



washington dc update

September 30, 2009

We have attached two documents to illustrate how quickly water resources issues are moving in Washington. The first is an email sent out by the Executive Director of the US Conference of Mayors on Monday. This email calls attention to the Executive Order that will be reportedly issued by the White House Council on Environmental Quality by the end of the year.

This Executive Order, which has the force of law, expands Federal oversight to activities on the 500 year flood plain and prohibits adverse impacts on natural resources in the flood plain if there are "practicable alternatives." Activities could range from water and wastewater facilities, highway or rail projects, and virtually any other activity that requires a Federal permit or Federal permit review.

To say that the consequences of this Executive Order are far-reaching would be an understatement. The process is being conducted out of the public view. Nobody we know has even seen the latest draft. And Congressional action/approval is not required for Executive Orders.

The second attachment is the press release of earlier today announcing the response of the Federal government to the California water crisis. The steps were announced at a meeting this morning held at the Department of Interior and include:

1. Six Federal Agencies, including the Department of Interior, the Department of the Army [Corps of Engineers], EPA, Department of Commerce, Department of Agriculture, and CEQ have signed an MOU establishing Federal leadership with regard to the California water crisis.
2. Interior and Commerce Departments will be asking the National Academy of Science to conduct additional scientists studies to determine alternatives to current water management plans.
3. Secretary Salazar has written to Governor Schwarzenegger urging that he call a special session of the legislation to deal with the water crisis.

Please stay tuned, we will have addition reports on these breaking developments.

Contact us:

Fred Hicks - 703.866.4290
P.O. Box 2115
Springfield, VA 22152-0115
fred@hicks-ray.com

Tom Ray - 254.855.0880
P.O. Box 955
Waco, TX 76703-0955
tom@hicks-ray.com

