

THE COORDINATE/INTEGRATE ISSUE

HOW ARE RELEVANT PROVISIONS OF CVPLA, ESA, THE TRINITY RIVER FLOW AUGMENTATION PROGRAM, AND OTHER ENVIRONMENTAL REGULATORY PROGRAMS TO BE COORDINATED OR INTEGRATED WITH THE DEVELOPMENT OF A FRAMEWORK FOR THE ENVIRONMENTAL WATER ACCOUNT AND FOR A STAGE 1 WATER MANAGEMENT STRATEGY AS PART OF THE BROADER WATER MANAGEMENT PROGRAM?

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The issue appears to be as follows:

Federal and state agencies are responsible for implementing various state and, especially, federal laws to protect the environment. They implement these laws by making decisions about environmental requirements. These agencies cannot allow others to make these decisions for them. Also, they must make these decisions to comply with the law. That is, they must make decisions to provide the mandated environmental protections, and they must base these decisions on the best science available at the time of the decision.

Water users recognize the prerogatives of these state and federal agencies. However, water users understand that the federal and state agencies have some discretion in how and when the specifics of these requirements are implemented. Water users want the state and federal agencies to discuss the specifics of these requirements in the Development Team process as part of carrying out the Development Team's charge. Water users want the federal and state agencies to use the discretion they have to make the specifics of these requirements as consistent with the Development Team's final recommendations as allowed by the discretion afforded by the respective laws.

The federal and state agencies are concerned that their participation in such a process would be inconsistent with the law.