

The Western Governors' Association (WGA) annual meeting was held in Rapid City, South Dakota on June 25-27. Seven governors attended, including John Hickenlooper (CO), Butch Otter (ID), Steve Bullock (MT), Doug Burgum (ND), Dennis Daugaard (SD), Gary Herbert (UT) and Matt Mead (WY). Among the special guests were Saskatchewan Premier Scott Moe, Department of the Interior Secretary Ryan Zinke and Labor Secretary Alexander Acosta, as well as Secretary of the Air Force Heather Wilson.

WGA Executive Director Jim Ogsbury praised the Governors for their commitment to “bipartisan solutions to the challenges facing our Nation.” Chairman Governor Daugaard’s Initiative for the past year has been workforce development, and WGA released a first-year report highlighting work to bridge the skills gap between workers and employers, including enhanced opportunities for students, graduates and displaced workers to help build a more vibrant regional economy.

Secretary Acosta’s comments preceded a panel discussion on the Initiative. He noted most jobs are created by small businesses. He also referred to the fact that the Nation is almost at full employment, and there is a need to bring people that may have dropped out back into the workforce. He addressed this Administration’s efforts to treat States very differently and provide them with greater flexibility.

Other panels addressed: (1) technology and hardware and software tools, as well as more data, to provide greater opportunities for states to better serve citizens and manage government operations; (2) the impacts that wildfire has on water supplies and regional air quality, as well as steps to mitigate the effects; and (3) battling the opioid epidemic. With respect to wildfires, Governor Bullock noted the impacts on water quality can be evident for decades.

Secretary Zinke spoke from the amphitheater at Mt. Rushmore. Governor Otter introduced Zinke and praised him for returning to the States greater control over lands previous designated as monuments, including Utah’s Bear’s Ears. Zinke suggested, “If you don’t know the difference between the Potomac and the Yellowstone River, then you shouldn’t be making so many rules that affect the Yellowstone.... I don’t think that one size fits all. My job is to ensure that one size doesn’t fit all.”

He declared, “Infrastructure will become a key issue for Interior moving forward. America needs to invest in our parks...” in partnership with the States. He also addressed Interior reorganization and attempts to ensure the bureaus work together within watershed boundaries. The governors expressed appreciation for his willingness to listen to their concerns and modify reorganization efforts.

Zinke observed that the United States is producing some 10.7 million barrels of oil per day and will be the number one producer of oil and gas in the world. With respect to energy, Interior believes in an “all of the above” approach, and he noted that it is better to meet our needs through domestic production under reasonable environmental regulation. He added our regulatory framework needs to promote innovation and take advantage of cutting edge technology and partnerships, promoting safety and environmental stewardship. As a Navy seal, he saw in the Middle East the way that things shouldn’t be done. He drew applause when he declared, “There are a lot of reasons to go to war, but energy, when we have it here is not one of them.” He added, “Jobs matter. American’s need to make a living...and attain the American dream.” Energy and technology, low cost energy, provide us a competitive edge over other countries.

The Governors adopted policy resolutions related to infrastructure, international trade, workforce development, abandoned mines, radioactive waste, a National Minerals Policy, enhanced oil recovery, transportation, air quality and methane emissions, as well as renewing policies related to both water resources and water quality. These are available at www.westgov.org/resolutions.

Water Resource Management in the West (2018-08) reasserts that states have primary authority over water management and allocation, and that federal investment is critical to water infrastructure needs. It also highlights Governors' encouragement of effective partnerships between state, federal, tribal, and local governments; reliable and

up-to-date water resource information; and drought preparedness and response. “States are the primary authority for allocating, administering, protecting, and developing water resources, and they are primarily responsible for water supply planning within their boundaries. States have the ultimate say in the management of their water resources and are best suited to speak to the unique nature of western water law and hydrology.”

The Governors further state: “As the preeminent authority on water management within their boundaries, states have the right to develop, use, control and distribute the surface water and groundwater located within their boundaries, subject to international treaties and interstate agreements and judicial decrees.... The federal government has long recognized the right to use water as determined under the laws of the various states. Governors value their partnerships with federal agencies as they operate under this established legal framework. While the Western Governors acknowledge the important role of federal laws such as the Clean Water Act (CWA), the Endangered Species Act (ESA), and the Safe Drinking Water Act (SDWA), nothing in any act of Congress or Executive Branch regulatory action should be construed as affecting or intending to affect states’ primacy over the allocation and administration of their water resources.”

Cleaning Up Abandoned Mines in the West (2018-11) is an updated call for Congress to protect “Good Samaritans” that voluntarily clean up abandoned mines from potential liability under the Clean Water Act, CERCLA, and RCRA. It elucidates the Governors’ support for pilot projects if comprehensive legislation is not possible and provides recommendations for Good Samaritan remediation plans, permitting, reviews, and approvals that will facilitate the voluntary cleanup of abandoned mines.

Water Quality in the West (2018-12) declares Western Governors call on the federal government to provide adequate funding and tools to assist states in complying with federal water quality and drinking water requirements and for federal deference to states’ primary authority over water management and allocation within their borders.

Modernizing Western Infrastructure (2018-15) notes that Western Governors support more efficient infrastructure permitting and environmental review processes without shortening timelines for state input and consultation – or compromising natural resource, environmental, or cultural values. Early, meaningful and ongoing state consultation on infrastructure will help prevent delays, reduce duplication, and streamline the process. The Governors also recommend that the federal government encourage joint National Environmental Policy Act (NEPA) reviews with states; improve the cooperating agency approval process; and work directly with states to use up-to-date state data and analyses in the NEPA process.

The resolution states, “Investments to modernize our states’ infrastructure, including ports, water systems, bridges, pipelines, highways, airports, electric generation and transmission, communications facilities, recreational assets and railways not only support the economic well-being of our communities, they also serve to position our economies to attract and retain investment through maintaining our competitive advantage in a growing global marketplace.... Modernizing and maintaining the West’s network of infrastructure relies upon permitting and review processes that require close coordination and consultation among state, federal and tribal governments.... State and local governments often have the best available science, data and expertise related to natural resources within their borders. In cases where the states have primary management authority, such as wildlife and water governance, states also possess the most experience in managing those resources and knowledge of state- and locality-specific considerations that should inform infrastructure siting decisions.... Federal agencies should be required to engage with states and state agencies in early, meaningful, substantive and ongoing consultation.”