



# washington dc update

## You Make the Call!

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A few years ago there was a long-running ad on TV titled, “you make the call.” The ad began with a brief showing of a complex play in baseball, football, or some other sport. The viewer was invited to review the information and then see how they would have made the call, as opposed to the umpires who were on the scene.

The water resources community also has a complex situation looming in front of it. Unlike the ad referenced above, the actual play has yet to be run. And instead of a single play, this particular situation will be ongoing beginning November 2 and ending at the very end of 2012. But WESTCAS members still have to “make the call.”

Here are the factors that are involved:

- Virtually all environmental legislation currently stalled in the Congress.
- If the opinion polls are to be believed, there will be major Republican gains on November 2.
- Even if the House does not change to Republican control, the loss of Senate seats will make it very difficult to pass environmental legislation.

And what are the options to an Administration that is deeply committed to implementing a policy centered on environmental sustainability? Here are a few:

- Try to work with Republicans to secure the votes to pass legislation.
- Just give up on the environmental sustainability agenda? [Highly unlikely].
- Give up on the legislative process and implement the sustainability agenda through a series of executive orders issued in 2011.

Some might dismiss this third possibility as unlikely because of the outcry from Members of Congress and local governments with the Presidential election cycle looming in 2012. A more cynical interpretation would be that the press and the public would have a hard time grasping the nuances of Executive Orders like P&G, flood plain management and the like. Under this scenario, EO’s might not be as risky as they first appear. You make the call. But all can agree that WESTCAS must pay the very closest attention as this issue evolves.

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