

2017 Legislative & Regulatory Priorities

NATIONAL WATER RESOURCES ASSOCIATION

Arizona pg1

- Clean Water Act Rules/Legislation
- Forest Health Legislation
- Indian Water Settlements
- Removing the Double Permitting of Pesticides Requirement
- Water Rights Protection Act

Arizona pg2

- ESA Reform
- NEPA Reform
- Equal Access to Justice Act Reform
- Drought Contingency Planning Legislation

California pg1

Tier One:

- Enhanced State- Federal Partnership
- Partnering on Transition choices and policies
- Headwaters / Wildfire legislation
- Infrastructure legislation – include water projects
- ESA reform

California pg2

- WIIN – WRDA implementation
- Infrastructure Financing:
- WRDA
- WILA- WIFIA –RIFIA
- Infrastructure bank
- Earmarks – Public Infrastructure, Reclamation/Corps
- SRF

California pg3

- Regulatory items:
- ESA Regulations – Mitigation Policy
- WOTUS
- NEPA streamlining
- Reservoir Reoperation
- Tax Exemption for Water Conservation Rebates (Municipal Caucus)
- Hydropower Re/licensing Streamlining
- NRCS Funding

California pg4

Tier Two:

- Farm Bill
- Tax Reform
- Protect Municipal financing

Tier Three:

- Invite new appointees to events, take on tours.
- Continue development of Public Affairs initiative

Colorado pg1

- Drought, Watershed Management and USDA Conservation Program Funding
- Waters of the United States
- Good Samaritan Legislation and Abandoned Mine Reclamation
- Water Transfer Rule
- Water and Wastewater Infrastructure Funding

Colorad0 pg 2

- USFS and BLM Management Plans
- Endangered Species Act Reform
- Upper Colorado River endangered Fish Recovery Program Funding
- NEPA Streamlining
- Colorado River Drought Planning
- Ski Area Water Rights Rule/Legislation

Colorad0 pg3

- Climate change impacts
- USFS Groundwater Directive
- U.S. Bureau of Reclamation Colorado River Basin Study
- NRS funding for manual snow course measurements
- Flood control and operation of existing reservoirs

Idaho pg1

Legislative Priorities

- Eliminate Pesticide General Permit requirement
- Repeal WOTUS Rule
- Improve the Endangered Species Act
- Improve funding for USGS Cooperative Stream Gauging Program
- Update Ririe Dam (Idaho) Project Authorization

Idaho pg2

Regulatory Priorities

- CWA/WOTUS – Jurisdiction over Water Conveyance Systems
- FSMA/Produce Rule – Irrigation Water Quality Standard
- Columbia River Treaty Review

Kansas

- Waters of the United States
- Endangered Species Act
- Infrastructure Funding
- State Water Rights
- Farm Bill
- [Others may be added as identified and requested by Kansas Water Congress]

Montana pg1

- Aging Infrastructure and Funding Opportunities
- EPA and Other Agency Rule Making
- States Rights vs Federal Overreach
- Clean Water Act / WOTUS
- ESA
- Double Permitting and Pesticide Applications
- Invasive Aquatic Species

Montana pg2

- Adequacy of Reclamation Budget & Critical Infrastructure maintenance and development
- Low head hydro development
- Completion / Implementation of Water Right Adjudication including Tribal and other reserved water rights
- Lower Yellowstone / Dam Protection
- St. Mary Funding

Nebraska

- Clean Water Act issues
 - Waters of the US regulations
 - NPDES permits for Water Transfers
- Endangered Species Act (administration of the act)
- Invasive Species
- Federal Funding for agencies and pass through
 - USGS Stream gaging program
- Water Resources Development Act (WRDA)
- Aging infrastructure
- Climate Change

Nevada

- Drought Legislation
- Clean Water Act – Waters of the United States
- Aging Infrastructure/Loan Programs
- ESA Reform
- Climate Change
- Adequate funding for maintaining, updating, and reading USGS gaging

New Mexico

- EBID: Limit implementation WOTUS new rule, limit Food Safety Act rules and regs on Ag harvest and processing, BOR Wheeling narrow efforts on revenue distribution, Nullify EPA Climate Rules that would affect agriculture, Support BOR funding of Aging infrastructure
- Farm Bill – cost sharing
- ESA reform
- CID: Amend S-1936 to include funding for Pecos Basin, Narrow WOTUS interpretation (2016 carryover)
- ARCH/HURLEY: Repeal WOTUS, Secure McKittrick Policy, Preservation of AG Water Rights Ownership, Simplification of Low Head Hydro Permit, Funding BOR Aging infrastructure (2016 carryover)
- PVACD: Groundwater appropriation, management, surface water administration and state primacy, WOTUS and its application by the federal agency, Watershed management, Drought planning including aquifer storage, water supply, water banking and fallowing of farm ground, Endangered Species Act.

North Dakota

- WOTUS
- NEPA Streamlining
- ESA
- Water transfer rule

Texas

- Water Resources Development Act (WRDA) Implementation and Guidance
 - Every two years
- Nonfederal involvement in implementation and guidelines
- Emergencies caused by O&M issues (beyond natural disasters)
- Implementation of section 7001
- Adequate and continued funding for federal-share of the USGS Cooperative Water Program (CWP) and National Streamflow Information Program (NSIP)
- Budget issues for Corps of Engineers, Bureau of Reclamation, and EPA State Revolving Fund
- Floodplain issues
- WOTUS
- Revision to Title 16 – competitive grant program
- Aquatic Invasive Species
- CEQ final version of Guidelines (Principles & Requirements) – dismantle – issues with instream impoundments (issues within WIIN Act)
- Reallocation of storage and pricing
- Water Supply Rule
- Regulatory
 - EPA's Clean Water Act Rulemaking and the failure to complete the science
 - Endangered Species
 - Surplus Water Rule – USACE
 - Mexico Water Deficit Water Deliveries
 - Levee Safety Issues – position on legislative reforms
 - Invasive Species / Specifically Lacey Act.

Utah

- Aging Infrastructure
- ESA Issues
- Waters of the US (Govt. Overreach)
- Title Transfer Issues
- Streamlining NEPA Process

Washington pg1

- EPA/USACE Water of the United States rulemaking
- Appointments to key federal agency positions
- Aging Infrastructure/Federal Funding for water projects (beyond drought)
- Food Safety Modernization Act implementation
- Endangered Species Act reform (oppose new rules, support new legislative solutions)
- Columbia River Treaty

Washington pg2

- Addressing Bureau of Reclamation administrative gridlock
- NEPA reforms – mitigating for the purposes of National Historic Preservation Act
- Small hydro development and equal treatment with other renewable resources for tax incentives and production tax credits
- Support for Pumped Storage projects for their ability to shape and support other sources of renewable energy
- Federal Pesticide General Permit legislation
- Increasing Bureau of Reclamation funding in the President's budget

Washington pg3

- Encourage Congress re-establish their ability to use earmarks
- Reclamation support for actions related to federal easement encroachments
- Support of Yakima Basin Integrated Plan and Odessa Groundwater Replacement Program
- RRA targeted revisions

OREGON

- Financing for infrastructure
- Drought – water supply and infrastructure
- CWA regs
- ESA and habitat
- Fish passage and screens (funding)
- Regulatory streamlining for conduit hydro projects
- Columbia River Treaty
- Farm Bill
- WRDA implementation
- FSMA
- CEQ monitoring

Groundwater Caucus [Groundwater Management Districts Association]

- State primacy, including protection of State and private property rights related to federal claims to groundwater ownership and administration under EPA regulations, WOTUS, U.S. Forest service, BOR, ESA litigation, and other federal agencies intrusion.
 - ✦ Supreme Court MS v. TN: litigation over apportionment of groundwater
- Groundwater conservation measures, including irrigation, industrial and municipal use.
- Storage and groundwater recharge with attention to conjunctive management for the benefit of groundwater and surface water.
- Drought planning due to the increased demands on groundwater.
- Water supply and the fallowing of farm ground with special attention to the individual financial and public welfare costs.

Irrigation Caucus

- Aging Infrastructure
 - Reviving Reclamation's Rehabilitation and Betterment program (40-year payout @ low interest rate)
 - ✦ Sans 160-acre limitation (RRA problems)
 - ✦ Program is still authorized
- Farm Bill

Municipal Caucus

- Municipal bonds – protecting tax-exempt status
- Water conservation tax exemptions
- Title XVI

Forest Health Workgroup

- Westerman Bill
 - Reaching out to conservation groups
- Budget Fix
 - Fire borrowing / forest management

Finance Task Force

- Administration's infrastructure package – inclusion of water
- WIFIA implementation
- RIFIA / WILA others
- Potential funding for new projects
- Link to public relations efforts – economic argument

Army Corps Task Force

- Section 7001 projects
- WIIN / WRDA 2014 implementation
- ESA
- NEPA
- PR&G (Principals, Requirements & Guidelines)
- Water Supply Rule
- Corps budget

Environmental Task Force

- ESA
 - Mitigation policy, compensatory mitigation, etc.
 - Work with states, WGA
 - Accounting of species listings (West v. East)
 - × Efforts to delist
 - × Work with FWS and state entities (funded position)
 - × Coordinate amongst the states
- NEPA
 - Accountability on permitting timelines
- Litigation reform
 - Avenues of reform – takings cases
- Congressional Review Act

Waterpower

- Streamlining of hydro development
- Conduit hydro
- Dual permitting on North Dam (Washington State)
- Columbia River Treaty
- Equality of renewables
- Muni bonds
- FERC licensing terms (comments)
- FERC Mandatory Conditions

Water Quality

- WOTUS
- Water Transfers
- Climate Impacts
- Regulatory Compliance – CWA, ESA
- Pesticides Rule
- Hydrologic Alterations guidance
- New CWA criteria – TDS conductivity, etc.

Water Supply

- WIIN/WRDA Implementation
 - Section 4007
 - Section 4009
 - Reclamation earmark workaround
- Farm Bill
- Need for west-wide drought bill
 - Need for infrastructure bill under which drought falls
- Climate change
- WOTUS

Litigation Review

- Offensive mindset
 - Amicus on the administration's side
- Strategic plan
 - Litigation fund

Priorities of Like Minded Groups

- **Western Urban Water Coalition**
 - WOTUS
 - Water transfer rule
 - Tax Rebate issue
 - ESA deference to states
 - Forest health
 - EPA – “one water” concept
 - Climate change adaptation – reg changes
 - Infrastructure funding
 - WILA
 - Lead and Copper rules
 - Litigation reforms
- **Western Coalition of Arid States**
 - Reach out following their leg conference
- **Family Farm Alliance**
 - Antiquities Act reform
 - See White Paper
- **Others**