

On February 6, Jim Ogsbury, Executive Director of the Western Governors' Association (WGA), testified before the House Appropriations Subcommittee on Interior, Environment and Related Agencies on various issues surrounding environmental policy across the West. Of importance to the Council are statements regarding state-federal cooperation on managing natural resources, management of endangered and invasive species, collaboration on data management and use, water infrastructure, and groundwater management.

Ogsbury stated, "There is a natural tension between state and federal governments that is embedded in the fabric of the U.S. Constitution....Improving the partnership between states and the federal government is central to the mission of WGA and is reflected in WGA Policy Resolution 2020-01, Strengthening the State-Federal Relationship." He went on to say, "[P]roactive fish and wildlife conservation is most effective when leveraging the cooperative efforts of state and federal officials across multiple disciplines....Western Governors request additional funding for federal agencies to advance state-supported programs and projects promoting voluntary migration corridor and habitat conservation."

Regarding endangered species management, Ogsbury said: "States possess primary authority to manage most fish and wildlife within their borders, and they receive economic benefits associated with healthy species and ecosystems. At the same time, species listings can dramatically affect the efforts of western states to promote economic development, accommodate population growth, and maintain and expand infrastructure. Western Governors believe that states should be full partners in the implementation of the Endangered Species Act...[and] that such cooperation should involve meaningful opportunities for states to comment, participate, or undertake proactive measures before the federal government takes action under the ESA."

On invasive species management: "WGA remains concerned about the spread of invasive mussels in the West and has highlighted this issue through the Western Governors' Biosecurity and Invasive Species Initiative. Of particular worry are invasive quagga and zebra mussels, which continue to be a major threat to western water resources. To combat this threat, Western Governors request that the BLM [Bureau of Land Management], FWS [Fish and Wildlife Services] and NPS [National Park Service] be provided with the resources necessary to implement mandatory inspection of all high-risk watercraft and decontamination of watercraft infested with quagga and zebra mussels leaving waterbodies under their jurisdiction."

On data management and use: "Western Governors are deeply appreciative of [the commitment of the federal government to use state fish and wildlife data to inform natural resource decisions and] to promote a positive relationship between the states and the federal government with the use of data while respecting the limitations of state data privacy laws. Federal managers need data-driven science, mapping and analyses to effectively manage wildlife species and habitat and, in many cases, states generate the best available wildlife science. Western Governors encourage continued coordination between federal and state agencies on data collection...and appreciate the Subcommittee's efforts to encourage further state-federal collaboration." Ogsbury also said, "Data for water management and drought response planning is critical to western states. Western Governors request adequate funding levels for the Groundwater and Streamflow Information Program administered by the U.S. Geological Survey. The data generated by the program is integral to water supply management decisions of states, utilities, reservoir operators and farmers. It is also essential for risk management, disaster mitigation, and drought and flood forecasting throughout the West."

On infrastructure management and financing: "Infrastructure management is [a] crucial element of drought response, and federal investments in our nation's aging water and wastewater facilities are essential to our nation's continued economic prosperity and environmental protection. EPA's Clean Water and Drinking Water State Revolving Funds (SRFs) provide necessary support for communities to maintain and enhance their water infrastructure. Western Governors' Policy Resolution 2018-12, Water Quality in the West, encourages adequate funding for SRFs. Western Governors similarly support the funding of federal programs that promote non-federal water infrastructure investment, such as the Water Infrastructure Finance Innovation Act [WIFIA] program. This important program provides flexible long-term, low-cost supplemental credit assistance for projects of national and regional significance."

On groundwater management: "States have exclusive authority over the allocation and administration of rights to groundwater located within their borders and are primarily responsible for protecting, managing, and otherwise controlling the resource. The regulatory reach of the federal government was not intended to, and should not, be

applied to the management and control of groundwater resources. WGA encourages Congress to include express and unambiguous language protecting states' authority over groundwater resources in any water-related legislation, as well as clear direction to administrative agencies to respect such authority...We urge you to ensure that federal efforts involving groundwater recognize and respect state primacy and comply with all statutory authorities." See <https://docs.house.gov/meetings/AP/AP06/20200206/110376/HHRG-116-AP06-Wstate-OgsburyJ-20200206.pdf>.

Other organizations testified during the same hearing about water resources funding to the Subcommittee. Kameran Onley, Director of U.S. Government Relations for The Nature Conservancy, testified in favor of full funding for Colorado River Basin Recovery Programs that assist in the recovery of four endangered fish species in the Colorado River Basin, the National Streamflow Network, and the Water Infrastructure Finance and Innovation Program. See <https://docs.house.gov/meetings/AP/AP06/20200206/110376/HHRG-116-AP06-Wstate-OnleyK-20200206.pdf>.

Kya Marienfeld, Wildlands Attorney for the Southern Utah Wilderness Alliance, opposed the Subcommittee's endorsement of the BLM's partnership with the State of Utah through the Water Restoration Initiative, stating: "The Subcommittee's support for BLM's continued engagement with WRI effectively green-lights the agency to commit millions of dollars each year towards native vegetation removal projects that often do not align with the Subcommittee's stated desire to protect western water resources." See: <https://docs.house.gov/meetings/AP/AP06/20200206/110376/HHRG-116-AP06-Wstate-MarienfeldK-20200206.pdf>.