OBAMA-BIDEN TRANSITION PROJECT

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NATIONAL WATER POLICY DIALOGUE

In September 2008 the American Water Resources Association (AWRA), the Environment and Water Resources Institute of the American Society of Civil Engineers (EWRI/ASCE), and the National Wildlife Federation (NWF) brought together water resource experts from the public and private sector, congressional staff, and federal agencies to review the results of three National Water Policy Dialogues conducted by AWRA in 2002, 2005, and 2007 at the request of 10 federal water resource agencies. The purpose of the September Dialogue was to identify the challenges that would be faced by the incoming Administration and the 111th Congress when they took office in 2009.

Attached for your information are the summary of the September Water Policy Dialogue and a copy of the letter sent to the President, all governors, and key leaders in Congress following the 2007 National Water Policy Dialogue.

If you have questions concerning the September dialogue or the previous dialogues, please feel free to contact Dr. Gerry Galloway (gegallo@umd.edu , 571-334-2103): Mr. Richard Engberg (dick@awra.or, (540) 687-8390); Mr. Brian Parsons (BParsons@ASCE.org, (703)-295-6071); or Mr. David Conrad (conrad@nwf.org ; (202) 797-6697).

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Summary

Fourth National Water Resources Policy Dialogue
September, 2008
Washington, DC

The United States faces severe water resource challenges today and in the decades ahead. The Nation must deal with significant drought, floods, growing threats to its water quality, continuing loss of wetlands and the impact of these losses on the natural and beneficial functions of floodplains and estuaries, and a water resources infrastructure that is aging, in need of revitalization and whose collapse would threaten our economic vitality. The potential impacts of climate change that could increase the intensity of floods, severity of droughts and change or weaken the health and stability of many ecosystems only adds to the challenge. These challenges were highlighted in the reports of three earlier water resource policy dialogues sponsored by the American Water Resources Association at the request of federal water agencies.

On September 22, 2008, 56 US water experts met in the Rayburn House Office Building in Washington, DC to discuss what actions should be taken by the new Administration and the Congress when they take office in 2009 and are forced to face these water challenges. The participants in this dialogue, building on the work of the earlier dialogues, concluded that:

- There is an immediate need for an assessment of the Nation's water resources to include the current status of the resource, the future needs for water and identification of gaps that exist in fulfilling these needs.

- The federal government, in cooperation with state and local agencies, needs to develop a national vision and overarching principles to guide water resources development activities supported by the federal government.

- There is increasing need for mechanisms that will better coordinate the water related activities of federal agencies and among congressional committees. The absence of effective coordination is apparent in the conflicts and overlaps that exist in legislation, programs, and agency activities.

- The relationship among the federal government, states and local communities is changing and must be addressed. The federal government's role in water resources, long seen to be a driving force, must be reevaluated in light of growing state attention and direction of water resource activities.

- Federal actions with regard to water resources must be taken in a watershed context where the underlying planning is conducted in partnership with the states and local entities.

These conclusions are discussed in greater detail in subsequent paragraphs.

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The fourth dialogue was sponsored by the AWRA, the Environment and Water Resources Institute of the American Society of Civil Engineers, and the National Wildlife Federation. It built on the results of the three previous dialogues held in Washington DC in 2002, Tucson, AZ in 2005, and Arlington, VA in 2007. The participants in the fourth dialogue represented congressional staffs, federal agencies, and various government and nongovernmental organizations from across the country. The earlier dialogues identified the need for development of a national [not federal] water vision; formulation of policy principles for translating the vision into action; establishment of a mechanism to ensure appropriate coordination and cooperation among federal agencies and with other levels of government; creation of watershed organizations with the involvement and support of federal water agencies; use of incentives to encourage local watershed organization's grass-root involvement in water issue solutions; reconciliation of a myriad of laws, executive orders and Congressional guidance that have created a disjointed, ad-hoc and too often contradictory national water policy; and utilizing the Nation's superb scientific capabilities and cutting edge information technologies to support water-related decision making. In a letter to the President, Congressional leaders, and governors, the co-chairs of the third policy dialogue indicated that, "Stewardship of the Nation's water resources is being neglected and the manner in which we deal with water issues is dysfunctional."

The call for a national assessment stems from concern over the piecemeal approach being taken in examining current water vulnerabilities. Water quality and water quantity are sometimes examined together, but more often are reviewed within the context of a single focus program. We continue to witness the decline in the health and function of many important aquatic ecosystems, both biologically and physically, from a variety of stressors that many scientists say are likely to be further degraded and impacted from the effects of climate changes. Decisions on how to deal with flooding are made in the context of information that does not link actions taken in the floodplain to those in the upland areas generating the floods. The establishment of the National Drought Information System deals with the shortage of water but fails to link it with other aspects of water use and water quality. The last comprehensive assessment that looked across the varying uses of water was accomplished in 1975 by the U.S. Water Resources Council. It developed a comprehensive nationally consistent data base for the 21 water resources regions of the United States. Many would argue that the degree of planning and coordination at the Federal and state level in that and an earlier assessment along with water quantity development for future needs and a concurrent shift to a regulatory paradigm for water quality served the Nation well for many years. However, since 1975, the water picture has changed considerably and both demand and availability have changed in magnitude and in geographic location. Increasing populations, growing urbanization, changing climate and sea level rise, and demographic trends that are increasingly concentrating growth in areas that are further straining water resource health and capacities are presenting critical new challenges that must be addressed in a holistic fashion. In addition, water quality needs have often become more site or condition specific and exhibit more complex linkages to other water resources needs than can be addressed easily or cost effectively by a regulatory approach alone. Conduct of a fixed-term national water assessment would provide the information needed by leaders at all levels to carry out critical water activities.

This assessment of the Nation's water status is needed immediately. It must include the current status of the resource, the contemporary and likely future trends, needs and directions for water management and identification of gaps that exist in fulfilling these needs in a sustainable manner. Such an assessment should deal with not only water quantity and quality but also with use of water for

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transportation, recreation, and energy as well as the impacts of water through floods and other weather events.

Actions taken at the federal level in water resources are inconsistent and are guided by ad hoc approaches to water resources needs and long-term challenges. A national vision and overarching principles to guide water resources development activities supported by the federal government are needed. For example, there are no national guidelines regarding the level of support for flood risk reduction that may be practicable within a 21st-century context. Each project is treated on its own without reference to any systems context or its impact on other water sectors. Actions within the agricultural sector that impact water quality are ignored in the development of agricultural support policies. Programs are supported on a sector basis rather than within a watershed context and do not recognize the geographic differences that exist across the Nation. The federal and state governments, working together, should develop principles that would guide both actions within the federal government and the state governments with respect to water resources development and regulation.

Since the shutdown of the federal Water Resources Council in 1983, there is no central water coordinating body at the federal level, and overlaps, inefficiencies and conflicts among federal agencies and their programs have grown. Continuing congressional actions taken within the context of committee jurisdictions have also limited the coordination among major federal water programs and their execution. State and local governments find this lack of coordination a roadblock to successful comprehensive planning and action on critical water resource issues. Reports to the Federal Government by independent bodies continue to point out the need for strong leadership within the executive branch and a new, coordinated approach within the congressional committee system that would provide for needed coordination of actions.

The roles of federal, state, and local governments with respect to water resources is in evolution. While there will always be a need for federally derived standards and federal funding of certain programs, the initiative to address emerging water issues is shifting to the state and regional level. For example, the Texas Water Plan represents a bottoms-up approach to dealing with the myriad water issues faced by that state. California's recent passage of a $5 billion bond issue to support levee repairs, in the absence of federal support, highlights the trend towards state impatience with a lack of consistency and action in federal programs. Federal agencies and the Congress, in close cooperation with the states, need to look at the impact of this trend on current and future water programs.

Lastly, the dialogue found that more attention must be paid to supporting water resource actions in a watershed context where cross-sector needs can be evaluated and plans developed to address issues in a comprehensive manner rather than on a stove pipe basis. The effective work of the Delaware River Basin Commission in bringing together the actions of its constituent states to concurrently deal with the contrasting needs for flood risk reduction and water storage, represent a step forward in cooperative watershed planning. In dealing with watershed activities, the federal government should serve as a facilitator or partner rather than the leader so that the unique differences such as the geographic heterogeneity of this Nation and the diverse social, economic, and cultural needs of its citizens can be properly addressed.

For further information, contact Dr Gerald Galloway, University of Maryland (gegallo@umd.edu), Co-chair, National Water Policy Dialogues, or Richard Engberg (dick@awra.org), Technical Director, American Water Resources Association.