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*Protecting Water for Western Irrigated Agriculture* (541)-892-6244

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May 17, 2021

The Honorable Bruce Westerman  
Ranking Member  
Committee on Natural Resources  
Republican Office  
U.S. House of Representatives  
1329 Longworth House Office Building  
Washington, D.C. 20515

**Re: Virtual forum on the catastrophic drought situation across the American West**

Dear Ranking Member Westerman and Natural Resources Committee Republicans:

Thank you for this opportunity to share observations with on the growing catastrophic drought situation across the American West. The Family Farm Alliance (Alliance) is a grassroots organization of family farmers, ranchers, irrigation districts, and allied industries in 16 Western states. We are committed to the fundamental proposition that Western irrigated agriculture must be preserved and protected for a host of economic, sociological, environmental and national security reasons – many of which are often overlooked in the context of other national policy decisions. The American food consumer nationwide has access to fruits, vegetables, nuts, grains and beef throughout the year largely because of Western irrigated agriculture and the projects that provide water to these farmers and ranchers.

**The Western U.S. Drought Crisis**

At a time when Western water projects typically begin diversions, allowing delivery canals to charge and bringing essential water supplies to the headgates of thousands of farmers and ranchers, crushing drought conditions are leaving millions of acres of productive farm and ranch land without water this spring. Many of our farmers and ranchers this year are going to be hit hard by this drought. When you look at the U.S. Drought Monitor Map, the Southwest looks like a big, ugly bruise. The May Drought Monitor showed 96% of the West at least “abnormally dry,” with 84% in some state of drought, and 47% in “extreme or exceptional drought”.

Farmers in recent weeks have witnessed dust storms in Oregon and blowing dust in eastern Washington. The lowest snowpack percentages are in Arizona and New Mexico, where conditions

are much below normal. In contrast, only the Cascade Mountains of northern Oregon and Washington, and some areas of the Eastern Rockies, register above-normal snow conditions. However, the drought is working its way back into the Yakima River Basin (Washington state) that supports a \$4.5 billion dollar agricultural economy and historically produced significant salmon and steelhead runs. The overall Basin is at about 100% average precipitation for the water year beginning in October 2020, due in part to the good fortune of a few storms that dropped snow in the right places. The high elevation snow in 2021 should help get the Yakima Basin through the year. However, there was very little low- elevation snow, and the Yakima Basin precipitation in March and April was the third driest in 110 years. The US Drought Monitor now lists the farming areas of the Yakima Basin as either in D0 (Abnormally Dry), D1 (Moderate Drought) or D2 (Severe Drought).

USDA's Natural Resources Conservation Service (NRCS) in early April reported widespread dry conditions in the West and the potential for a severe 2021 wildfire season. More than half of the large wildfires are in Oklahoma, and North Dakota declared a state of emergency due to wildfires and wildfire risk. The National Interagency Fire Center reported large fires were also burning in Arizona, Colorado, Montana, and Texas.

In Arizona, the U.S. Forest Service (USFS) is reporting a drought-related die-off of juniper trees across portions of central and northern Arizona in Prescott and Kaibab National Forests. In addition, reports are coming in from northern Arizona that ranchers on the Coconino Plateau have been hauling water for cattle and wildlife for the past month because dirt stock tanks are completely dry. One of our ranchers in Central Arizona has had his cattle permit issued by the USFS reduced by 50%. He has now been forced into a situation of having to sell about 40% of his breeding herd and will need to feed some of the rest on his deeded land. If the summer monsoons fail to arrive again this year, his operation will have to move completely off his USFS permit in September.

Water users in nearly every region of the West are scrambling, looking for creative ways to stretch scant water supplies. In mountain watershed areas from the Sierra Nevada to the Rocky Mountains, the driest of conditions have prevailed. Forecasting has been an incredible challenge, and much of what runoff there has been, has been consumed by dry upstream soils. These severe drought conditions, coupled with the arid nature of many parts of the West, make for a trying, shortened water year. And for many water managers, like Rusty Jardine, the district manager of Truckee-Carson Irrigation District in Nevada, these trying times may not end soon.

“My greater concern isn't for now,” said Mr. Jardine, who is a member of the Family Farm Alliance Advisory Committee. “I am worrying more about next year.”

## 1. Colorado River Basin

The Bureau of Reclamation recently issued a report indicating available water supplies on the Colorado River — which feeds several western states — will continue to be affected by ongoing severe drought conditions. The Colorado River Basin is entering its 21<sup>st</sup> year of drought conditions. The projections released by the Bureau of Reclamation show that Lake Mead -- the largest

reservoir in the country and a vital water supply to millions of residents and farmland across the Southwest -- could fall later this year to its lowest levels since it was filled in the 1930s. Reclamation will release its next major study in August. If that study projects water levels in the lake will be below the critical threshold of 1,075 feet on January 1, 2022, some users would begin to see their water deliveries cut significantly next year.

One of the farmers who stands to see his water deliveries reduced is Dan Thelander, who served on the Family Farm Alliance board of directors for three years. He farms cotton, alfalfa and other crops in the desert of Pinal County, Arizona. He, along with other farmers in the region, stand to see their supply of Colorado River water cut significantly as soon as next year. He recently told CNN that he will have to lay off employees, cutting down on purchases of seeds, fertilizer and tractors, and overall just scale down and operate a smaller farm. Local water managers are looking for infrastructure funding to move groundwater through his district to locations that are not served by groundwater now.

Up-river behind Glen Canyon Dam, historically low water levels caused the closure of some launch ramps on Lake Powell, where water storage is at the lowest since it filled in 1980. The pool is dropping towards the level where power generation will cease. The Colorado River Energy Distributors Association (CREDA) is a non-profit organization representing consumer-owned electric systems that purchase federal hydropower and resources of the Colorado River Storage Project (CRSP). The CREDA board of directors last month passed a resolution encouraging the Bureau of Reclamation and Western Area Power Administration (WAPA) to implement cost-cutting measures and strategies to improve the status of the Upper Colorado River Basin. CREDA encourages the passage of federal legislation which would make available non-reimbursable appropriations to Reclamation and WAPA, to ensure ongoing funding of CRSP operations and other required annual funding obligations.

## 2. Rio Grande

For the first time in 30 years, the stretch of the Rio Grande that winds through Albuquerque could go dry this summer. The “Great River” is one of North America's longest rivers and a major water source for millions of people and thousands of square miles of farmland in Colorado, New Mexico, Texas and Mexico. Flows are reduced this year because of below-average snowpack in the mountains along the northern border of the state that feed the river. Spring precipitation has been minimal, and reservoirs are at a fraction of their capacity and continue to shrink. The Pecos River that delivers water to parts of eastern New Mexico and West Texas is in a similar situation.

April is always a critical decision making month across New Mexico's Elephant Butte Irrigation District (EBID) and this year was no exception. Dr. Phil King, EBID's Hydrology and Engineering consultant on April 14 reported to the EBID board of directors that Elephant Butte Reservoir inflow had “plummeted” and that EBID and its agricultural producers should continue to plan for a critically short year, with an allotment of just four inches of water, or less.

In 2013, a previous difficult water year, EBID learned that it was better to operate based on

demand. This time around, EBID is equipped with high tech software that aids in the entire surface water management and delivery process. By bulking up farm deliveries and running them fast, EBID will be able to minimize the fill and dry cycle in the canals, greatly improving delivery efficiency. However, it will be vitally important for farmers to cooperate by getting water orders submitted in a timely manner.

### 3. Klamath River Basin

Farmers served by the Klamath Irrigation Project along the California-Oregon border, where I live, are facing historically low water allocations. For Klamath Project irrigators, this year is “déjà vu all over again” as the poor hydrology and single species agency management of fish protected by the federal Endangered Species Act will leave most agricultural lands with little to no water.

A similar situation occurred in 2001, and the resulting impacts to local rural communities and national wildlife refuges were immediate and far-reaching. Even with a later release of a small percentage of needed water over a 30-day period in July and August 2001, thousands of acres of valuable farmland were left without water. The wildlife benefits provided by those farms – particularly the food provided for area waterfowl – were also lost with the water. The National Academy of Sciences National Research Council later concluded that there was insufficient scientific evidence used by federal fisheries agencies in 2001 to support changing the preceding historical water operations of the Klamath Project.

I have neighbors and friends who will no longer farm, victims of attrition caused by 20 years of court-directed mismanagement that has done little to improve those fish populations. Last week, the Bureau of Reclamation announced that no water would be diverted at the Klamath Project’s A Canal for irrigation in 2021. The first water delivery from the A Canal was in 1907. This is the first year ever it will deliver zero water.

Although there is enough water in Upper Klamath Lake to supply all irrigation needs, current federal agency management of the Klamath Project is driven by allocation to fish species protected by the Endangered Species Act (ESA). In past years of similar drought conditions, there have been full irrigation deliveries. This year, regulation under the ESA will result in essentially all water being retained in Upper Klamath Lake or released downstream for salmon in California. Water users are extremely upset with what the federal government is doing to us, and with good reason. Taking water from Project irrigators for ESA species is a failed experiment that has produced no benefit for the species.

KWUA and districts in the Project are committed to actions that will steer things in a better direction. There are important legal issues crying out for resolution. We also need a dose of common sense. The Project stored water is the only knob that can be turned, but that is not helping species. That has to hit home some day with federal decision-makers.

#### 4. Southern Oregon

In Oregon's Rogue River Valley, farmers will experience a short season due to water shortage. Talent Irrigation District's (TID) entire water system stores a total of 115,800 acre-feet of water, and this year, the district announced it is at 16% capacity, causing a delayed start and an early cut-off for farmers this season. This year, after discussion with several different crop operators (hay growers, cattleman, orchardists, vineyard operators, etc.), TID's Board of Directors decided to look at a middle-of-the-road date and tentatively start the system on June 1st and run the system as long as they can. It is hard to predict when the water will run out, but TID leaders say would be good news if it can last to mid-August. This is bad news for local orchardists, who typically just begin to pick fruit starting in August. The last time the system was this low was in 1961.

#### 5. California

Further south, neighboring California is in a critically dry year, the same as in 2015. The California Department of Water Resources has marked 2021 as the third-driest water year, a period marked from October to March, on record for the state. The department's annual snow survey released last month recorded precipitation levels at 50 percent the annual average for the water year. The dry conditions can also be seen in the state's water supply, with the department reporting that California's major reservoirs are at just 50 percent of overall capacity. California Governor Newsom recently declared a drought emergency for several California counties.

The sparse timing of rain that has occurred this season has contributed to especially poor growth of the annual grasses that are needed for livestock feed. The amount of forage on rangelands is low, with producers in Ventura County already shipping whole herds of cattle out of county because there is almost no forage. Thousands of wells that bring water to San Joaquin Valley homes are at risk of drying up this summer, leaving families without running water for drinking, cleaning and bathing.

About 2 million acres of California's irrigated farmland has already had its water supply cut by 95 percent. Another million acres has lost 80 percent of its water supply this year. Much of the remaining farmland will see cuts of 25 percent or more. In response to deteriorating conditions across much of California, Governor Newsom expanded the drought emergency declaration to cover 39 additional counties across the state, including counties in the Sacramento and San Joaquin River watersheds. With the uncertainty of water, some Central Valley farmers are destroying their crops ahead of the summer season in order to survive. It's impacting jobs and will likely soon impact grocery shelves.

California is the No. 1 farm state in the nation with tens of thousands of agricultural jobs, with wages at all income levels covering all 58 counties. When farms aren't growing food for people, it affects jobs, personal income, and their quality of life. In addition, farm-related jobs contribute hundreds of millions of dollars annually to state and local tax revenue which provide services local communities value, like police, firefighters and teachers. The California Farm Water Coalition (CFWC) last month posted a blog that explains what the devastating drought of 2015 can tell us

about the impacts of a drought in 2021. Taking a look back at a similar water year can help us understand what is likely to be in store for us through the rest of this year and possibly beyond.

## **Key Challenges**

The key challenges Western irrigators face in times of drought include competition for scarce water supplies, insufficient water infrastructure, growing populations, endangered species, increasing weather variability/climate change, and energy development. Across the West, several key water policy challenges stand out:

1. Water management in the West is becoming increasingly inflexible.

We need a new way of looking at how we manage our limited water resources, one that includes a broader view of how water is used, along with consideration of population growth, food production and habitat needs. The goal should be to integrate food production and conservation practices into water management decision making and water use priorities, creating a more holistic view of water management for multiple uses. We must begin to plan now in order to hold intact current options. Planning must allow for flexibility and consider all needs, not just focus on meeting future needs from population growth.

In many parts of the West, litigation stemming from citizen suit provisions of environmental laws including the ESA and Clean Water Act (CWA) is producing federal court decisions (or court approved “settlements”) that direct federal agency “management” of state water resources. Congress should recognize that this type of litigation and resulting settlements can actually harm the overall health and resilience of landscapes and watersheds by focusing on single species management under the federal Endangered Species Act (ESA). We should seek solutions that reflect a philosophy that the best decisions on water issues take place at the state and local level. Finding ways to incentivize landowners to make the ESA work is far more preferable than what we have been seeing in recent years, where the ESA has been used by special interest environmental groups and federal agencies in court as a means of “protecting” only a single species (such as the Sacramento-San Joaquin River Delta smelt in California, coho salmon on the Klamath River, and spotted frogs in central Oregon) without regard for other impacts, including those on other non-listed species.

The negative environmental impacts and public health and safety impacts associated with moving water away from irrigated agriculture to single species protected by the ESA can be significant, as evidenced by what we are seeing in the Klamath Basin this year. The waterfowl, reptiles and amphibians that rely on canal system, ditch banks, and irrigated fields will simply not be there as there no water in the canals or on the fields. There have been, and will continue to be dust storms. Two national wildlife refuges rely exclusively on the Klamath Project water infrastructure. They will receive zero water for those wetlands and habitats this year. There are also serious, human health and safety concerns. There are 1,800 domestic wells in Oregon alone that are within the geographic area served by the A Canal. Ordinarily, that canal water recharges those shallow domestic wells, but this year it won't. Meanwhile the limited irrigation

groundwater pumping will continue to draw down water levels. Local water managers and community leaders are currently engaged in a grand experiment to find out how many domestic wells will go dry, and no one has even a guess how many that will be.

Litigation and the manner in which certain federal agencies administer the ESA are very much driving water management decisions these days, at least in the West. And adversarial, single-purpose approach is not helping the agencies recover very many species. Recent research into litigation associated with federal environmental laws is beginning to uncover some unsettling facts: the federal government appears to be spending about as much money funding plaintiffs' environmental lawyers as it does to directly protect endangered species. Certain tax exempt, non-profit organizations have been consistently awarded attorney fees from the federal government, for suing the federal government. These same environmental groups are receiving millions of tax dollars in attorney fees for settling or "winning" cases against the federal government.

Droughts occur routinely in the West; that is why the Bureau of Reclamation made such important investments in water supply infrastructure over the past century. However, this infrastructure was never designed to meet the burgeoning demands of growing communities and environmental needs, while continuing to help farmers, ranchers and rural communities make it through periodic droughts. Unfortunately, droughts in the West are predicted to be deeper and longer than we have historically experienced in the 20th century. We believe Congress should provide federal agencies with more flexibility under environmental laws and water management regulations to respond to drought condition. And where such flexibility currently exists, Congress should demand that agencies use it promptly and with a minimum of bureaucratic nonsense. The Alliance also believes Congress should rein in the environmental litigation "industry" that so often is the cause of inflexible federal decision making in water resource management.

## 2. Environmental water management needs to be held to a higher standard of accountability.

We must manage water to meet all needs but in a manner that "shares the pain," not creates winners and losers, especially when the losers are the very beneficiaries the federal water projects were originally built to serve. The past federal management of water in California's Bay-Delta, which has redirected under the ESA millions of acre feet of water away from human uses and towards the perceived needs of the environment, with no documented benefit to the ESA listed fish intended for protection, is a prime example. Similar concerns relate to recent flow management decisions on the Klamath-Trinity River system in Northern California / Southern Oregon, driven by misperceptions of the much-publicized Klamath River salmon die-off that occurred in 2002. That die-off event proved to be the catalyst for many of the actions taken on the Klamath / Trinity system in the past two decades, where a "flow-centric" philosophy of certain downstream entities and the U.S. government has been exercised over the past decade with little apparent benefit to the fish. After a decade of providing flow augmentation in the Klamath / Trinity River system, there has been no scientific evidence produced by any state, federal, tribal, regional, private, or non-governmental organization that flow augmentation has prevented a fish disease outbreak. Meanwhile, California and Oregon water and power customers have suffered enormous, unmitigated losses due to this "management by perception" approach.

Good water management requires flexibility, as well as adaptive management. More regulation usually reduces this flexibility. Federal agencies managing the competing demands for water in the West have in some cases failed in creating opportunities for more flexible water management during times of drought.

3. The Endangered Species Act needs to be implemented in a new way to better benefit species and rural communities.

The original intent of the ESA - stated in the Act itself - was to encourage “the states and other interested parties, through federal financial assistance and a system of incentives, to develop and maintain conservation programs which meet national and international standards.” Of special importance to the Family Farm Alliance is that the ESA explicitly declared that it was the policy of Congress that “federal agencies shall cooperate with state and local agencies to resolve water resource issues in concert with conservation of endangered species.”

The authors of the ESA clearly believed in applying the ESA in a way that would foster collaboration and efficiency of program delivery, in an incentive-driven manner. Unfortunately, implementation of the ESA has “progressed” in recent years toward an approach that is now driven by litigation and sometimes the inappropriate, inconsistent and incorrect interpretation of the law by federal agencies. As far as the Act itself is concerned, little to no progress has occurred to keep this 40-year-old law in step with the modern era. The ESA has not been substantially updated since 1988.

At the heart of the Family Farm Alliance’s concerns with the ESA is the ever present potential of serious federal restrictions being placed on the West’s irrigation water storage and delivery activities, often using federally developed water infrastructure in protecting listed species. Future endangered species listings are on the horizon. That prospect has the Alliance very concerned about potential new federal restrictions being placed on the water supplies that are crucial to the West’s \$172-billion per year irrigated agricultural economy.

The ESA is an outdated law that is clearly not working as it was originally intended. It needs to be more about incentives and collaboration and less about litigation and regulation. Fewer than 2% of the species ever listed under the Act have been recovered and removed from the list, and the failures under the law far outstrip the successes. Meanwhile, the economic and sociologic impacts of the ESA have been dramatic. From the Alliance’s standpoint, the law has really only inflicted harm and generated litigation that uses the Act as a weapon against our members’ ability to use our natural resources for farming and ranching, while doing little to help the environment or the very species it was designed to protect.

4. Aging Water Infrastructure Must be Addressed to Protect Future Water Supply Reliability

More surface and groundwater storage is still a critical piece of the solution to water shortfalls. Congress should streamline regulatory hurdles to assist in developing new environmentally-



sensitive water storage projects and other necessary water infrastructure improvements. Congress should work to facilitate the construction of new surface storage facilities, providing a more effective process to move water storage projects forward.

Also, new tools to assist in financing major improvements to aging water infrastructure will be needed in the coming years to ensure that farmers and ranchers charged for these upgrades can afford repayment. Water infrastructure is a long-term investment, as are farms and ranches, and long repayment and low interest terms will be crucial in reinvesting in aging facilities to meet the challenges of tomorrow. Such improvements could include investments in everything from new water storage reservoirs (both on- and off-stream), regulating reservoirs, canal lining, computerized water management and delivery systems, real-time monitoring of ecosystem functions and river flows for both fish and people, and watershed-based integrated regional water management.

Congress should reauthorize and clarify existing authorities, as necessary, to ensure important federal assistance does not expire or exclude critical western water projects. This includes extending the BOR storage and water reuse programs and ensuring EPA can use its Water Infrastructure Finance and Innovation Act (WIFIA) program to assist federal water contractors. In order to maximize economic activity, we also encourage Congress to designate funding for BOR projects as non-reimbursable.

Western irrigators need flexible, streamlined policies and new affordable financing tools that provide balance and certainty to support collaborative efforts and manage future water infrastructure challenges. Solutions in all of these areas will be crucial to future enhanced agricultural production, conservation and community outcomes in the West.

#### 6. Forests must be managed to promote watershed health.

The number of acres burned by wildfire in the U.S. last year broke a modern record, according to data published by the National Interagency Fire Center, as extreme heat and dryness fueled major conflagrations across many populated areas in the West. Wildfire burned over 10.3 million acres in 2020, breaking the calendar-year record of 10.1 million acres, set in 2015. From August through October, the most extreme conditions caused thousands of evacuations, homes and structures lost, and tragic fatalities of 11 people in Oregon and 34 people in California. Last year marks the third year that wildfire has burned more than 10 million acres in the U.S., according to fire center records going back to 1983. All three of those years have been since 2015.

Increasingly fierce Western wildfire disasters are becoming an annual occurrence and underscore the importance of improving on-the-ground management actions that can lead to improved forest health. Improving the condition of our nation's forested lands is of primary importance to water providers. National Forest lands are overwhelmingly the largest, single source of water in the U.S. and, in most regions of the West, contribute nearly all of the water that supplies our farms and cities. In addition, our already fragile water infrastructure can be severely damaged or rendered useless by fire and post-fire flooding and debris flows. The unhealthy state of our national forests,

which were initially reserved specifically to protect water resources, has led to catastrophic wildfires that threaten the reliability, volume, and quality of water for tens of millions of Americans, along with the wildlife, recreational, and multi-purpose values of these lands.

The Family Farm Alliance believes a responsible level of continuous fuels reduction includes a combination of robust mechanical thinning and prescribed fire. This can be employed to significantly reduce evapotranspiration, tree stress, disease, and pest infestation, preserve health forest conditions, and protect species and habitats. Failure to employ this approach will continue the downward, accelerating spiral of fuel accumulation, drought, disease, and invasive insects. This will lead, inevitably, to additional high-intensity fire events in the future.

It appears that there is growing recognition that improved funding and agency cooperation are needed to tackle this critical problem. However, even in the region I live in, it is still not clear how this policy recognition is translating to action taken in Western forests. We have members in Northern California who report that the fuel load in many forests is staggering, and Forest Service efforts to even access downed trees in burned riparian areas - such as the Forest Glen area on the South Fork of the Trinity River - are moving too slow.

We believe active forest management can increase water yield, improve water quality, provide for jobs, and reduce the cost of firefighting, while increasing forest resiliency. This can be done, in part, by increasing the productivity of national forests and grasslands; employing grazing as an effective forest and grassland management tool; increasing access to national forest system lands; expediting environmental reviews to support active management; and designing West-wide studies to quantify water yield.

### **Silver Lining?**

Perhaps the only silver lining is that this looming crisis will hopefully draw public and political attention of the need to Western agriculture's critical role to provide a quality food supply, boost the national economy, and continue the country's stature as the world's premier food basket. We can only hope that this leads to necessary, reasonable policies that support farmers and investment in rural communities, including water infrastructure and increased water-storage capacity. The Family Farm Alliance and other Western agriculture and water organizations believe the drought underscores the urgent need to take immediate action to help better manage impacts to water resources from drought in the West.

Western irrigated agriculture has been dealing with changes in climate and hydrology for over a century. But the prognosis for water supplies in the future is not positive and will continue to negatively impact this important source of our Nation's food supply, the economic engine for most of our rural Western communities. Coupled with the growing demand for existing water supplies from burgeoning cities and the environment, irrigated agriculture is fast becoming a target for one thing – water. The Alliance believes we must look to several solutions in order to maintain food security for the nation and economic wellbeing of the Western landscape:

- Invest in Western water infrastructure – new water storage and improved conveyance facilities, groundwater recharge, water conservation, water management improvements, water reuse and desalination can all help alleviate the stress on our existing water supplies, especially for agriculture in the growing West;
- Invest in technology – we must manage our water supplies better – more efficiently and effectively use technology to improve the modeling and predicting weather patterns, snowpack, and runoff forecasting, as well as using technology to manage our water distribution to improve efficiencies in utilizing our precious water resources; and,
- Improve regulatory processes at the federal level to expedite permitting and get projects to construction within a reasonable period of time at a reasonable cost, as well as create collaborative partnerships between federal, state and local entities interested in finding solutions to our water-climate problems through adaptive strategies that can work on the ground.

Congress has helped this past year by including the Bureau of Reclamation provisions in the *Consolidated Appropriations Act of 2020* (omnibus) last Congress. The creation of an aging infrastructure account in Treasury for loans to local water user entities will help fund and affordably finance improvements and rehabilitation of our aging facilities, some of which are over 100-years old. Broadening WaterSMART grants, authorizing a new collaborative program for snowpack monitoring and runoff forecasting, and improving the efficiency of authorities for the use of federally owned facilities for aquifer recharge will be extremely helpful in managing impacts to water resources from climate change in the West.

But we have more to accomplish in this Congress, including:

- Reauthorizing and funding federal programs to partner on new federal and non-federal water storage and groundwater recharge projects (such as extending provisions in the WIIN Act of 2016 – P.L. 114-322);
- Providing funds to the aging federal infrastructure account created last year; and
- Partnering with Western water organizations through collaborative solution-oriented programs and using new technology to improve the management of water supplies for agriculture, cities, and the environment.

The Congress and the federal government certainly cannot change the hydrology of the West, but there is a role it can play to support family farmers and ranchers. Policy makers should understand the following observations and principles as they develop new solutions to the Western drought:

- State water laws, compacts and decrees must be the foundation for dealing with shortages.
- Water use and related beneficial use data must be accurately measured and portrayed.
- Benefits of water use must reflect all economic / societal / environmental impacts.
- Water conservation can help stretch water supplies, but has its limits in certain situations.
- Public sentiment supports water remaining with irrigated agriculture, and developing strategic water storage as insurance against shortages.
- Technologies for water reuse, desalination and recycling are proven effective in stretching existing supplies for urban, environmental and other uses.
- Urban growth expansion should be contingent upon sustainable water supplies; using irrigated agriculture as the “reservoir” of water for municipal growth is not sustainable in the long run.
- Planning for water shortage in the West must look to the long-term in meeting the goals of agriculture, energy, cities, and the environment.
- A successful water shortage strategy must include a “portfolio” of water supply enhancements and improvements, such as water reuse, recycling, conservation, water-sensitive land use planning, and water system improvements. New infrastructure and technologies can help stretch water for all uses.
- Temporary fallowing proposals should be approached in a thoughtful, thorough manner only after urban, energy and environmental users of water demonstrate a better management of their share of the finite supply.
- Unintended consequences associated with reducing productive agricultural land/groundwater recharge/riparian habitat benefits should be avoided and, if unavoidable, minimized and fully mitigated.

What we do not need is more federal regulatory red tape and added environmental requirements for new federal programs. And, Congress should consider providing appropriate non-reimbursable funds to Reclamation for those severely impacted by drought. Many millions of dollars have been appropriated in recent years for flood-damaged areas. Drought – like flood – is a natural disaster. The federal government has a financial responsibility and help our local governments already working overtime to respond to disasters and maintain essential services. Our communities have been battered by fires and drought on top of the year-long public health crisis. Congress has an opportunity to deliver this crucial help from the federal government.

## **Biden Administration Drought Response**

In response to the worsening drought conditions in the West, a rare "Joint Statement" was issued last month from U.S. Interior Secretary Deb Haaland and U.S. Department of Agriculture (USDA) Secretary Tom Vilsack. The Biden-Harris administration later in the month announced the formation of an Interagency Working Group to address worsening drought conditions in the West and support farmers, Tribes, and communities impacted by ongoing water shortages. The Working Group will be co-chaired by the Departments of the Interior and Agriculture to build upon existing resources to help coordinate across the federal government, working in partnership with state, local, and Tribal governments to address the needs of communities suffering from drought-related impacts. We are pleased to see the administration place priority on the drought, and we hope that they can quickly identify immediate financial and technical assistance for impacted irrigators.

We hope the Working Group will solicit our input as it develops longer-term solutions. We certainly respect the Administration's intent to develop measures to respond to climate change, build more resilient communities, and protect the natural environment. To be successful, the Working Group also needs to heed the recommendations in this testimony.

## **Conclusion**

Why is protecting Western irrigated agriculture so important? There are three key reasons: 1) Agriculture is the only U.S. sector that has posted a trade surplus for well over 50 years; 2) As diets evolve and the global population continues to expand, our position as the world's largest food exporter will play an increasingly significant role in the global economy; and 3) Maintaining food independence is more than just providing a healthy, transparent food supply. It is also a matter of national security.

Some Western producers are starting to feel that their way of life is being written off by a segment of the public that appears to believe that the tragedy occurring in the Central Valley or in the Klamath Basin is a comeuppance that farmers somehow deserve. We still hold a sliver of hope that critical thinkers and leaders will easily distinguish this nonsense from reality.

Western producers need to manage water as if every year is a drought year. We need to invest in storage facilities to capture water in wet years, we need to look to innovative technology to enhance supplies and delivery and we need to get the very most benefit from the water we have available. The ability to measure, assess and show value for how that water is used is incumbent on every water manager -- environmental, urban and agricultural.

It will be hard work to reach an agreement and enact a legislation to wisely manage the West's water now and in the future. We need everyone – urban and rural, Republican and Democrat – to come together and find a way to fix this broken system, now, before it breaks us all.

It is going to be a tough year for many of our producers and the rural communities they support. At the Alliance, we'll continue our efforts to ensure that irrigated agriculture continues to play a vital role in feeding our Nation, while keeping our rural communities and the environment healthy.

Thank you for this opportunity to present this testimony today.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Keppen', with a long horizontal flourish extending to the right.

Dan Keppen, P.E.  
Executive Director