

# Monthly Briefing

*A Summary of the Alliance's Recent and Upcoming Activities and Important Water News*

## 2018 Farmer Lobbyists Engage D.C. Policymakers

### *Farm Bill failure in the House was the talk of the town*

A group of Family Farm Alliance members spent three days walking the halls of Congress and downtown Washington, D.C., meeting with Trump Administration officials, Members of Congress, and Congressional staffers as part of the Alliance 2018 Farmer Lobbyist trip.

"The Alliance's D.C. fly-in is one of our "cornerstone" programs which brings family farmers and water professionals to Washington, D.C. to meet with legislators and Administration policy leaders on critical water issues," said Alliance President Pat O'Toole. "The Alliance philosophy has long held that the most effective voice in Washington DC is the individual family farmer."

A group of diverse and effective Alliance members participated in this year's trip, including Directors Patrick O'Toole (WYOMING), Marc

Thalacker (OREGON), Bill Kennedy (OREGON) and Advisory Committee

manages the Roza Irrigation District in Washington state," said Alliance Executive Director Dan Keppen "Our membership can be proud of the performance of this year's farmer lobbyists."

#### Political Backdrop and Purpose

The purpose of the 2018 fly-in was for farmer lobbyists to discuss with members of Congress and their staff, and Trump Administration agency officials, crucial western water policies and issues, including infrastructure, the new Farm Bill, regulatory streamlining and various water bills the Alliance has been working on in the 115<sup>th</sup> Congress.

"The crew we had this year also had plenty of good stories to share about on-the-farm and integrated water resources management projects they have undertaken or have proposed to undertake in the future," said Mr. Thalacker.

Alliance farmer lobbyists came to Washington D.C. from around the West to share these important federal water policy perspectives. The last day of the trip overlapped with another fly-in the Alliance helped coordinate for the Western Agriculture and Conservation Coalition (WACC). Those latter meetings focused primarily on the current Farm Bill negotiations.

The town was abuzz with specula-



**2018 Farmer Lobbyists (from left to right) - Urban Eberhardt, Scott Revell, Bill Kennedy, Dan Keppen, Sharon O'Toole, Marc Thalacker, Patrick O'Toole.**

Member Urban Eberhart (WASHINGTON).

"We were also lucky to have with us Pat's wife Sharon and Scott Revell, who

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## 2018 Farmer Lobbyists (Continued from Page 1)

tion surrounding the failure of the House farm bill on the floor just days before the farmer lobbyists arrived in Washington (*see related story, Page 3*). That failure occurred when 30 House Republicans voted with all 183 House Democrats against the bill, amid a dispute over unrelated immigration legislation and other policy concerns with the Farm Bill.

"It's now looking like readdressing the House farm bill will get kicked to mid-June, at the earliest, once leadership settles on a plan to satisfy members demanding to vote on an immigration bill," said Mr. Keppen. "It's clear that GOP leadership will wait for a vote until after the immigration dispute is settled."

House Majority Whip Steve Scalise (R-La.) recently said the House will consider a conservative immigration bill from Rep. Bob Goodlatte June 22, then return to the farm bill.

### Meetings

The fly-in itinerary included a mix of Capitol Hill and Administration appointments. On the Hill, the farmer lobbyists met directly with Wyoming Republican Senators John Barrasso and Mike Enzi, as well as Reps. Greg Walden (R-OREGON), Dan Newhouse (R-WASHINGTON) and Liz Cheney (R-WYOMING). Other Congressional meetings were conducted with the offices of Democratic Oregon Senators Ron Wyden and Jeff Merkley (D-OREGON) and Senator Patty Murray (D-WASHINGTON). The farmer lobbyists also met with staffers from key water, agriculture and natural resources committees.

The group had several constructive meetings with key Trump Administration officials, including Bill Northey (Under Secretary, Farm Production and Conservation, USDA), Tim Petty (Interior Assistant Secretary for Water and Science), Brenda Burman (Commissioner of the Bureau of Reclamation) and the office of the White House Council on Environmental Quality.

Mark Limbaugh, Chris Kearney and Zach Israel of The Ferguson Group handled the logistics in D.C.

"The Ferguson Group staff deserve a shout-out for the incredible itinerary they developed and professional approach they employed in setting up this year's trip," said Mr. Keppen. "The great work The Ferguson Group does, and the obvious respect they have in D.C. is something we should all be grateful for."

### The Farmer Lobbyist Message

In the big picture, the group advocated that society should reject shortsighted federal water policies that lead to shuttering farming communities to meet new water demands from burgeoning urban growth, increased recreational demands and environmental requirements.

"Our nation needs a stable, secure domestic food supply, just as it needs a stable, secure energy supply," said Mr. O'Toole.

In meetings with the Natural Resources Conservation

Service (NRCS) and the Congressional agriculture committees, the 2018 farmer lobbyists focused on the 2018 Farm Bill.

"We expressed support for reauthorization of the Farm Bill that maintains funding for the Conservation Title and that makes the Farm Bill's programs work better for producers in the West," said Mr. Thalacker.

Many Western farmers and ranchers use irrigation water delivery systems that are shared among multiple producers—such as irrigation districts, canal companies, or mutual ditch companies. Delivering the Farm Bill's conservation title benefits to western producers requires the flexibility to work directly with these multi-producer, water-delivery entities. The group highlighted the Alliance's work with the Western Agriculture and Conservation Coalition to develop specific statutory recommendations to remove some of the existing contracting barriers for western producers, and make the Farm Bill's conservation title programs more accessible and relevant to them.

The group's meetings with the Trump Administration agencies strove to elevate the importance of agriculture within the Administration. "Overall, we support this Administration's efforts to curb regulations and cut administrative actions that threaten Western irrigated agriculture, such as the Interior Department's efforts to administratively modernize and improve implementation of the Endangered Species Act," said Mr. Keppen. "In our meetings with Interior and with Congress, we advocated for repairing aging water infrastructure and developing new infrastructure. We also talked about ways to streamline the regulatory process for water and power projects."

In many of the meetings, the farmer lobbyists pushed for continued support of grants and innovative financing opportunities. There are several possible vehicles that might advance some the Alliance's ideas for improving water infrastructure and management in the West, including implementation of the existing 2016 Water Infrastructure Improvements for the Nation (WIIN) Act. Other vehicles currently moving through Congress include the Water Resources Development Act (WRDA), Western drought legislation, and the Farm Bill.

"Key pieces of legislation that we have been working on in this Congress would simplify the title transfer process, streamline the permitting process associated with developing new storage projects, strengthen water rights, and curb abuse of ESA implementation," said Mr. Keppen.

In almost every meeting, President O'Toole emphasized the importance of finding ways to entice new people to enter and stay in Western irrigated agriculture.

"We are in danger of losing a generation of young farmers, and productive farmlands and Western agriculture's traditional water supplies are transferred to other uses as multiple demands for water increase," he said. "In recent years, our own Western farmers and ranchers have been subjected to potentially restrictive and duplicative regulations on many fronts. Eliminating just a few of these farmers could impart huge limitations on our future ability to feed our country and the world."

# Farm Bill Falls in the House

## *Release of Senate bill forthcoming*

June could be a busy month for the 2018 farm bill in both the House and Senate. The House farm bill that failed on the floor earlier this month (mostly due to House conservatives voting no on the bill until a vote is held on a controversial immigration bill) is set to resurface around June 22, while the Senate plans to devote as much as three weeks of floor time to its own version. The Senate Agriculture Committee remains on target to mark up its version of the legislation on June 6, and floor consideration could follow soon after.

### Farm Bill Crashes in the House

Amid a dispute over unrelated immigration legislation and other policy concerns, 30 House

Republicans voted against the farm bill. Of the 30 Republicans who said “nay”, 10 are moderates who had issues with the provisions of the bill related to changes to the Supplemental Nutrition Assistance Program (SNAP) while 20 are members of the conservative House Freedom Caucus (HFC) who were demanding a guarantee of a separate vote on legislation that would restrict legal immigration. The House version, which Democrats universally oppose, can only pass the House on Republican votes.

“As much as ever before, the farm bill programs provide an important safety net to get farmers through tough times,” said Rep. Greg Walden (R-OREGON). “The current farm bill, and these important programs, expires at the end of September. Congress needs to redouble our efforts to get it passed in the House and the Senate before then.”

Congressman Jim Costa, a Democrat from California’s Central Valley, explained why he voted against the bill.

“The Farm Bill the House rejected today is a clear example of what happens when Republicans and Democrats fail to work together: bad policy that serves too few Americans,” he said in a prepared statement. “This bill could not get enough support in the House because it simply fails to serve our nation’s food needs. The Senate is currently work-

ing on such a bipartisan, solution-oriented bill, and I hope we take up this serious piece of legislation and get back to work on America’s food bill soon.”



*House Speaker Paul Ryan praises the Agriculture Committee's work on the farm bill at a news conference on Wednesday. He was joined by committee Chairman Mike Conaway (from left), House Majority Whip Steve Scalise, Rep. Cathy McMorris Rodgers and Majority Leader Kevin McCarthy.*  
Photo Source: J. Scott Applewhite / AP

Zippy Duvall, the president of the American Farm Bureau Federation, wrote in a recent column that those who voted against the farm are playing a dangerous game by using the farm bill as their bargaining chip.

“For us, the farm bill isn’t an issue, it’s about our livelihood, our life’s calling, and the source of our nation’s food security, he wrote. “Be assured that rural Americans will remind them of that every chance we get—including election day.”

The House approved 40 amendments and rejected 7 amendments to the Farm Bill, including approving an amendment repealing the 2015 “Waters of the United States”. The

House Farm Bill would increase federal mandatory spending by \$3.2 billion from Fiscal Year (FY) 2019 through FY 2023. The bill would also eliminate broad-based categorical eligibility for SNAP, which would reduce spending by \$5.04 billion over 10 years. Many conservation programs would see changes under the bill, including ones that would reduce spending by a net \$795 million over 10 years.

Right after the Farm Bill was defeated, House Speaker Paul Ryan (R-WI) immediately made a motion to reconsider the Farm Bill, which will allow for a re-vote on the bill at any point in the future. House Majority Whip Steve Scalise (R-La.) has said the House will consider a conservative immigration bill from Rep. Bob Goodlatte June 22, then return to the farm bill. The White House stated that President Trump would sign the bill into law if it reached his desk.

“President Trump is not going to issue a veto threat of the farm bill over work requirements for food stamp recipients,” White House Legislative Affairs director Marc Short told reporters. “I don’t think we’ll be talking veto threats yet.”

### Senate Farm Bill to be Released Soon

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## 2018 Farm Bill Falls in House *(Continued from Page 3)*

The Senate Agriculture Committee is likely to unveil its own 2018 Farm Bill soon, with a markup likely taking place in early June. Senate Agriculture Committee Chairman Pat Roberts (R-KANSAS) is still in negotiations with Ranking Member Debbie Stabenow (D-MI). The Senate Farm Bill will look markedly different from the House version of the bill, especially the Conservation and Nutrition Titles. It appears that funding for conservation projects in the Senate version will be much lower than that proposed in the House bill. The Nutrition Title (SNAP) will definitely not include work requirements as part of food stamp eligibility, as proposed by the House bill.

### Family Farm Alliance Efforts

The Family Farm Alliance 2018 farmer lobbyist group was in Washington, D.C. just days after the House voted down the 2018 Farm Bill, and had multiple meetings with House and Senate agriculture committee staff to discuss status and next steps.

“We explained in our meetings that, because of the narrowly-focused nature of the Family Farm Alliance’s mission, the organization’s farm bill energies and engagement leading up to the release of the House farm bill have focused primarily on the conservation title,” said Mr. Keppen.

The Alliance also weighed in with recommendations on forest health (due to the recent spate of wildfires impacting Western watersheds) and programs that promote young farmers. H.R. 2 incorporates many of the ideas the Alliance has advanced over the past year. It provides several billion dollars of new funding for the Environmental Quality Improvement Program (EQIP) and Regional Conservation Partnership Program (RCPP) beyond existing levels.

“This increase in funding for key programs is particularly significant in the face of the possibility that others may wish to cut funding for the conservation title,” said Mark Limbaugh with The Ferguson Group.

The House bill strengthens the tools for managing agricultural landscapes in several other ways. For example, H.R. 2 makes EQIP and RCPP funding accessible to western irrigation districts and other water organizations. With this change in the law, the Natural Resources Conservation Service (NRCS) will have the authority to do this for the first time.

“This is something we have been advocating for since the 2002 farm bill was implemented,” said Mr. Keppen. “The bill simplifies administration of the RCPP program, which will allow NRCS to spend more time on getting conservation dollars to producers on the ground, and less time on navigating unnecessarily complex rules. It also provides new, significant mandatory funding for the Watershed Protection and Flood Prevention program.”

In anticipation of a Senate Farm Bill conservation title that strays from the House conservation provisions, the Western Agriculture and Conservation Coalition, following its fly-in to Washington, recently sent a letter to members of the Senate Committee on Agriculture, supporting “robust and reliable funding” in the Senate bill for EQIP, RCPP, the Regional Conservation Partnership Program, and the Small Watershed program.

### Next Steps

If the House eventually manages to pass its Farm Bill and the Senate eventually passes its own version of the bill, there would then likely be a House-Senate conference committee to hash out differences between the two versions. Congress has until September 30, 2018 to pass a Farm Bill (i.e., the expiration of the 2014 Farm Bill). Very rarely has this deadline been met in recent



*Members of the Western Agriculture and Conservation Coalition met after the 2018 Family Farm Alliance annual conference in Reno (NEVADA) in February to discuss farm bill priorities and areas of common interest.*

years, but there is a strong interest within agriculture circles to do so.

“A Farm Bill is necessary to provide our farmers, ranchers, foresters, and producers with the stability and predictability they need,” U.S. Secretary of Agriculture Sonny Perdue said in a prepared statement following the House vote. “Our farmers feed the people of this nation and the world, and they deserve the certainty of a Farm Bill.”

# Water Infrastructure Legislation Moves in Congress

Both houses of Congress this month made progress advancing important legislation that would maintain Congress' recent streak of passing a water infrastructure reauthorization every two years. In the Senate, the Family Farm Alliance was one of a handful of organizations that was asked to testify on the 2018 Water Resources Development Act (WRDA), legislation that funds and authorizes Corps of Engineers (Corps) projects and programs. It can also be used to advance other water resources policy matters.

The Senate Environment and Public Works (EPW) and the House Transportation and Infrastructure (T&I) Committees unanimously advanced modified versions of their WRDA bills. Both bills are now eligible for floor consideration in the House and the Senate.

Early in the month, U.S. Senator John Barrasso (R-WYOMING), chairman of the Senate EPW Committee, joined committee ranking member Tom Carper (D-DE), Transportation and Infrastructure Subcommittee chairman Jim Inhofe (R-OKLAHOMA), and T&I Subcommittee ranking member Ben Cardin (D-MD) to introduce *America's Water Infrastructure Act of 2018* (AWIA).

"Our committee has taken an important step towards improving America's water infrastructure," Chairman Barrasso said in a statement. "This legislation will cut Washington red tape, create jobs, and grow our economy. America's Water Infrastructure Act will increase water storage in the West, protect communities from dangerous floods, and upgrade old drinking water systems."

Ranking Member Carper (D-DE) applauded the bipartisan effort that went behind the writing of the bill and stated that the legislation includes provisions that are good for the economy and promote environmental soundness.

The bill was heard by the full committee the following day, where Pat Riley (MONTANA) represented the Family Farm Alliance. Mr. Riley in his opening statement expressed support for the new legislation and also encouraged more investment in federal water infrastructure and financing tools for water conveyance, surface water storage, aquifer storage and recovery, groundwater recharge, wastewater and storm-water management, water reuse, desalination and water use efficiency projects.

Senator James Inhofe (R-OKLAHOMA) praised the bill for its inclusion of budget reform which "will provide an ongoing 5-year window of certainty and transparency to allow for more input from stakeholders when making decisions in the Corps districts and headquarters."

"We appreciate that the 2018 AWIA includes specific provisions that will benefit the Upper Missouri River watershed, where Mr. Riley resides, as well as rural communities and agricultural water users in those areas of the country located west of the 100th Meridian," said Alliance Executive Director Dan Keppen (OREGON). "Some of the key provisions of AWIA 2018 that apply to the West include modifications to Fontenelle Reservoir in Wyoming, flood protection on the Snake River, reauthorization of the national levee safety program, adjustment of flood control rule curves on non-Federal reservoirs, control of invasive species, and evaluation of federal agency capabilities and capacity, among others."

Later in the month, the Committee held a markup of the AWIA and unanimously approved a block "substitute amendment" of the bill. The substitute amendment replaces the original language of the bill with the approved amendment. An important highlight of the substitute amendment includes the *Securing Required Funding for Water Infrastructure Now Act*, or "SRF WIN Act," (S. 2364). The SRF WIN Act would authorize \$200 million annually

over five years to support state revolving fund (SRF) projects and encourage states to bundle their projects by waiving the \$100,000 application fee and streamlining the application projects by a maximum 180-day turnaround.

The Senate bipartisan bill has been largely without controversy, but the substitute amendment passed by the EPW committee could change that. The utilities called the bill "fundamentally flawed" and "inequitable" because it would expedite the processing of federally-backed infrastructure funding through the Water Infrastructure Finance and Innovation Act (WIFIA) loan program to the state revolving funds, which, they say, could in turn slow processing other project specific loan requests to the WIFIA low-interest loan program.

Meanwhile, the House Transportation and Infrastructure (T&I) Committee Chairman Bill Shuster (R-PA) and Rank-



***The 2018 AWIA includes specific provisions intended to address flooding related to ice jams, like these ice floes moving in the Missouri River in Bismarck in 2016. Photo source: Bismarck Tribune***

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## Key Leadership Changes at California Water Organizations

Jason Peltier and Jon Rubin - two long-time California allies of the Family Farm Alliance - recently assumed new leadership positions in the Golden State.

The Coalition for a Sustainable Delta (CSD) has announced the appointment of long-time Family Farm Alliance Advisory Committee member Jason Peltier as its new Executive Director.

"We are very excited to have someone with Jason's experience leading our renewed and expanded efforts on California's most challenging water issues," said Bill Phillimore, Coalition for a Sustainable Delta President. "His leadership, knowledge and relationships will be an asset to these critical efforts."



*Jason Peltier*

The Coalition for a Sustainable Delta is a not-for-profit organization formed by water users who care about the Sacramento-San Joaquin Delta. The Coalition has long been an effective voice in California Bay-Delta issues and a leader in addressing key Delta stressors such as harmful ammonia discharges and predation by non-native species. The Coalition continues to confront a system of policies and regulations that have failed to improve fisheries, while certainly harming the social and economic fabric of California.

A resident of the Delta, Peltier brings a lifetime of work in water management and an intimate understanding of Delta issues that will allow the organization to evolve and expand efforts in the region. Most recently, Peltier served as the Executive Director of the San Luis & Delta Mendota Water Authority (SLDWMA) and the Deputy General Manager of Westlands Water District prior to that. He also served for six years as the Principal Deputy Assistant Secretary for Water and Science at the Department of the Interior in Washington D.C. as part of the management team responsible for the

Bureau of Reclamation and the U.S. Geological Survey. Peltier was raised on a diversified farm in Kern County, he received his Bachelor of Science in Agriculture from Chico State and is a graduate of the California Agricultural Leadership program.

"For generations, competing interests have been battling in the Delta while the status quo continues to deteriorate for all," said Mr. Peltier. "We have recently seen in our collaborative science efforts that government, NGOs and water agencies can work together constructively. That collaboration can be expanded to expediting actions to solve fishery and water problems. I'm looking forward to a new opportunity to help solve an old set of challenges."

Mr. Peltier will be based in Sacramento.

One of Mr. Peltier's prior employers - the Westlands Water District - earlier this month appointed Jon D. Rubin to the position of General Counsel, effective June 1, 2018. As General Counsel, Mr. Rubin will work under the direction of the Board of Directors, in coordination with the General Manager, to manage the District's legal affairs. In addition, Mr. Rubin will provide legal guidance to the Board of Directors and the District's senior management staff.

"Jon Rubin has proven over the years to be a tireless advocate for agencies that serve water to farmers, urban populations, and wildlife refuges," said Westlands President Don Peracchi. "His legal experience and dedication to the diverse water interests of south-of-Delta CVP contractors make him a tremendous asset for the farmers in Westlands. We are fortunate to have him."

Mr. Rubin has represented Westlands and other Central Valley Project agricultural water service contractors during his entire 20-year legal career.



*Jon Rubin*

## WRDA Moves in Congress (Continued from Page 5)

ing Member Peter DeFazio (D-OREGON) introduced the House version of WRDA (H.R. 8). Differing from the Senate bill, the 58-page House bill stays very close to affecting only Corps programs and policies, while the Senate bill includes other authorizations, including WIFIA and other clean water and wastewater provisions under the Clean Water Act.

"We are hearing that, once their WRDA bill passes, the House committee is planning to turn to a package of infrastructure bills that would deal with these issues, and quite possibly be used to reconcile with the Senate bill in a potential conference on the bills," said Mark Limbaugh, the Alliance's representative in Washington, D.C.

The last WRDA was within the Water Infrastructure for Improvements for the Nation (WIIN) Act of 2016 and included U.S. Army Corps of Engineers study and project authorizations, as well as policy language and programmatic language for the Environmental Protection Agency (EPA) Clean Water Act (CWA) programs and policies, including the SRFs.

Members of both parties and houses have expressed optimism that a WRDA reauthorization bill will be passed this year, before the fall's midterm elections.



## Bureau of Reclamation announces path forward For expanded operational capacity at Fontenelle Reservoir

Earlier this month, Bureau of Reclamation Commissioner Brenda Burman, together with Wyoming Governor Matthew H. Mead, U.S. Senators John Barrasso and Mike Enzi, and Representative Liz Cheney, announced collaborative plans to expand operational capacity at Fontenelle Reservoir. Governor Mead developed the Wyoming Water Strategy in 2015, which highlighted the Fontenelle Project.

For several years, Wyoming has sought to place riprap (rock or other material that protects against erosion) to expand the operating capacity of Fontenelle. The expansion will increase flexibility in operating the dam and reservoir – bolstering the region's ability to resist frequent droughts in the arid West – all without increasing the footprint of the reservoir. Additional reservoir capacity will also make possible the creation of new water supplies which would be available for contracting and sale.

"Water is Wyoming's most important natural resource," said Governor Mead. "It is critically important to not only Wyoming but to our country. We need to address water challenges using all the best tools – like conservation, planning and infrastructure. As a headwaters state we recognize the need to protect and develop our water."

Under existing law, Wyoming can apply for project funding under the Colorado River Storage Project Basin Fund Memorandum of Agreement. On April 30, Reclamation concluded that it would consider funding the project under this authority, and invited Wyoming to submit a funding request. Under the MOA, many Western water storage projects have received funding from Reclamation for operation, maintenance, and replacement activities. This federal funding can only be used to improve Colorado River Storage Project facilities and operations.

As an alternative to expanding operational flexibility under MOA funding, Wyoming is seeking Congressional approval to create additional water supply for contracting. Two bills which would authorize this plan, Senate Bill 199 and House Resolution 648, have been introduced by the members of the Wyoming Congressional Delegation.

"Reclamation is pleased to be a partner in the state and the delegation's efforts to upgrade crucial water infrastructure at the Fontenelle Project," said Commissioner Burman. "Improving access to reliable water supplies is a key priority for Reclamation and the Administration."

The Family Farm Alliance and the National Water Resources Association in 2017 expressed support for the Fontenelle project at a hearing conducted by the Senate Energy and Natural Resources Committee.

"I am glad that the Bureau of Reclamation and Wyoming are working together to help expand capacity at the Fontenelle Reservoir," Senator Enzi said. "Water storage projects like this are vital to meet today's water needs and keep water supplies secure and flexible into the future. I am also hopeful that Congress will act soon and Pass the Wyo-

ming delegation's legislation designed to help further along the Fontenelle project."

"This is a great project," added Governor Mead. "I am pleased to see it move forward."

*Primary source: U.S. Bureau of Reclamation press release*



*Fontenelle Dam and Powerplant. Photo Source: USBR*

**The Fontenelle Dam, located in southwest Wyoming on the Green River, is a principal feature of the federal Seedskaadee Project. The project provides water storage and flow regulation on the Green River and generates power for municipal and industrial use, as well as wildlife and recreational benefits. The current active storage capacity of the reservoir is 260,000 acre-feet. Since 2011, the State of Wyoming has proposed expanding the active storage capacity of the reservoir.**

**The House of Representatives has passed H.R. 648, a bill that allows the Fontenelle Dam to be modified to increase the active storage capacity to 345,000 acre-feet. The expansion of this water storage and management project will increase storage without noticeable change to the environmental footprint of the project.**

## AFT Releases New Report on the Loss of Farmland

The American Farmland Trust earlier this month released the most comprehensive assessment ever undertaken of the loss of U.S. farmland and ranchland. “Farms Under Threat: The State of America’s Farmland” sounds a stark warning: The loss of farmland is serious and will accelerate unless we take action. Among the report’s key findings:

- Between 1992 and 2012, almost 31 million acres of farmland were lost, equal to all the farmland in Iowa,
- Nearly twice the area of farmland was lost than was previously shown,
- 11 million of those acres were among the best farmland in the nation,
- Development disproportionately occurred on agricultural lands, with 62 percent of all development occurring on farmland, and
- Expanding urban areas accounted for 59 percent of the loss. Low-density residential development, or the building of houses on 1-to-20-acre parcels, accounted for 41 percent.

“Farms Under Threat: The State of America’s Farmland” is the first step in a multifaceted initiative. This national report will be followed by a separate report later this year that analyzes past farmland loss state by state and looks at the effectiveness of state farmland protection policies. Then, AFT will assess a range of future threats, forecast potential impacts to 2040 at a county level and recommend effective policies at all levels that help conserve agricultural land.

AFT is working with Conservation Science Partners, a nonprofit conservation organization, to ground the report’s findings in reliable data and science. Both financial and technical support has been provided by the USDA National Resource Conservation Service (NRCS)—an agency that pro-

vides technical assistance to farmers and land owners and is responsible for improving, protecting, and conserving natural resources on private lands through a cooperative partnership with state and local agencies. A National Advisory Committee provides additional guidance.



“Farmland is critical infrastructure, akin to roads and bridges,” said John Piotti, AFT’s president and CEO. “Without farms, there’s not only no food, but there’s no future. We need farmland to feed us and sustain our economy—but also to help restore our planet.

“Action is needed now because lost farmland is irretrievable,” he continued. “Farmers are aging, and the land they steward must be passed on to the next generation. If the trends of the

last two decades continue over the next two decades, America will face a future with too few farms.”

Plenty can be done to slow the loss of agricultural land, much of which already falls under American Farmland Trust’s day-to-day mission. The report shares AFT’s recommendations for effective action. A copy of the full report can be read at: <http://action.farmland.org/FarmsUnderThreat>.

*Source: American Farmland Trust (9 May 2018)*

## Committee Votes to Shift Salmon Jurisdiction

The House Natural Resources Committee earlier this month approved a bill that would give the Interior Department more power to make decisions on managing salmon and other fish that move between fresh water and salt water. On a 22-14 vote, the Committee advanced the “Federally Integrated Species Health (FISH) Act,” sponsored by Rep. Ken Calvert (R-CALIFORNIA). The bill, H.R. 3916, now goes to the full House for consideration. The legislation—which the Family Farm Alliance last year testified in support of—aims to avoid duplication over federal decisions involving the 1973 Endangered Species Act (ESA), by shifting greater control to the Fish and Wildlife Service (FWS).

“This bill is an important step in reducing wasted time and money and represents a practical, common-sense change to the ESA that our membership strongly supports,” said Alliance Executive Director Dan Keppen.

Currently, fish in the ocean are regulated by NOAA fisheries, which is part of the Commerce Department. And fish in rivers and streams are regulated by FWS, which is part of

the Interior Department. This can get confusing when it comes to fish such as salmon, which migrate between fresh and salt water.

Rep. Jim Costa (D-CALIFORNIA), who voted in favor of the bill, said the issue could best be resolved by putting both the FWS and NOAA under the control of the Interior Department, but he said that would never happen due to the politics of it. Rep. Raul Grijalva (D-ARIZONA) stated that the shift would cause more bureaucracy and add to the workload of FWS, which he stated is currently underfunded.

Rep. Calvert’s bill would transfer ESA decisions involving both anadromous and catadromous fish to FWS. Anadromous fish—like salmon, smelt, shad, striped bass and sturgeon—live in salt water but spawn in fresh water, while catadromous fish like the American eel do the opposite, living in fresh water but spawning in salt water. Under the legislation, NOAA Fisheries would maintain authority over fish species that live exclusively in the ocean.



# Déjà vu: Fear and Uncertainty in the Klamath Basin

Klamath Basin irrigators were justifiably worried about the upcoming summer at the beginning of 2018. The water year to that point had seen low rainfall and below-normal snowpack. Water availability for local farms and ranches served by the Klamath Project and through private surface water diversions were already projected to be significantly below demand. In Unfortunately, things are now looking more grim, as management of local surface water resources in recent weeks – driven primarily by state and federal management decisions heavily influenced by tribal and Endangered Species Act (ESA) considerations - are putting local farmers and ranchers in a place where conditions are increasingly inequitable and unworkable.

“There are very real local fears that the delayed and reduced water deliveries we are seeing this year could bankrupt family farms and destroy long-held contracts between producers and processors,” said the Klamath Water Users Association (KWUA) Executive Director Scott White .

KWUA earlier this year sought to block a court-ordered pulse flow of stored water from Upper Klamath Lake intended to prevent fish disease outbreaks far downstream in California. The legal ploy was denied by the Ninth Circuit court in San Francisco, stoking KWUA fears that water curtailment will “wipe out the value of real estate, require uprooting of children from their schools, and send economic and psychological shockwaves throughout every local sector that has been dependent on agriculture for over a century.”

There are also concerns that wildlife and their habitats on ranches and in national wildlife refuges will suffer from the absence of food, cover, and water that has long been provided by Klamath Project farmers and ranchers. Grave impacts of these types occurred in 2001, when Klamath Project farmers and ranchers were denied water under the auspices of the ESA, based on then-current hypotheses that were later found by the National Academy of Sciences to be unsupported and unscientific.

“We must not allow history of 2001 to repeat itself, despite nearly two decades of ESA-driven water management that has failed to produce a demonstrable upswing in ESA-protected suckers and coho salmon,” said Mr. White.

## 2018 Operational Challenges

Mr. White and local water users have many irons in the fire right now. One key concern is that drought relief funding

provided in a March 2018 appropriations omnibus package has still not reached the ground.

“The kinks are continuing to be ironed out with the Bureau of Reclamation to get the dollars flowing,” said Mr. White. “We are extremely close to announcing the program publicly. The goal has not changed. We are still focused on getting this money out to the individuals on the ground for relief.”

The aforementioned pulse flow and overall water supply conditions have already put a strain on Klamath Project deliveries. A Reclamation letter was sent earlier this month that told irrigators to take a “temporary pause” in deliveries from the Project.

“We are in a tight spot for the next several days, and we are doing everything we can to scrape by with a very limited water supply. We are grateful that our partners have stepped up to help their neighbors,” said Jeff Nettleton, manager of Reclamation’s Klamath Basin Area Office.

The shutoff came while Reclamation was ramping down the court ordered dilution flows that resulted in 3,000 cubic feet per second

(cfs) in the Klamath River for 13 days, or roughly 50,000 acre-feet (AF).

“Once the dilution flows are completed, we may also be able to make some additional water available from Upper Klamath Lake,” said Mr. Nettleton.

KWUA and its member districts were disappointed in Reclamation’s operational decision and publicly emphasized that, with some small changes to Project operations, up to 5,500 acre-feet could be available to water starved irrigators. Still, the Klamath Project’s headworks centerpiece – the A Canal – was shut down by the Bureau of Reclamation for 36 hours until Reclamation found an additional 3,500 AF available to the Klamath Project for the month of May. As of press time, the A Canal was flowing at 200 cfs, and local water managers were planning for June operations, which will fold in groundwater pumping and land idling actions supported by the federal drought appropriations.

## Another Lawsuit

As if these challenges were not enough, the Klamath Tribes near the end of the month filed a lawsuit against Rec-



*An estimated 17,000 people filled the streets of Klamath Falls in 2001 as part of a “Bucket Brigade” intended to draw attention to the curtailment of Klamath Irrigation Project water for the first time in 95 years.*

*Continued on Page 10*

## Reclamation Urges Cooperative Coordination with USDA

In a move that has the strong support of the Family Farm Alliance, the Bureau of Reclamation (Reclamation) is reaching out to entities to inform them about the collaborative effort between Reclamation and USDA's Natural Resources Conservation Service (NRCS).

According to a recent press statement, "Reclamation and NRCS are working together to align our water conservation and efficiency funding in the West where our missions overlap. We want to make sure you are aware of opportunities that exist to work with farmers who may be eligible for funding under NRCS' Environmental Quality Incentives Program (EQIP) through this collaborative effort."

The Family Farm Alliance have long encouraged partnership and improved coordination with between Federal agencies like NRCS and Reclamation. "When Reclamation brings funding to local water purveyors, and NRCS brings funding to the on-farm projects, federal funds are leveraged better," said Dan Keppen, Alliance Executive Director. We appreciate that Reclamation is emphasizing this important

relationship."

Contingent on appropriations, NRCS provides dedicated EQIP funding to support on-farm water conservation improvements by producers, along with other practices including soil conservation and wildlife habitat. EQIP applications are accepted at any time, but farmers should apply early to be considered in the next available funding cycle. For information contact your NRCS state office or the closest NRCS local service center.

For those who wish to apply for a WaterSMART Grant, Reclamation believes those applications may be able to receive additional consideration if it can be demonstrated that proposed WaterSMART delivery system improvement would complement on-farm improvements supported by the NRCS through EQIP. Currently, there are two WaterSMART Grants Funding Opportunity Announcements available on [www.grants.gov](http://www.grants.gov) that provide points for WaterSMART projects that will complement on-farm improvements.

## Klamath Water Crisis (Continued from Page 9)

lamation under the ESA, alleging that further protection is needed for endangered species in Upper Klamath Lake, the Lost River sucker and shortnose sucker. In the complaint, filed in the U.S. District Court, Northern District of California, in San Francisco, the Tribes asked for re-initiation of ESA consultation, and operations that result in higher lake levels until consultation is complete.

Water users believe the current focus on meeting Upper Klamath Lake levels and Iron Gate flow releases – a paradigm that has been adhered to for two decades – is failing.

"ESA-listed suckers and coho salmon populations are not responding, and all segments of our community are being impacted," said Mr. White.

The Klamath Tribes filed a motion to relate this case to *Hoopa Valley Indian Tribe v. Bureau of Reclamation*, which resulted in the court-ordered flows noted above to be operated for the Klamath River.

"We will intervene and oppose any action that could affect the already-limited Klamath Project water supply," said Brad Kirby, General Manager of the Tulelake Irrigation District and President of KWUA.

### Working on Long-term Solutions

Despite this recent series of grim actions for irrigators, many in the Klamath Basin hold hope that a longer-term agreement can be reached to avoid similar crises from occurring in the future. Alan Mikkelsen, Senior Advisor to the Interior Secretary for Water and Western Resource Issues has been meeting with local water customers, tribes, state government officials and other stakeholders for the past year in the Basin, and has crafted a "Draft Principles for Potential

Klamath Basin Resource Management Decisions". KWUA and other groups are currently providing feedback on ways to achieve these goals and principles. Some believe this effort may form the foundation for a new agreement that put an end to the existing conflict.

Settlement processes have been tried before in the Klamath Basin. In February 2015, the Family Farm Alliance board of directors unanimously voted to send a letter in support of Klamath watershed-wide settlement legislation.

"Our letter also included statements that expressed our concerns regarding setting precedent for dam removal in other areas, the importance of locally-driven solutions, and the need to strive for Western solutions that keep farmers in the business of producing food and fiber for our country and the planet," said Alliance President Patrick O'Toole (WYOMING).

Unfortunately, Oregon and California lawmakers were unable to come to an agreement over Klamath bills introduced in the House and Senate, and Congress adjourned for recess without acting on either one. Since that time, some parties to the original agreements have used "off-ramp" opportunities to disengage from the settlements, although Klamath River dam removal envisioned in one of the settlement agreements continues forward.

"As many settlement advocates feared at the time, water wars have once again returned to the Klamath Basin in the absence of legislation authorizing the agreements," said Alliance Executive Director Dan Keppen, who lives in the Klamath Basin. "Unfortunately, the goodwill that resulted from the decade-long settlement process is slipping away. Alan Mikkelsen's engagement provides hope for some who believe that collaboration works better than confrontation."



## 2018 Agri-Business and Water Council of Arizona Annual Meeting



*Alliance executive director Dan Keppen spoke at the recent ABWC annual meeting in Tempe, Arizona. Pictured here are ABWC executive director Chris Udall, Keppen, Tom Davis (ABWC president and Yuma County Water Users Association GM) and Brian Betcher (Maricopa-Stanfield Irrigation and Drainage District GM). All three organizations represented by these Arizonans are members of the Family Farm Alliance.*



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