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AGRIBUSINESS & WATER COUNCIL OF ARIZONA

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Arizona's Representative to the National Water Resources Association

September 24, 2019

The Agribusiness & Water Council of Arizona (ABWC) is a non-profit organization created in 1978 to represent irrigated agriculture and to later serve as the state affiliate to the National Water Resources Association or NWRA. Our goal is to ensure that water continues to flow to irrigated agriculture in a responsible and sustainable way; we believe we can have certainty in water delivery to our state's food, fiber and other producers AND protect and help recover endangered species at the same time. To do so, we feel will require modernizing the Endangered Species Act.

I want to focus most of my three minutes on personal experience. I grew up in east-central Arizona, ranching with family on a cow-calf and yearling operation. The ranch was in the family for decades or since the late 1800s. We sold our forest permit and state trust lease in 2006 for a few reasons: 1) because of the Mexican Gray Wolf reintroduction. I was serving as a Congressional staffer at the time and witnessed, at multiple hearings, what I truly believe was federal officials simply going through the motions to fulfill requirements by law with little collaboration and with a preconceived outcome. No good program works well without collaboration. 2) During the 10 year, permit renewal process for our ranch, I sat with my father and our neighborly District Ranger to discuss carrying capacity, etc. The District Ranger said he was having to reduce the size of our herd by almost half, not because the range was in bad condition but because of the FEAR of lawsuits by environmental interests. Let me repeat....because of the FEAR of lawsuits by environmental interests. In this instance, it was not science that prevailed nor the best ocular assessment of the range by the rancher or range con. Had science prevailed, we would have continued with the original carrying capacity of livestock. Fear of litigation prevailed.

A land owner, when told he or she has an endangered species on their property, should be able to then pursue the best options to both maintain a profitable business and help recover the species of concern, working in a collaborative fashion, without the fear of litigation or retribution. The law should protect land owners and protect and recover species. Neither, in my opinion, are well protected at this point. The regulations written to implement the law should follow the intent of the law and should be subject to reauthorization, amending or repeal like other federal laws. It's time to bring the ESA into the 21st century.

ABWC appreciates the opportunity to be here and participate this afternoon.

Chris Udall
Executive Director

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