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DEPARTMENT OF NATURAL RESOURCES

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RE: Proposed National Objectives, Principles and Standards for Water and Related Resources Implementation Studies

The Missouri Department of Natural Resources (department) is pleased to have the opportunity to offer our perspective on and suggestions for the *Proposed National Objectives, Principles, and Standards for Water and Related Resources Implementation Studies* (hereafter "P&S").

Guidelines Needed

The department supports Council on Environmental Quality's (CEQ's) proposal to expand and define the applicability of the P&S to other federal agencies. There are many on-going initiatives that pertain to water development projects under various national programs, and establishing a single set of guidelines for the federal agencies should be beneficial.

While the proposed P&S includes several significant points of departure from the 1983 P&G, it is difficult to assess the true implications of these changes in the absence of the interagency implementation Guidelines that will give dimension to the broad Principles and Standards being offered here. Without those Guidelines, it is unclear how planners on the ground will be instructed to pursue and balance various aspects of the P&S in the real world.

National Objective

The department agrees that economic, environmental, and social costs and benefits all need to be considered in water resources planning. However, given the acknowledged differences in the ways that these will be measured, it is unclear how planners are to realize the new National Objective of maximizing net benefits across the three areas — i.e., economic, environmental, and social. Quite simply, how will net benefits be assessed, given the different units of measure that will be used? Any model/system needs to establish methods that calculate costs and benefits in a way that reflect consensual values and weighs these values to reflect legitimate public benefit.

Collaboration with States

We believe that the proposed Planning Process should provide the opportunity for appropriate state and local agency participation very early in the process. While the draft indicates the federal agencies' studies "shall be shared with" affected state and local agencies, tribal governments and other interested groups, we believe that the appropriate non-federal governmental agencies deserve much greater inclusion than prior federal policies have actually recognized.



Recycled Paper

Planning Principle M acknowledges the need to take a broad perspective and coordinate federal water resources planning with related planning efforts by the states and other entities. The department certainly endorses this approach. However, this key concept needs to be integrated consistently throughout the document, rather than being relegated to the final principle. For example, there is no reference to coordinating with state and local governments in the discussion of flood damage reduction and economic development. The department considers coordination to be of paramount importance in these areas. The Planning Process discussion fails to explicitly address such coordination, beyond a reference to information sharing during the scoping phase and equates state, local, and tribal governments with interested stakeholders. Government to government consultation is much more than the sharing of information.

There is a particular need to coordinate objectives between federal water resources development planning and the states' water quality protection efforts. The department strongly recommends integrating the federal agencies' and the states' water planning efforts. We specifically recommend integrating data collection and scientific analysis where there are opportunities to avoid duplication of efforts, thereby maximizing limited state resources. A relevant example is the Bi-state Memorandum of Agreement (MOA) between Arkansas and Missouri, which directs the states' efforts to identify water resource priorities, coordinate data collection and monitoring and align future studies within an area of shared concern. The success of this MOA will be greatly enhanced through coordination within and between the federal agencies that have overlapping jurisdictions, different regulatory requirements and independent funding mechanisms; it involves multiple EPA regions and Corps Districts within multiple Corps Divisions.

To this end, we recommend adding an element to the planning process: it should identify and eliminate inconsistencies and conflicts among the relevant federal programs and policies. Better federal coordination, coupled with a more open, collaborative process involving the states, would afford all agencies a better opportunity to anticipate conflicts and trade-offs and agree on solutions to watershed management problems more efficiently.

Best Available Science

Sound science supported by robust data is critical to successful implementation studies. The department is especially supportive of the proposed **Planning Principle E** that underscores the need to have sound science as we undertake planning studies (and many other applications, including project operation). We strongly suggest that the Administration support full implementation of the USGS National Streamflow Information Program and to match state and local cost-share contributions supporting the USGS Cooperative Water Program. In the past, lack of support for these efforts have impaired the science needed to plan reliably for a sustainable water future. Simply accepting the current data collection capability as the "best available" and acknowledging the "degree of reliability of the available information" (as indicated in **Planning Principle I**) will make planners unnecessarily reliant upon modeling and assumptions.

In many instances throughout Missouri, regional data collection has been initiated with the objective of directly supporting a needed or planned water resources project. These data are relevant and should be given equal weight during the planning process.

Cost Implications for the Federal Government

Broadening the scope of water resources planning studies, in terms of spatial extent, range of issues addressed, and number of alternatives evaluated, has the potential to significantly increase the time and money required to complete studies, as does the emphasis on best available science. Federal water resources planning already has the reputation of being expensive and slow. While Principle F offers something of a potential safeguard, it will be critical for the interagency implementation Guidelines to address in more detail how planners are to strike an appropriate balance.

Cost Implications for Non-Federal Sponsors

The changes proposed in the proposed P&S have the potential to profoundly alter the non-federal sponsor's role and costs. If there are no subsequent adjustments to cost sharing requirements, it is entirely possible that the new P&S could represent a significant barrier to non-federal sponsors' participation in studies. For example, federal agencies will be required to consider all reasonable structural and nonstructural alternatives, including those contained in water resources plans developed by other entities. They will also be required to fully evaluate all non-structural alternatives and alternatives that promote environmental justice, or supply a justification for not proceeding with full evaluation. Will study sponsors be required to pay to evaluate this expanded suite of options, even those for which they would not entertain cost sharing construction? The emphasis on broadening the geographic scope of analysis, the range of issues considered, and the number of study collaborators may well serve the federal government's interests, but it also has the potential to increase non-federal sponsors' costs under current study cost sharing requirements. How these new P&S approaches would be reconciled with study cost share requirements requires direct and concise explanation within the interagency implementation Guidelines. The department recommends that consideration be given to adjusting cost share requirements if the cost of implementing future guidelines becomes prohibitive.

Next Steps

As is evident in our comments, the department believes the proposed P&S leave many vital questions unanswered. These questions must be addressed before the implications of the document can be fully understood and fairly considered. We urge the CEQ to consider these comments as well as the forthcoming input from the National Academy of Sciences, and then reissue a complete package that includes interagency implementation Guidelines. Only then can the states and others replace speculation and conjecture with a more informed assessment of this proposed new direction in water resources planning.

Sincerely,

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