

AGRICULTURE: Senate Farm Bill amendment would compensate Klamath farmers for loss

Sen. Gordon Smith (R-Ore.) plans to bring a Farm Bill amendment to the Senate floor today to address the situation in the Klamath Basin by expanding the definition of federal disaster to include economic disasters created by regulatory enforcement, according to Smith's office.

By expanding the definition of disaster, Smith's amendment would allow farmers enrolled in crop insurance plans or non-insured crop assistance programs to be eligible for federal disaster relief, said Smith's spokesperson. The proposal aims to compensate farmers for economic losses due to enforcement of federal laws or regulations regarding resource management or water allocations. The provision would not help Klamath farmers harmed recently, but might help them in the future and others nationwide, the spokesperson said.

In the Klamath Basin, the Bureau of Reclamation shut off irrigation water in April from the Klamath Irrigation Project because of drought -- federal agencies are required by the Endangered Species Act to keep a certain amount of water in the system for endangered sucker fish and threatened coho salmon, which left no irrigation water for about half the basin's farmland.

The **Earthjustice** Legal Defense Fund, League of Conservation Voters and American Rivers are up in arms over Smith's amendment. The proposal would put an undue burden on the federal government to compensate farmers for simply enforcing nearly 30-year-old laws such as ESA, the Clean Water Act, Clean Air Act and wetlands regulations, the groups said.

In a letter sent to senators on Tuesday, LCV President Deb Callahan said, "The breadth of the amendment is staggering, encompassing nearly all federal laws, and resource management decisions, actions, or water allocations." Furthermore, the amendment would result in windfall payments to landowners and corporations when implementation of federal resource management plans or labor laws decrease crop production, the letter said. Payments would be required even when water allocations comply with water contracts that provide for reduced water delivery, she said.

An American Farm Bureau Federation official, Rosemary Watkins, said her group would support legislation providing compensation to Klamath farmers to rectify economic loss due to regulatory actions; however, Watkins had not seen the Smith amendment and could not comment on its specifics.

Sen. Kit Bond (R-Mo.) offered another amendment last week that environmental groups said would have allowed farmers to circumvent federal regulations and law enforcement. The amendment gave the president veto power -- subject to congressional review -- over any federal agency action that the Agriculture Department determined would harm farmers, which would include the Klamath Basin situation, Bond said. The amendment failed.

Agriculture Committee Chairman Tom Harkin (D-Iowa) has included language in the conservation title authorizing \$175 million to form a Klamath Basin Interagency Task Force. In an agreement worked out among Smith, Sen. Barbara Boxer (D-Calif.) and Sen. Ron Wyden (D-Ore.), the task force would release a report in six months on how agriculture and wildlife could effectively co-exist in the basin, and two months after that develop a five-year plan for water needs in the basin, subject to public comment.

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