Million for Del Puerto Water District's Orestimba Creek Recharge and Recovery Project. The Small Storage Program was authorized by the IJA. Projects must have a water storage capacity of between 200 acre-feet and 30,000 acre-feet. On September 14, 2022, Reclamation published the first funding opportunity for the Small Storage Program, which closed on December 9, 2022. Eligible projects completed a feasibility study, which was submitted to Reclamation for review.

c. WaterSMART Aquatic Ecosystem Projects

The Department of the Interior has announced a solicitation for the [WaterSMART Aquatic Ecosystem Projects](#). The purpose of this program is to invite eligible applicants to leverage their money and resources by cost sharing with Reclamation on Aquatic Ecosystem Restoration Projects, including study, design and construction of aquatic ecosystem restoration projects that are collaboratively developed, have widespread regional benefits, and are for the purpose of improving the health of fisheries, wildlife, and aquatic habitat through restoration and improved fish passage. Funding is available through two separate categories:

- Task A: Study and Design: Projects must include study and design activities to develop an aquatic ecosystem restoration project, resulting in the development of a study and design package that can be used to apply for funding under Task B. To be eligible to apply for Task B, applicants must have conducted study and design activities resulting in a design package at a 60 percent design level. A 60 percent design package should include technical study and design documentation supporting the preferred alternative in sufficient detail to be able to obtain the necessary permits and estimate funding required for project implementation.
- Task B: Construction: To be eligible under this category, projects must include the construction of aquatic ecosystem restoration projects that are collaboratively developed, have widespread regional benefits, and are for the purpose of improving the health of fisheries, wildlife, and aquatic habitat through restoration and improved fish passage.

Eligible applicants are states, tribes, irrigation districts, water districts, and other organizations with water or power delivery authority located in Reclamation States, including entities and organizations that own a dam that is eligible for upgrade, modification, or removal. Nonprofit conservation organizations working in partnership with the entities listed above or that notify entities listed above are also eligible to apply. Awardees must provide at least 35 percent of the total project cost as a matching share. **Proposals for the program are due by June 1, 2023.**

## **DEVELOPMENTS IN CONGRESS**

The House and Senate are in session this week.

### **6. House NR Subcommittee Hearing: CRA Resolutions Disapproving ESA Protections**

The House Natural Resource Water, Wildlife and Fisheries (WWF) Subcommittee last month held a hearing on a number of GOP-led Congressional Review Act (CRA) resolutions disapproving the Biden Administration's implementation of the Endangered Species Act (ESA), along with a Democratic proposal to protect the North Atlantic right whale. One of the resolutions- [H.J. Res. 46](#) by Rep. Cliff Bentz (R-OREGON), would roll back a Biden Administration rule that ended a Trump Administration rule on designating critical habitat under the ESA. Family Farm Alliance General Counsel Norm Semanko testified at this hearing in support of this resolution. Critical habitat designations can carry with them significant economic and regulatory burdens that must be shouldered by agricultural water managers and rural communities, which our written testimony outlines. The House Committee on Natural Resources favorably reported H.J. Res. 46 and eight other bills out of committee last week.

### **7. GOP Members Visit Fresno to Discuss Water Storage Challenges**

House Committee on Natural Resources Chairman Bruce Westerman (R-Ark.), WWF Subcommittee Chairman Cliff Bentz (R-OREGON) and U.S. Reps. David Valadao (R-CALIFORNIA) and John Duarte (R-CALIFORNIA) last month hosted Members for a field hearing and site visits to examine California's continued water storage issues and their impact on local communities. The Members toured Friant dam and a local dairy farm site that has been damaged from recent floods, and conducted a legislative field hearing on H.R. 215 "[WATER for California Act](#)" and H.R. 872 "[FISH Act](#)" at the World Ag Expo in Tulare. Five witnesses with ties to the Family Farm Alliance members testified at this hearing. We sent out an "Issue Alert" the day before the hearing that identified those witnesses and included links to their written testimony.

H.R. 872 (Calvert) streamlines and improves the federal regulatory process related to endangered fish protections. House Science, Space and Technology Committee Chairman Frank Lucas (R-OK) has drafted related legislation, the "*National Oceanic and Atmospheric Administration Act of 2023*" which would pull NOAA from the Department of Commerce and direct a study on whether



NOAA's work on marine mammal protections and ESA-listed anadromous and catadromous fish species ought to be handled by the Interior Department instead. President Richard Nixon created NOAA under the Commerce Department by executive order in 1970. Since then, the agency has operated under patchwork more than 200 legislative authorities. During a House Science, Space and Technology Committee hearing last month, three former NOAA Administrators who all served during Republican Administrations, agreed that authorizing NOAA as a new executive branch agency and moving the agency out of the Department of Commerce would streamline and improve operations, bolster scientific integrity and facilitate crucial partnerships with private entities. The Alliance has long supported earlier versions of the FISH Act, and I previously testified on a related bill in the 116<sup>th</sup> Congress.

#### **8. House GOP Moving Energy Package to Include Permitting Reform Bill**

House Republicans passed a sprawling energy bill in late March, intended to restore energy independence. *The Lower Energy Costs Act* (H.R. 1) focuses on increasing domestic energy production, reversing policies advanced by the Biden administration, and boosting production and processing of critical minerals. It also includes important permitting process reforms for all industries. The bill passed by a 225-204 vote, with four Democrats joining Republicans to pass the bill and one Republican legislator voting against. H.R. 1 includes the "*BUILDER Act of 2023*," legislation from Rep. Garret Graves (R-LA), would shorten the time allowed to complete environmental reviews and to file lawsuits challenging those reviews under the National Environmental Policy Act (NEPA). The BUILDER Act would limit to one and two years the length of NEPA environmental assessments and impact statements, respectively. It would also place a deadline of 120-days for parties to file lawsuits related to projects.

We've been working with GOP staff at the House Natural Resources Committee for the past year on ways to modernize implementation of NEPA. We are always looking for ways to clarify ambiguous provisions, align NEPA with relevant case law, reflect modern technologies, optimize interagency coordination, and facilitate a more efficient, effective, and timely environmental review process. The BUILDER Act could garner bipartisan support as renewable energy as well as traditional energy projects are slowed due to NEPA process delays. Water infrastructure projects are also sometimes delayed by the NEPA process. The GOP package, including the NEPA reforms, was approved by the Committee and will be taken up by the full House later this spring, even though House Democrats on the Natural Resources Committee remain staunchly opposed to the package. The package may also pick up other bills from various House committees in the process. But most Democrats and the White House dismissed the Republican bill as reviving fossil fuel-centric policies or gutting environmental permitting processes. The bill likely won't advance in the Democratically controlled Senate.

#### **9. 2023 Farm Bill**

The Senate Agriculture Committee is ramping-up farm bill activity as policy ideas and support for those ideas assessed. We've been working with our allies in agriculture and the conservation

community to advance its platform, which focused primarily on the farm bill’s conservation title. We’re looking to fine-tune USDA conservation programs that deliver cross-sector benefits to farming, ranching, and conservation. These programs need to deliver measurable conservation outcomes in a simple way, without harming environmental interests or program integrity. The farm bill is an omnibus, multiyear law that is typically renewed about every five years. With enactment of the omnibus spending bill in December 2022, lawmakers laid the groundwork for battles to come in the next farm bill. The current farm bill expires at the end of September.

a. Capitol Hill Politics

Senate Agriculture Committee Chair Debbie Stabenow (D-Mich.) and Ranking Member John Boozman (R-Ark.), are finalizing a schedule that will drive discussion of major priorities and funding issues. Key spending challenges that have already surfaced include the Supplemental Nutrition Assistance Program (SNAP) and increasing reference prices in the Price Loss Coverage program. SNAP eats up 80 percent of the farm bill’s spending but must be hammered out to secure Democrat support for the farm bill. Republicans want to see expanded work requirements in SNAP, which will be strongly resisted by Democrats. Senator Boozman, meanwhile, has called for more vigorous USDA enforcement of work requirements and for states to “no longer be allowed to game the system” through work requirement waivers, according to *POLITICO*.

Republicans on the House Ag Committee said during a hearing earlier this year that a new farm bill directly addresses federal regulations that they say are impeding production. Chairman Thompson and other House Ag Committee leaders also do not believe sufficient resources are dedicated by Congress for the farm bill. It remains to be seen whether the Budget Committee will grant their wish (*POLITICO*).

b. Family Farm Alliance Engagement on 2023 Farm Bill

The Alliance began ramping up its own Farm Bill advocacy efforts last year, working with conservation partners, developing testimony for Congressional hearings, and working with its members to prioritize its energies in the farm bill debate. Earlier this year, we put together our Farm Bill wish lists for Congressional offices and committees. Once again, the Alliance will work closely on this with its partners in the Western Agriculture and Conservation Alliance -the “WACC” – on the conservation title. The WACC recently finalized its Farm Bill platform, which, among other things, puts priority on improving implementation of the Watershed and Flood Prevention Operations (“PL-566”) and the Regional Conservation Partnership Program, encouraging active management for grazing, and seeking to provide better and faster conservation program technical assistance and compliance. The Alliance has also been working with Western Growers and several Western state Farm Bureaus to push more ag-centric priorities, starting with Western Senators and Ag Committee Members. We’ll also be working to set up meetings with staffers from the Congressional ag committees.



## **10. OpenET Act**

A bipartisan coalition of Western lawmakers in late March reintroduced their "*Open Access Evapotranspiration Data (OpenET) Act*," filed as H.R. 4832 and S. 2568 in the 117<sup>th</sup> Congress to create a new program in the U.S. Geological Survey (USGS) that could be used to track water lost to evaporation and transpiration from soil, crops and vegetation in a river basin. Rep. Susie Lee (D-NEVADA), whose district includes parts of Las Vegas, sponsored the House bill along with Rep. Jared Huffman (D-CALIFORNIA) and Reps. Burgess Owens (R-UTAH) and Chris Stewart (R-UTAH). Bill sponsors say that data could prove crucial to many drought-stricken river basins in the West, including the Colorado River Basin. Sens. Catherine Cortez Masto (D-NEVADA) and John Hickenlooper (D-COLORADO) introduced the bill in the Senate.

Evapotranspiration can be tracked with satellites and weather stations, although critics of the legislation argue that making such data widely available to the public using federal resources, which is made possible by the OpenET legislation, must be subject to existing data privacy and data quality laws as well as be peer-reviewed for accuracy. We share the concerns expressed by other agricultural producers in the West regarding S. 2568, which would inject major federal funding into the OpenET program. We stand ready to work with the sponsors of these and similar proposals to ensure they do not have unintended consequences for Western agriculture and water management. Hopefully, the OpenET discussions will lead to opportunities where we can generate political interest that drives science to get things right on things like the relatively unknown shallow groundwater / surface water relationship in many areas of the Upper Colorado River Basin. Right now, we're checking the pulse of other state, regional and national ag groups, who appear to me to be getting more nervous about this legislation as time goes on.

## **ALLIANCE INITIATIVES**

### **11. Clean Water Act "Waters of the U.S." (WOTUS)**

The House of Representatives last month failed to override President Joe Biden's veto of a resolution under the Congressional Review Act (CRA) to undo a rule defining the Clean Water Act's reach by defining "waters of the U.S.," or WOTUS. House Republicans ultimately failed on a 227-196 vote to meet the two-thirds majority required to override a Presidential veto. Republicans did, however, get 10 Democrats to defy the President. They include House Agriculture ranking member David Scott and Rep. Sanford Bishop, ranking member of the Appropriations Subcommittee on Agriculture. Nine House Democrats and four Senate Democrats joined Republicans in voting for the CRA resolutions against the EPA and Army Corps of Engineers WOTUS rule, sending the measure to President Biden's desk last month.

Now with that effort vetoed, WOTUS rule opponents are now looking to the courts for relief. Judges have already blocked the rule in 26 states. U.S. District Judge Daniel Hovland issued a preliminary injunction in a case two dozen Republican state attorneys general brought against the U.S. Environmental Protection Agency and the Army Corps of Engineers. "The Court finds that

the 2023 Rule is neither understandable nor ‘intelligible’, and its boundaries are unlimited,” Judge Hovland noted in his ruling.

The Supreme Court’s pending decision in *Sackett v. EPA* could materially affect the Biden rule’s scope. The Family Farm Alliance is one of 14 agricultural organizations who submitted a brief as “friends of the court” in support of the plaintiffs, an Idaho couple who brought suit against EPA during the Obama Administration. And most recently, the U.S. Court of Appeals for the Sixth Circuit is temporarily blocking enforcement of the Biden Administration’s WOTUS rule in Kentucky in order to provide a federal court in the Commonwealth time to consider state and industry motions for a preliminary injunction pending appeal, bringing to 27 the number of states where the Biden WOTUS rule has been stayed.

## **12. Colorado River Initiative**

Reclamation last month released its [April 24-Month Study](#), which includes an increase to downstream flows from Lake Powell to Lake Mead of up to 9.5 million acre-feet (maf) this water year (Oct. 1, 2022 through Sept. 30, 2023). Glen Canyon Dam’s annual release volume for water year 2023 was initially set at 7.0 maf, based on the August 2022 24-Month Study, and is now projected to increase to up to 9.5 maf because of high snowpack this winter and projected runoff in the Colorado River Basin this spring. While this water year’s projections are above average, the Colorado River Basin is experiencing severe drought conditions and system reservoirs remain at historically low levels.

Reclamation earlier this month released their draft Supplemental Environmental Impact Statement (SEIS), the Biden Administration’s plan to overhaul the 2007 Colorado River Interim Guidelines, rules that dictate how much water is withdrawn from the Lake Powell and Lake Mead reservoirs based on their current surface elevations. The draft SEIS is available for public comment for 45 calendar days. The three alternatives in the draft SEIS (as summarized by Reclamation) are listed below; Reclamation did not designate a “preferred alternative.”

- **No Action Alternative:** The No Action Alternative describes the consequences of continued implementation of existing agreements that control operations of Glen Canyon Dam and Hoover Dam, including under further deteriorating hydrologic conditions and reservoir elevations.
- **Action Alternative 1:** Action Alternative 1 models potential operational changes to both Glen Canyon Dam and Hoover Dam. Action Alternative 1 includes modeling for reduced releases from Glen Canyon Dam, as well as an analysis of the effects of additional Lower Colorado River Basin shortages based predominately on the **priority of water rights**. Action Alternative 1 models progressively larger additional shortages as Lake Mead’s elevation declines, and larger additional shortages in 2025 and 2026, as compared with 2024. The total shortage contributions in 2024, including those under existing agreements,

are limited to 2.083 million-acre-feet because this is the maximum volume analyzed in the 2007 Interim Guidelines final environmental impact statement.

- **Action Alternative 2:** Action Alternative 2 is similar to Action Alternative 1 in how it models potential operational changes to both Glen Canyon Dam and Hoover Dam. Action Alternative 2 includes modeling for reduced releases from Glen Canyon Dam, as well as an analysis of the effects of additional Lower Colorado River Basin reductions that are distributed in the **same percentage** across all Lower Basin water users under shortage conditions. The total shortage contributions in 2024, including those under existing agreements, are limited to 2.083 million-acre-feet because this is the maximum volume analyzed in the 2007 Interim Guidelines FEIS.

The full document can [be found here](#) and a Reclamation press release can be [found here](#).

The SEIS is an attempt by the Administration to save hydropower production on the river, which serves some 40 million individuals in seven states and millions of acres of irrigated crop lands, by raising water levels in Lake Powell and Lake Mead and protecting downstream water deliveries from “dead pool” levels, which have been dropping precipitously during recent drought years. The Department of the Interior began working on this plan in October 2022 after the seven Colorado River Basin states — Arizona, California, Colorado, New Mexico, Nevada, Utah and Wyoming — missed a deadline to propose their own cuts. Since June, the Biden Administration has pressed the seven basin states to outline their own solution. Bureau of Reclamation Commissioner Camille Calimlim Touton announced her agency would need between 2 million and 4 million acre-feet in cuts to keep hydropower facilities operating.

Ahead of Reclamation’s release of the draft SEIS, six states agreed on a plan that would put the basin's most senior water user, California, on par with the most junior users, Arizona and Nevada in spreading out the necessary cuts in water deliveries from the river. In contrast, California offered its own plan adhering to water right seniorities on the river. In announcing the draft SEIS, senior Interior officials noted that the alternatives should give the seven Basin States bookends to work within to continue to collaborate and develop a consensus alternative for future reductions in water deliveries from the river. The Family Farm Alliance in March 2022 adopted a policy brief that outlines the pro-agriculture principles that we will continue to advance as new operation guidelines are developed. I’ll be participating in an agricultural panel discussion at the upcoming CLE Colorado River Policy conference in Scottsdale (ARIZONA) next month.

*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 [dan@familyfarmalliance.org](mailto:dan@familyfarmalliance.org) if you would like further information about what the Alliance is doing to protect water for Western irrigated agriculture.*