

DAVID IGE GOVERNOR OF HAWAII CHAIR DOUG BURGUM GOVERNOR OF NORTH DAKOTA VICE CHAIR JAMES D. OGSBURY EXECUTIVE DIRECTOR

January 14, 2019

The Honorable Nancy Pelosi Speaker H-232 U.S. Capitol U.S. House of Representatives Washington, D.C. 20515 The Honorable Kevin McCarthy Minority Leader H-204 U.S. Capitol U.S. House of Representatives Washington, D.C. 20515

Dear Speaker Pelosi and Minority Leader McCarthy:

Congratulations on your selection to the positions of Speaker and Minority Leader. Western Governors request that you consider the Governors' priorities for legislative action – in the attachment to this letter – as you formulate your parties' agendas for the 116th Congress.

The bipartisan priorities outlined in the attachment reflect policies developed through the Western Governors' Association (WGA). WGA is an instrument of the Governors of the 19 western states and 3 Pacific territories for advocacy, information-sharing, and policy development on issues of critical importance to the West. The Governors encourage you to consider WGA staff and individual Governors' offices as resources on these issues.

These priorities include improvements to the state-federal relationship generally, such as: recognizing states' sovereign status and authority in legislation; clarifying that federal agencies are required to consult with states on issues that affect states; and eliminating perceived barriers to state-federal communication. They also include priorities on specific issues, such as: invasive species, wildfire, infrastructure, environmental review and permitting, energy, cybersecurity, species conservation, and the regulation of water quality and management of water resources. Western Governors stand ready to assist you in furthering these and the other issues of critical importance to our region in the attachment.

Thank you for your consideration of our request. Please do not hesitate to contact us with any questions. Western Governors look forward to working with you to better serve your shared constituents.

Sincerely,



This document outlines Western Governors' priorities for congressional action through the FY2020 appropriations process and 2019 calendar year. It is comprised of positions adopted by Western Governors in their policy resolutions, recommendations adopted through the WGA initiative process, and other positions adopted by the Governors.

| Priority | Governors' Policy | Venue |
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| State-Federal Relationship | | |
| States are Sovereigns | WGA Policy Resolution 2017-01, Building a Stronger State-Federal | House Judiciary House Oversight and |
| Recognize states' sovereign status and authority in legislation. | Relationship | Government Reform Senate Homeland Security |
| Ensure that states are not treated as equivalent to stakeholders, interested parties, public | Letter: Legislative | and Governmental Affairs |
| or private organizations, industry, or the public in legislation or by federal agencies. | Recommendations to Improve | Senate Judiciary |
| Rather, states should be treated as sovereign entities and engaged in a government-to- government manner. | the State-Federal Relationship | House and Senate Leadership |
| | Letter: Recommendations to | |
| Amend the House of Representatives Office of Legislative Counsel <u>Guide</u> to Legislative Drafting to add a fourth important convention in Section VII to distinguish states from stakeholders. | Promote State Authority | |
| Amend Clause 7 of Rule XII the Rules of the House of Representatives for the 116 th Congress (and <u>Protocol 8</u> , Constitutional Authority Statements), to read: "(c) A bill or joint resolution may not be introduced unless the sponsor has submitted for printing in the Congressional Record a statement citing as specifically as practicable the power or powers granted to Congress in the Constitution to enact the bill or joint resolution and an explanation why the bill or joint resolution does not infringe on the rights reserved to the states by the 10 th Amendment." | | |
| Preemption | WGA Policy Resolution 2017-01, | House Judiciary |
| | Building a Stronger State-Federal | House Oversight and |
| Avoid preemption of state authority in legislation. | Relationship | Government Reform |
| | | Senate Homeland Security and Governmental Affairs |

| Priority | Governors' Policy | Venue |
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| Ensure legislation grants states the maximum administrative discretion possible and does not create undue burdens on state resources. Explicitly state that preemption is disfavored and require agencies to specify where preemption is warranted. In such cases, agencies must provide affected states notice and an opportunity to participate in proceedings at which the agency must demonstrate the preemption of state authority is needed to accomplish a national purpose. | Letter: Legislative Recommendations to Improve the State-Federal Relationship | Senate Judiciary House and Senate Leadership |
| Consultation Seek opportunities for more meaningful consultation through: agency-specific processes, Executive Branch cross-cutting regulatory efforts, administrative reorganization, and Congressional regulatory reform. Require federal agencies to consult with states on agency reorganization and regulatory reform. Consult with states on a regular basis: as a predicate to federal action; through the pre- publication stage of rulemaking; after publication and before adoption of rules and regulations; and on an ongoing basis throughout implementation. Clarify definitions in key enabling statutes to better define state-federal consultation. Define "consultation" to: Include early, meaningful, substantive, ongoing, government-to-government communication and exchange with states through Governors or their designees. Require procedures separate from and beyond the stakeholder or public process. Clarify that notice and comment rulemaking procedures do not satisfy agencies' requirements to consult with states where required by law. Require all federal departments and agencies, including independent regulatory agencies, to codify in regulation a clear, consistent, and accountable process for state consultation on policies with federalism implications. Such processes should include a remedy for | WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Letter: Legislative Recommendations to Improve the State-Federal Relationship Letter: Lack of Consultation on DOI Proposed Regional Office Boundaries Letter: State Consultation on USDA Regulatory Reform | House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary House and Senate Leadership |

| Priority | Governors' Policy | Venue |
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| Federal agencies to provide written notification to and an invitation to consult with Governors of all potentially-affected states (or their designees) of policies with federalism implications within the area affected by the proposed federal action. Federal agencies to provide procedures for written response to Governors' or their designees' input prior to a final federal decision. Federal agency decision-makers to hold regular, ongoing consultation meetings with Governors or their designees regarding policies with federalism implications. | | |
| Rulemaking Prior to promulgation of a rule with federalism implications, require federal agencies to: ensure that new funds sufficient to pay the direct costs incurred by the state in complying with the regulation are provided by the federal government; and provide OMB with a description of the extent of agency's consultation with states, a summary of their input, the agency's response to that input, and any written communications submitted by states. | WGA Policy Resolution 2017-01, Building a Stronger State-Federal RelationshipLetter: Legislative Recommendations to Improve the State-Federal Relationship | House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary House and Senate Leadership |
| Provide an opportunity for Governors or their designees to review agencies' regulatory agendas. | | |
| Non-legislative Rulemaking/Guidance Require agencies to consult with affected states prior to issuing guidance documents with federalism implications – including memoranda, directives, notices, bulletins, manuals, handbooks, opinions, and letters. Require agencies to develop a transparent and accountable process for determining whether a proposed agency action requires notice-and-comment rulemaking procedures prescribed under Section 553 of the Administrative Procedures Act. Require agencies to publish all existing guidance documents at a single location on their | WGA Policy Resolution 2017-01, Building a Stronger State-Federal RelationshipLetter: Legislative Recommendations to Improve the State-Federal Relationship | House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary House and Senate Leadership |

| Priority | Governors' Policy | Venue |
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| Consistency and Avoidance of Conflicts Require federal agencies to: make all reasonable efforts to achieve consistency and avoid conflicts between federal and state objectives, plans, policies, and programs; and address and resolve all issues and concerns raised by states, unless precluded by federal law. State Data Require agencies to incorporate state and local data and expertise, subject to existing state requirements for data protection and transparency, into their decisions. This data should include scientific, technical, economic, social, and other information on the issue the agency is trying to address. | WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Letter: Legislative Recommendations to Improve the State-Federal Relationship WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship WGA Policy Resolution 2017-03, State Wildlife Science, Data and Analysis Letter: Legislative Recommendations to Improve | House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary House and Senate Leadership House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary House and Senate Leadership |
| Settlement Negotiations In settlement negotiations impacting policies with federalism implications, require federal agencies to provide notice of the action to affected states, consult with affected states on any negotiations, and seek state concurrence regarding the settlement. | Recommendations to Improve the State-Federal Relationship WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Letter: Legislative Recommendations to Improve the State-Federal Relationship | House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary House and Senate Leadership |
| Congressional Oversight Establish a Federalism Office within the White House or reestablish the U.S. Advisory Committee on Intergovernmental Relations to ensure federal agencies meet their federalism obligations. | WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Letter: Legislative Recommendations to Improve the State-Federal Relationship | House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary |

| Priority | Governors' Policy | Venue |
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| Request a report on existing federalism requirements and/or require regular and ongoing reporting on federalism requirements. | | House and Senate Leadership |
| Perceived Barriers to the State-Federal Relationship Require agencies to revise or establish their <i>ex parte</i> rules or policies in accordance with current case law, which permits these communications in informal rulemaking proceedings; and/or exempt communications with states and state officials from the definition of <i>ex parte</i> communications. Exempt all meetings held exclusively between federal personnel and non-federal elected officials (or their designees) acting in their official capacities or in areas of shared intergovernmental responsibilities or administration from FACA. Create statutory exceptions to FOIA disclosure for state data and analysis in instances where publication of state data provided to federal agencies would be violation of existing state statutes. Investigate and develop solutions for other barriers to state-federal communication presented by FOIA. | WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Letter: Legislative Recommendations to Improve the State-Federal Relationship | House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary House and Senate Leadership |
| Unfunded Mandates Reform Act Eliminate the \$100 million threshold for the application of the UMRA to federal intergovernmental mandates. Require agencies to incorporate state government input and data, including social and economic data, in their qualitative and quantitative assessment of anticipated costs and benefits of qualifying rules under the UMRA. Strengthen the consultation requirements for federal intergovernmental mandates. Authorize a court to compel substantive, meaningful consultation with elected officers of state governments if an agency fails to develop or implement the effective process under the UMRA. | WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Letter: Legislative Recommendations to Improve the State-Federal Relationship | House Judiciary House Oversight and Government Reform Senate Homeland Security and Governmental Affairs Senate Judiciary House and Senate Leadership |

| Priority | Governors' Policy | Venue |
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| Wild Horses and Burros Request that the Committee include the following language in its report on Interior Appropriations: "The Committee continues to believe that the horse and burro management program in its current state is unsustainable and the Committee cannot afford to allow this situation to persist. The Committee believes that a process to establish, monitor and adjust Appropriate Management Levels (AMLs) for wild horses and burros that is transparent to stakeholders, supported by scientific information (including state data), and amenable to adaptation with new information and environmental and social change is integral to addressing both the long-term viability of wild horse and burro populations, and near- term concerns about the rangeland impacts of overpopulation. Accordingly, the Committee directs the Department to adjust its AML approach to be transparent, based on sound science and adaptable. "The Committee supports continued research to develop and refine a variety of fertility- control methods, including immunocontraceptives, which allow for self-sustaining populations of wild horses and burros while maintaining the genetic viability of the protected herds. The Committee recognizes that the Department has invested in such research but has been slow to employ on-the-ground use of methods supported by this effort. The Committee directs the Department to expedite its implementation of scientifically sound and humanely implemented fertility control methods for wild horses and burros." | WGA Policy Resolution 2018-01, Wild Horse and Burro Management Appropriations Requests Testimony FY 2019 | House Appropriations Senate Appropriations |
| Quagga and Zebra Mussels Direct DOI to implement mandatory inspection and decontamination of all high-risk watercraft leaving waterbodies under their jurisdiction infested with quagga and zebra mussels and provide DOI agencies with both the resources and statutory authority required to implement these actions. | WGA Policy Resolution 2016-05, Combating Invasive SpeciesLetter: Western Governors Request Clarification on DOI Collaboration with States on Invasive Mussel PreventionLetter: Western Governors Request Collaboration with DOI on Invasive Mussels | House Appropriations House Natural Resources Senate Appropriations Senate Energy and Natural Resources |

| Priority | Governors' Policy | Venue |
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| | Appropriations Requests Testimony FY <u>2019</u> | |
| Invasive Species Ensure a more focused and streamlined federal approach to invasive species. Promote greater coordination, collaboration, and communication with states and Pacific islands. Provide greater transparency of invasive species data and management decisions. Strengthen the national network of native and non-native seed reserve and storage facilities for rehabilitation and restoration. | WGA Policy Resolution 2016-05, Combating Invasive SpeciesLetter: Western Governors Request Clarification on DOI Collaboration with States on | House Agriculture House Natural Resources Senate Agriculture, Nutrition and Forestry Senate Energy and Natural Resources |
| | Letter: Governors' Comments on the 2015-2020 National Seed Strategy for Rehabilitation and Restoration Letter: Secretarial Order 3336: Rangeland Fire Prevention, Management, and Restoration | |

| Priority | Governors' Policy | Venue |
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| Cybersecurity and Physical Security | | |
| Energy Infrastructure | WGA Policy Resolution 2018-04, Energy in the West | House Energy and Commerce |
| Secure the United States' energy supply and systems, and safeguard against risks to cybersecurity and physical security. | Energy Vision for the West | Senate Energy and Natural Resources |
| Work with the Department of Defense to meet its national security mission by ensuring safe and secure onsite and off-site electricity generation for key defense installations. | | |
| Continue to reduce reliance on non-North American oil imports from unstable foreign sources through individualized state-by-state solutions, such as increasing North American production, improving fuel efficiency, and developing renewable and alternative fuels. | | |
| Ensure there is sufficient domestic energy supply, including domestic renewable electric generation, to meet existing and new market demand. | | |
| Identify security and other vulnerabilities of energy infrastructure and create programs and standards to defend infrastructure from cyber and physical attacks, as well as natural disasters. | | |
| Encourage effective relationships between state agencies, federal agencies, public utilities, and the private sector to prevent and prepare for risks to the region's energy supply and systems, as well as to respond to and recover from disruptions. | | |
| Partner with the federal government to ensure the provision of adequate funding and access to resources for state emergency planning, response, and recovery. | | |
| Expand, upgrade, and secure transmission and pipeline infrastructure, as well as ensure that all federal pipeline safety measures are efficiently implemented. | | |
| Coordination and Consultation Improve coordination of congressional oversight and legislative activity on cybersecurity. | WGA Policy Resolution 2019-02, Cybersecurity | House Energy and Commerce Senate Energy and Natural |
| | | Resources |

| Priority | Governors' Policy | Venue |
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| Clarify the roles and responsibilities of federal agencies in preventing, preparing for, and responding to cyberattacks, including by providing centralized authority, points of contact, and formalized communication pathways at each level within government and other organizations. | | |
| Establish a working group with representatives from states and federal agencies to harmonize disparate agency regulations. | | |
| Continue and support the DHS State, Local, Tribal, and Territorial Engagement Program and DHS's Office of Cybersecurity and Communications. | | |
| Information-Sharing | WGA Policy Resolution 2019-02, | House Energy and |
| Create and continue policies that incentivize the private sector to improve cybersecurity and share information regarding cyber threats as early as possible, including policies to improve access to information or create common standards for information-sharing. | <u>Cybersecurity</u> | Commerce Senate Energy and Natural Resources |
| Emphasize the benefits of information-sharing, while alleviating private sector concerns with this essential communication. | | |
| Investigate liability protections, such as safe harbor provisions, for entities that report cyber intrusions. | | |
| Election Security | WGA Policy Resolution 2019-02, | House Energy and |
| Provide adequate funding for states to meet election security needs. | <u>Cybersecurity</u> | Commerce Senate Energy and Natural Resources |
| Work cooperatively with states in developing election security legislation and mandates, and to fully fund implementation. | | |
| Training and Workforce Development | WGA Policy Resolution 2019-02, | House Energy and |
| Increase the cybersecurity awareness of government and private employees through training and education. | <u>Cybersecurity</u> | Commerce Senate Energy and Natural Resources |

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| Provide, long-term authorization and sufficient appropriations for high-quality cybersecurity education and workforce development programs to grow and sustain the cybersecurity workforce. | | |
| Expand the CyberCorp: Scholarship for Service program and continue to support educational initiatives, such as NIST's Initiative for Cybersecurity Education and National Centers of Academic Excellence in Cyber Defense. | | |
| Prevention and Deterrence Encourage the use the full range of economic tools, including travel and financial | WGA Policy Resolution 2019-02, Cybersecurity | House Energy and Commerce Senate Energy and Natural |
| sanctions, to deter cyberattacks organized or supported by nation-states. Take steps to mitigate global supply chain risks (e.g. installation of malicious software or hardware). | | Resources |
| Cybersecurity Research Provide funding and technical assistance for cybersecurity research and development, such as research to understand the use of blockchain and encryption by perpetrators and its utility for defense against cyber threats, and address vulnerabilities of other emerging technologies, including connected vehicles and Internet of Things devices. | WGA Policy Resolution 2019-02, Cybersecurity | House Energy and Commerce Senate Energy and Natural Resources |
| Disaster Response | | |
| Federal Funding for Disaster Recovery | WGA Policy Resolution 2018-03, Federal Disaster Recovery | House Appropriations Senate Appropriations |
| Request adequate funding for federal disaster recovery and assistance programs. | Assistance for Communities in the West | |
| Identify barriers to the effective and efficient allocation of federal funds for post-wildfire restoration efforts. | | |
| USDA NRCS Emergency Watershed Program | WGA Policy Resolution 2018-03, | House Appropriations |
| Request adequate funding for USDA NRCS Emergency Watershed Protection Program. | Federal Disaster Recovery Assistance for Communities in the West | Senate Appropriations |

| Priority | Governors' Policy | Venue |
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| Federal Emergency Management Agency State Cooperation Work directly with individual states and territories to jointly identify their individual and common disaster risks and needs, and the best methods to determine the necessity and provision of federal disaster assistance. | WGA Policy Resolution 2018-03, Federal Disaster RecoveryAssistance for Communities in the WestComments: Factors Considered When Evaluating a Governor's Request for Individual Assistance for a Major Disaster | House Homeland Security Senate Homeland Security and Governmental Affairs |
| Reevaluate Processes Used to Evaluate Need for Access to Disaster Aid Programs Require federal agencies to reexamine the standards used to provide Individual Assistance to homeowners and access to federal natural disaster aid. Fire Management Assistance Grant | WGA Policy Resolution 2018-03, Federal Disaster RecoveryAssistance for Communities in the WestComments: Factors Considered When Evaluating a Governor's Request for Individual Assistance for a Major DisasterWGA Policy Resolution 2018-03, | House Homeland Security Senate Homeland Security and Governmental Affairs House Homeland Security |
| Congress should continue the Fire Management Assistance Grant pilot program. | <u>Federal Disaster Recovery</u> <u>Assistance for Communities in the</u> <u>West</u> | Senate Homeland Security and Governmental Affairs |
| Energy | | |
| Hydropower Licensing Do not replace or impede existing state hydropower licensing authorities. | WGA Policy Resolution 2018-04, Energy in the WestWGA Policy Resolution 2017-01, Building a Stronger State-Federal RelationshipWGA Policy Resolution 2017-04, Water Quality in the West | House Energy and Commerce Senate Energy and Natural Resources |

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| | Letter (2017): Hydropower | |
| | Facility Licensing Authorities | |
| | Letter (2016): Undrenewer | |
| | Letter (2016): Hydropower Facility Licensing Authorities | |
| | racinty licensing Authorities | |
| | Letter: Supporting Small | |
| | Hydropower Legislation | |
| | | |
| | Comments: Feasibility of Two- | |
| | Year Licensing Process for Small | |
| | Hydropower Projects | |
| Transmission Siting | WGA Policy Resolution 2018-04, | House Energy and |
| | Energy in the West | Commerce |
| Advance efficient environmental review, siting, and permitting processes that facilitate | | Senate Energy and Natural |
| energy development and the improvement and construction of necessary electric grid | Energy Vision for the West | Resources |
| (transmission and distribution) and pipeline infrastructure, while ensuring environmental | | |
| and natural resource protection. | Letter: Western Governors | |
| Encourage reconnicible leaving and development of energy recourses and infractructure | Recommend Improvements to | |
| Encourage responsible leasing and development of energy resources and infrastructure. | BLM, USFS on Western Corridor Review Process | |
| Create a clear and transparent process for regulation and permitting, coordinated among | <u>Neview Process</u> | |
| well-trained and adequately funded federal, state and local agencies. | Letter: State Consultation on DOE | |
| | 2019 Congestion Study | |
| Streamline project-permitting reviews to minimize timelines, without compromising | | |
| environmental and natural resource protection or states' roles in those processes. | | |
| Maintain state and local decision-making authority over transmission line siting and | | |
| permitting. | | |
| Encourage regional transmission planning organizations to conduct interconnection-wide | | |
| planning with the full participation of the states and with consideration of state energy | | |
| policies. | | |
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| Priority | Governors' Policy | Venue |
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| Create functional partnerships among states, federal agencies, tribal governments and local jurisdictions to solve conflicts that hinder energy infrastructure and resource development. | | |
| Increase cooperation on interstate projects through interstate compacts and other tools. | | |
| In the West-wide energy corridor process, ask federal agencies to guarantee: ongoing, substantive, and meaningful state consultation; consideration of state plans, processes, priorities, and policies; and integration of other streamlining efforts. | | |
| Ensure DOE consults with states on the 2019 Congestion Study pursuant to the Federal Power Act. | | |
| Balanced Portfolio | WGA Policy Resolution 2018-04, Energy in the West | House Energy and Commerce |
| Ensure energy is clean, affordable, and reliable by providing a balanced portfolio of renewable, non-traditional, and traditional resources. | Energy Vision for the West | Senate Energy and Natural Resources |
| Recognize the importance of western renewable (wind, solar, biomass, biofuels, geothermal, hydropower), nuclear, coal and natural gas resources, and the generation facilities that utilize those resources. | | |
| Adapt utility regulation to changing markets, technologies, and resources. | | |
| Encourage the addition of renewable, low-carbon, and clean generation, including utility scale and distributed generation. | | |
| Maintain the Rural Energy for America (REAP) program, which has benefited farmers, ranchers and rural businesses that are often underserved by other federal energy efforts. | | |
| Ensure competition in the market for all resources. | | |
| Recognize the growing importance of consumer choice in driving energy policy and support consumer choice of distributed energy resources to achieve affordability, environmental, and other objectives. | | |

| Priority | Governors' Policy | Venue |
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| Increase the amount of electricity generated from new, retrofitted, or relicensed hydroelectric facilities, including small, irrigation, and flood control hydropower projects. | | |
| Restore financing for the geothermal exploration program financed by the Department of Energy. | | |
| Accelerate the introduction of small modular reactors into the marketplace. | | |
| Responsible Energy Development | WGA Policy Resolution 2018-04, Energy in the West | House Energy and Commerce |
| Reduce costs and risks for the environmentally sound development of all energy resources. | Energy Vision for the West | House Natural Resources Senate Energy and Natural Resources |
| Protect western wildlife, natural resources, and the environment, including clean air and clean water, and strive to reduce greenhouse gas emissions. Continue advancing air and water quality improvements and plans in each state and across state lines. | | |
| Foster environmental cooperation that: protects the state-federal partnership; provides for sustainable environmental protection; is nimble and flexible; and ensures that state governments play a key role in regulation. | | |
| Acknowledge that a productive economy and responsible development can support environmental protection by providing additional funding and opportunities for public- private partnership. | | |
| Encourage technologies that reduce water consumption, prioritize water consumption for traditional activities (drinking water, agriculture, habitat conservation/restoration), and contribute to the responsible development of new energy resources. | | |
| Achieve a balance between the responsible development of energy projects and wildlife conservation. | | |
| Urge the federal government to identify and approve solutions for the long-term storage and permanent disposal of spent nuclear fuel and nuclear waste. | | |

| Increase energy efficiency associated with electricity, natural gas, and other energy goals. Prioritize energy efficiency associated with electricity, natural gas, and vehicle transportation. Prioritize energy efficiency associated with electricity, natural gas, and vehicle transportation. Enhance utility rate designs, including time-varying rates, and cost-effective utility energy efficiency programs that deliver electricity and natural gas avings to consumers. Support energy efficiency programs that provide incentives and rebates to lower the incremental up-front costs of energy efficiency technologies; Energy Service Company (ESCO) programs; and where successful, utility ratepayer-funded energy efficiency programs, including the use of rate decoupling. Encourage the retrofit of residential and commercial buildings and improve the energy efficiency of restruction. Decrease energy intensity using tools such as combined heat and power and waste heat to power systems. Incorporate systems strategies to improve efficiency throughout the building lifecycle and to improve grid connectivity, including energy systems that enable two-way, automated utility-to-custor constructions to facilitate demand response programs. Maintain funding and support long-term authorization for the State Energy Program (SEP), Weatherization Assistance Program (WAP), and Low-Income Home Energy Assistance Program (LIHEAP). Electric Grid Reliability and Resiliency Improve the nation's electric grid's reliability and resiliency. | Priority | Governors' Policy | Venue |
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| Increase energy efficiency associated with electricity, natural gas, and other energy sources and uses to enhance energy affordability and to effectively meet environmental gals.House Science, Space, and Technology Senate Commerce, Science, and TransportationPrioritize energy efficiency associated with electricity, natural gas, and vehicle transportation.Energy Vision for the WestHouse Science, Space, and Technology Senate Commerce, Science, and TransportationEnhance utility rate designs, including time-varying rates, and cost-effective utility energy efficiency programs that deliver electricity and natural gas savings to consumers.Energy Vision for the WestHouse Science, Space, and Technology Senate Energy and Natural ResourcesSupport energy efficiency programs that provide incentives and rebates to lower the incremental up-front costs of energy efficiency technologies; Energy Service Company (ESCO) programs; and where successful, utility ratepayer-funded energy efficiency programs, including the use of rate decoupling.House Science, Space, and Transportation Senate Energy and Natural ResourcesEncourage the retrofit of residential and commercial buildings and improve the energy efficienct construction.Decrease energy intensity using tools such as combined heat and power and waste heat to power systems.Incorporate systems strategies to improve efficiency throughout the building lifecycle and to improve grid connectivity, including energy systems that enable two-way, automated utility-to-customer communications to facilitate demand response programs.MGA Policy Resolution 2018-04. Energy in the WestHouse Energy and Commerce Senate Energy and NaturalElectric Grid Reliability and Resiliency improve the nation | Energy Efficiency | | House Energy and |
| sources and uses to enhance energy affordability and to effectively meet environmental gals. Sources and uses to enhance energy affordability and to effectively meet environmental gals. Prioritize energy efficiency associated with electricity, natural gas, and vehicle transportation. Enhance utility rate designs, including time-varying rates, and cost-effective utility energy efficiency programs that deliver electricity and natural gas savings to consumers. Support energy efficiency programs that provide incentives and rebates to lower the incremental up-front costs of energy efficiency technologies; Energy Service Company (ESCO) programs, and where successful, utility ratepayer-funded energy efficiency programs, including the use of rate decoupling. Encourage the retrofit of residential and commercial buildings and improve the energy efficiency or new buildings, such as through building energy codes and programs that stimulate energy efficient construction. Decrease energy intensity using tools such as combined heat and power and waste heat to power systems. Maintain funding and support long-term authorization for the State Energy Program (SFP), Weatherization Assistance Program (WAP), and Low-income Home Energy Assistance Program (LIHEAP). Electric Grid Reliability and Resiliency improve the attering Program (SFP), Weatherization Assistance Program (LIHEAP). Electric Grid Reliability and Resiliency. | | Energy in the West | |
| goals.Senate Commerce, Science, and Transportation.Prioritize energy efficiency associated with electricity, natural gas, and vehicle transportation.Transportation Senate Energy and Natural ResourcesEnhance utility rate designs, including time-varying rates, and cost-effective utility energy efficiency programs that deliver electricity and natural gas savings to consumers.Senate Energy and Natural ResourcesSupport energy efficiency programs that provide incentives and rebates to lower the incremental up-front costs of energy efficiency technologies, Energy Service Company (ESCO) programs; and where successful, utility ratepayer-funded energy efficiency programs, including the use of rate decoupling.Senate Energy and Natural ResourcesEncourage the retrofit of residential and commercial buildings and improve the energy efficiency of new buildings, such as through building energy codes and programs that stimulate energy efficient construction.Senate Commerce, Science, and TransportationDecrease energy intensity using tools such as combined heat and power and waste heat to power systems.Incorporate systems strategies to improve efficiency throughout the building lifecycle and to improve efficiency trolughout the building lifecycle and tultity-to-customer communications to facilitate demand response programs.WGA Policy Resolution 2018-04, Energy and Support long-term authorization for the State Energy Program (SEP), Weatherization Assistance Program (WAP), and Low-Income Home Energy Assistance Program (LIHEAP).House Energy and Commerce Senate Energy and NaturalElectric Grid Reliability and Resiliency.WGA Policy Resolution 2018-04, Energy In the WestHouse Energy and Commerce Senate Energy and Natural | | | |
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| Protect state authority to determine the type and amount of new generation facilities and the programs used to procure new generation, recognizing that each state has their own priorities and portfolios. | | |
| Protect state authority to encourage continued operation of existing generation facilities through long-term contracts, retail utility contracting, or other incentives. | | |
| Encourage regional reliability organizations, utilities, state agencies and public utility commissions to assess the provision of essential reliability services under future scenarios that include a changing resource mix in the West. | | |
| Support grid operator situational awareness of distributed energy resources by promoting coordination between utilities and distributed energy resource developers. | | |
| Preserve areas of exclusive state authority regarding distributed energy resources, including storage, and improve utility distribution systems planning for distributed energy resources to enhance grid reliability and resilience. | | |
| Improve understanding of grid resources and services and the need for new power production facilities and transmission/distribution infrastructure through data, analysis, and coordination. | | |
| Prepare for potential disruptions to the grid from wildfires, flooding, earthquakes, tornadoes, cyberattacks and other disturbances and emergencies, as well as increase the grid's ability to withstand and reduce the magnitude of such events. | | |
| Enable utilities to take necessary actions to enhance grid reliability and reduce the threat of wildfires to and from electric transmission and distribution rights-of-way. | | |
| Energy Innovation | WGA Policy Resolution 2018-04, | House Energy and |
| Make the West a leader in energy education, technology development, research, and innovation. | Energy in the West Energy Vision for the West | Commerce House Natural Resources House Science, Space, and Technology |
| Increase the development and use of alternative transportation fuels and vehicles, including the necessary infrastructure for those vehicles. | | |

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| | | Senate Commerce, |
| Encourage innovation and application of energy storage, including pumped hydro storage, battery storage, and compressed air energy storage where cost-effective. | | Science, and Transportation |
| battery storage, and compressed an energy storage where cost-enective. | | Senate Energy and Natural |
| Promote, advance and fund the evolution of new technologies, including carbon capture and advancements in renewable energy. | | Resources |
| Leverage the vast expertise in the West's industry, academic institutions, and national | | |
| laboratories to make the region an international hub for new energy technology research and development, as well as energy education. | | |
| Fund research, development, demonstration, and deployment of advanced energy technologies. | | |
| | | |
| Create public-private research and development partnerships among industry, academia, | | |
| the national labs, and federal agencies to identify promising new technologies, including | | |
| energy efficiency technologies that advance clean energy with reduced environmental impacts. | | |
| Encourage market operators, reliability organizations, and utilities to appropriately share | | |
| electric system operational data with researchers, educators, and entrepreneurs to | | |
| promote electric system innovation and technology development, while still safeguarding against risks to cybersecurity and physical security. | | |
| Encourage training and education in energy-related fields and ensure there is an | | |
| adequate workforce operating under the highest safety standards. | | |
| Facilitate the creation of employment opportunities for displaced energy sector workers. | | |
| State Authority / Energy Development | WGA Policy Resolution 2017-01, | House Energy and |
| | Building a Stronger State-Federal | Commerce |
| Direct DOI, EPA and other federal agencies to work collaboratively with states when | Relationship | House Natural Resources |
| considering regulations that would affect development of oil, natural gas, coal, solar, | | Senate Energy and Natural |
| wind, geothermal or other energy resources on federal land or Indian land. When a state | WGA Policy Resolution 2018-04, | Resources |
| is meeting the minimum requirements of a delegated program, the role of federal | Energy in the West | Senate Environment and |
| agencies should be limited to the provision of funding, technical assistance and research | | Public Works |

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| support. States should be free to develop implementation and enforcement approaches that make sense within their jurisdictions, without intervention by the federal government. | | |
| Financial Assurance Regulation Direct EPA to work collaboratively and substantively with states to determine the necessity of financial assurance regulations for the coal and petroleum products manufacturing, chemical manufacturing, and electricity generation, transmission and distribution industries. | WGA Policy Resolution 2017-06, Financial Assurance Regulation | House Energy and Commerce Senate Environment and Public Works |
| Carbon Capture, Sequestration, and Utilization Increase the awareness of the many benefits of CO2 EOR. Enact federal incentives to increase CO2 supply available for the oil industry to purchase and use in EOR. Federal policies aimed to limit CO2 emissions should: (1) promote, and not impede, development and deployment of CO2 capture and commoditization; and (2) allow states to create programs tailored to individual state needs, industries and economies. Abide by EPA regulations promulgated to ensure the permanent storage of CO2 in different geologic formations. Proactively identify and evaluate opportunities for pipeline corridors to transport industrial and power plant CO2 for beneficial use and permanent storage. | WGA Policy Resolution 2018-07, Enhanced Oil Recovery Letter: Support for the USE IT Act | House Energy and Commerce House Science, Space, and Technology Senate Commerce, Science, and Transportation Senate Environment and Public Works |
| Environment | | |
| State Authority Clarify key enabling statutes such as Clean Air Act, Clean Water Act, RCRA, and CERCLA to better define delegated authority of states. Require the use of state science as a predicate for rulemaking decisions. | WGA Policy Resolution 2017-01, Building a Stronger State-Federal RelationshipWGA Policy Resolution 2017-04, Water Quality in the West | House Energy and Commerce Senate Environment and Public Works |

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| Redundant federal regulation of energy development, transport, and use is not required where sufficient state, territorial, or flag island regulations exist. Existing state authority should not be replaced or impeded by Congress or federal agencies. | WGA Policy Resolution 2018-08: Water Resource Management in the West WGA Policy Resolution 2018-04, Energy in the West | |
| Environmental Review Increase bottom-up coordination among agencies, state and local governments and foster collaboration among diverse stakeholders and project proponents to create efficiency and predictability in the NEPA process. Identify and eliminate inconsistencies in environmental review and analysis across agencies to make the NEPA process more efficient. Allow for existing state environmental review processes to supplement and inform federal | WGA Policy Resolution 2018-15, Modernizing Western Infrastructure Letter: Recommendations for CEQ NEPA Regulation Revisions Letter: Administration's Clarification of One Federal Decision Policy and Section 401 | House Agriculture House Appropriations House Oversight and Government Reform House Energy and Commerce House Natural Resources House Transportation and Infrastructure House Science, Space, and |
| environmental review under NEPA. Encourage joint reviews with the states where possible. Consider and apply peer-reviewed environmental science in a consistent manner across agencies as each undertake their NEPA reviews of different projects' impacts on and contributions to environmental quality. Work directly with states to obtain and use up-to-date state data and analyses as critical sources of information in the NEPA process. Clarify that state, local and tribal governments, as well as their political subdivisions, have unique and critical duties to serve their citizens and should not be considered ordinary | and 404 of the Clean Water Act | Technology Senate Agriculture, Nutrition and Forestry Senate Appropriations Senate Commerce, Science, and Transportation Senate Energy and Natural Resources Senate Environment and |
| "stakeholders" for purposes of the NEPA process. Federal agencies should be required to engage with states and state agencies in early, meaningful, substantive and ongoing consultation. Require federal agencies to promulgate regulations establishing consultation procedures and clarifying states' roles as cooperating agencies, which include the opportunity to review documents and alternatives prior to the public comment period. | | Public Works Senate Homeland Security and Governmental Affairs |

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| Ensure that Environmental Impact Statements (EIS) and Environmental Assessments (EAs) fulfill state environmental review requirements in addition to, but not in conflict with, NEPA and are consistent with state, local, and tribal plans and laws to the maximum extent possible. Where inconsistency or conflict between state and federal requirements necessarily occurs, require federal agencies to include the agency's rationale and the steps taken to mitigate inconsistency or conflict to the maximum extent possible. Require federal agencies to invite all qualified state governmental entities to participate in the NEPA process as cooperating agencies for both EISs and EAs, while providing flexibility | | |
| for those entities to decline the invitation. Provide a standard for, documentation requirements pertaining to, and review of a lead agency's denial of, a request for cooperating agency status. The denial of any bona fide request for cooperating agency status should be accompanied by a clear and thorough explanation from the lead agency denying such request, citing specific factors the agency used in its determination. Such information should be recorded and maintained by the lead federal agency and collected by the Office of Management and Budget. Simplify the definition of cooperating agency and clarify that cooperating agency status extends until an EIS or EA is implemented. | | |
| CERCLA 108(b) Financial Assurance Consult with Western Governors and state regulators prior to determining whether to pursue any CERCLA section 108(b) financial assurance regulations and throughout any | WGA Policy Resolution 2017-06, Financial Assurance Regulation | House Energy and Commerce Senate Environment and Public Works |
| regulatory process instigated by that determination. | EPA CERLCA 108(b) Financial Assurance Requirements Comments I: CERCLA 108(b) Financial Assurance Rule for Hardrock Mining Industry Comments II: CERCLA 108(b) Financial Assurance Rule for Hardrock Mining Industry | |

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| Good Samaritans and Abandoned Mines Legally protect Good Samaritans that cleanup abandoned mines, including local and state government agencies, from becoming legally responsible under Sections 301 and 402 of the CWA for any continuing discharges from the abandoned mine. Support legislation establishing pilot projects to address liability issues for Good Samaritans at individual sites to help pave the way for comprehensive legislation, if comprehensive legislation addressing these issues is not possible in the short term. Develop legislative and administrative remedies to address potential CERCLA and RCRA liabilities for Good Samaritans. Develop remedies for liabilities associated with remining, which deter those best- equipped with technology and expertise from improving conditions at abandoned mines. Ensure the requirements for Good Samaritan project approvals and reviews do not deter cleanups, while still ensuring there are significant measurable environmental gains from the project. States that administer the Clean Water Act and hardrock mining regulatory programs are best suited to determine what entities are eligible for Good Samaritan status and review and determine the adequacy of Good Samaritan reclamation plans. | WGA Policy Resolution 2018-11, Cleaning Up Abandoned Mines in the West | House Energy and Commerce Senate Environment and Public Works |
| Coal Combustion Residuals Encourage safe, beneficial use of CCRs, including for geotechnical and civil engineering purposes, and urge EPA to work with states to promote other beneficial use of CCRs. | WGA Policy Resolution 2017-07,The Regulation of CoalCombustion ResidualsLetter: EPA Coal CombustionResidual Revisions Comments | House Energy and Commerce Senate Environment and Public Works |
| Clean Air Act Recognize state authority under the CAA and accord states sufficient flexibility to create air quality and emissions programs tailored to individual state needs, industries, and economies. | WGA Policy Resolution 2018-05, Air Quality and Methane Emissions Regulation | House Energy and Commerce Senate Environment and Public Works |

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| In reviewing state plans, EPA should focus on the circumstances facing the individual state. EPA should not reject reasonable state policy choices based solely on concerns that such choices might not be appropriate for all states. | Letter: EPA Failure to Consult on the Proposed Affordable Clean Energy Plan | |
| Federal agencies should communicate, consult, and engage with Governors and state air quality agencies as co-regulators. | <u>Testimony: Air Quality Impacts</u> <u>from Wildfire</u> | |
| In the Prevention of Significant Deterioration (PSD) program, EPA should work with states to clarify responsibilities and procedures to improve coordination and consultation among state agencies, EPA, and federal land managers, as well as develop guidelines and tools for the program. | <u>Letter: Additional</u> <u>Recommendations on Air Quality</u> <u>Regulation</u> | |
| Provide financial and technical support for state CAA programs and give EPA sufficient resources to perform the research necessary to develop tools, templates, and guidance for states to implement effective and efficient air programs. | <u>Testimony: Cooperative</u> <u>Federalism in the Clean Air Act</u> <u>Letter: Recommendations on Air</u> Quality Regulation | |
| Ensure that EPA rules and guidance are clear, timely, supported by current science and data, and the results of consultation with states throughout the drafting process before a potential rule or guidance becomes public. | Appropriations Requests Testimony, FY <u>2017</u> , <u>2018</u> and <u>2019</u> | |
| Maintain the deadline for the New Source Performance Standard (NSPS) for wood stoves and its regulations addressing mobile sources. | | |
| Authorize states to reduce monitoring in National Ambient Air Quality Standards maintenance areas that have appropriately demonstrated air quality in the area is below the NAAQS. | | |
| Perform transparent, comprehensive, ongoing research coordinated with state air quality agencies and regional organizations on background, interstate, and international ozone in the West. Provide dedicated funding for analysis of background and transported ozone in the West. | | |
| Streamline the process for exceptional event demonstrations; provide additional technical tools for states, including databases, online submission systems, and a clearinghouse; and allocate resources to review state demonstrations. | | |

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| Recognize the profound impacts of fire and smoke on visibility at Class I areas in the Regional Haze Guidance and Rule; finalize EPA's Draft Regional Haze Guidance as soon as possible; and provide funding and resources to states throughout the regional haze planning and implementation process. Support the use of prescribed fire to reduce the air quality impacts from uncharacteristic wildfire in the West. Give federal and state land managers the ability to use prescribed fires in appropriate conditions and improve existing tools and create additional tools for states to encourage prescribed fire, including a simplified exceptional events guidance for prescribe fire. Recognize that many western states – in cooperation with industry in those states – have already implemented regulatory strategies that reduce methane emissions from oil and gas operations, while expanding the use and sale of methane. In any federal methane regulation: (1) ensure that the capture, commoditization, and sale of methane is promoted; (2) give states the flexibility to integrate a variety of technologies and tools to achieve methane emission reduction standards; (3) recognize methane emissions reductions that result from existing state regulation of volatile organic compounds; and (4) work with states to ensure the consistent use of a single, clear method of quantifying methane emissions. | | |
| Hydraulic Fracturing Redundant federal regulation of energy development, transport, and use is not required where sufficient state, territorial, or flag island regulations exist. Existing state authority should not be replaced or impeded by Congress or federal agencies. Federal efforts to study the potential impacts of hydraulic fracturing on water quality should leverage state knowledge, expertise, policies, and regulations, as well as be limited in scope, based upon sound science, and driven by the states. Western Governors oppose efforts that would diminish the primary and exclusive authority of states over the allocation of water resources necessary for hydraulic fracturing. | WGA Policy Resolution 2018-04, Energy in the WestWGA Policy Resolution 2018-12, Water Quality in the WestComments: Governors Agree with BLM, States are Best Equipped to Regulate Hydraulic FracturingLetter: Input on BLM Proposed rule, Oil and Gas: Hydraulic Fracturing and Federal and Indian lands | House Energy and Commerce Senate Environment and Public Works |

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| Health Care | | |
| Behavioral Health and Substance Use Disorder Improve the quality and quantity of behavioral health services, as these services are essential to reducing suicide rates and treating a range of behavioral health conditions, including substance use disorder. Work toward treating addiction as a chronic illness and work with Western Governors to develop strategies for addressing substance use disorder that work in concert with state efforts and recognize regional variations in substance use disorder patterns. | WGA Policy Resolution 2019-04, Health Care in Western States | House Energy and Commerce House Ways and Means Senate Finance Senate Health, Education, Labor and Pensions |
| Land Management | | |
| Cross-Boundary Projects Identify barriers to cross-boundary projects involving federal, state and private lands. Develop training on state and federal contracting procedures for cross-boundary projects and use Service First authorities. Establish multi-agency pilot projects, which can suggest models for subsequent formal agreements. Target funding from USFS, BLM, NRCS and state sources to address cross-boundary management goals in priority areas consistent with state plans. Codify and direct funding for the Joint Chiefs Landscape Restoration Program to facilitate continued partnership and investment between USFS and NRCS to support restoration projects where federal and private land ownership and management goals intersect. | National Forest and Rangeland Management Initiative June 2017 Special Report | House Agriculture House Natural Resources Senate Agriculture, Nutrition and Forestry Senate Energy and Natura Resources |
| Grazing Improve flexibility and integration of grazing management and targeted grazing as tools to achieve restoration and land management goals. | WGA Policy Resolution 2018-02, Public Lands Grazing | House Natural Resources Senate Energy and Natura Resources |

| Priority | Governors' Policy | Venue |
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| | National Forest and Rangeland | |
| Promote grazing allotment flexibility on federal lands, within FWS and BLM permitting | Management Initiative June 2017 | |
| systems and across ownership boundaries, to respond to changing range conditions and | Special Report | |
| environmental considerations. | | |
| Conservation Flexibility and Funding | National Forest and Rangeland | House Agriculture |
| | Management Initiative June 2017 | House Appropriations |
| Fully fund conservation title programs that provide technical and financial assistance for | Special Report | House Natural Resources |
| forest and rangeland management in partnership with private landowners. | | Senate Agriculture, |
| | | Nutrition and Forestry |
| Take steps to provide greater flexibility in the deployment of conservation title programs | | Senate Appropriations |
| to achieve restoration objectives. | | Senate Energy and Natural |
| | | Resources |
| Restoration | WGA Policy Resolution 2017-10, | House Agriculture |
| | National Forest and Rangeland | House Appropriations |
| Use and expand authorities in the 2014 Farm Bill (Good Neighbor Authority and | Management | House Natural Resources |
| Stewardship Contracting Authority) to increase the pace and scale of forest management | | Senate Agriculture, |
| and restoration on BLM lands. | WGA Policy Resolution 2018-02, | Nutrition and Forestry |
| | Public Lands Grazing | Senate Appropriations |
| Increase flexibility in the GNA program on road construction and reconstruction and | | Senate Energy and Natural |
| create flexibility in allocations of program income to support GNA projects across larger | National Forest and Rangeland | Resources |
| geographies. | Management Initiative June 2017 | |
| | Special Report | |
| Authorize the use of stewardship and GNA funds for recreation improvements and | | |
| restoration planning and implementation. | Appropriations Requests | |
| Even at the use of CNA exponents and other 2014 Form Bill to date onlying all lands | Testimony <u>2016</u> , <u>2017</u> , <u>2018</u> and | |
| Expand the use of GNA agreements and other 2014 Farm Bill tools to achieve all-lands restoration objectives across federal, state, local government and privately-owned lands. | 2019 | |
| restoration objectives across rederal, state, local government and privately-owned lands. | Letter: Coverners' Bespense to | |
| Prioritize restoration activities across all ownershing to create resilient landscence. Where | Letter: Governors' Response to GNA Guidance Letter | |
| Prioritize restoration activities across all ownerships to create resilient landscapes. Where programmatic agreements are already in place, use GNA agreements to address priority | GIVA GUIUAILLE LELLEI | |
| restoration needs. | Letter: Governors' Support for | |
| | Accelerated Implementation of | |
| Explore the use of strike teams, interagency ESA consultation support, and other modular | Forest Management Projects | |
| capacity to accelerate restoration in priority areas, including the expanded use of existing | | |
| statutory authorities. | | |

| Priority | Governors' Policy | Venue |
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| Leverage the use of state, tribal, and local expertise and science in federal environmental review, consultation, and permitting. | | |
| Collaborate with environmental regulators to reduce legislative and regulatory barriers to restoration activities. | | |
| Improve flexibility and integration of grazing management and targeted grazing as tools to achieve restoration and land management goals. | | |
| Codify and fund the USFS State and Private Landscape Scale Restoration Competitive Grant program to prioritize work consistent with state forestry goals and action plans. | | |
| Codify and direct funding for the Joint Chiefs Landscape Restoration Program. | | |
| Modify employee relocation practices to optimize leadership development and longevity. | | |
| Wildfire | WGA Policy Resolution 2017-10, National Forest and Rangeland | House Agriculture House Natural Resources |
| Identify fuels management priorities in consultation with states to focus resources on greatest wildfire threats. | Management | Senate Agriculture, Nutrition and Forestry |
| Improve interagency communication, fire response capability, and coordination, including the sharing of firefighting resources between federal and state agencies. | WGA Policy Resolution 2017-09, Western Agriculture | Senate Energy and Natural Resources |
| Ensure these activities support fire prevention, full suppression strategies and management of wildfire for resource benefits. | WGA Policy Resolution 2018-08: Water Resource Management in the West | |
| Continue to seek opportunities, including revisions to forest plans, to enhance safety and reduce costs in suppression decisions while protecting communities. | National Forest and Rangeland Management Initiative June 2017 | |
| Facilitate the expanded use of prescribed fire. | Special Report | |
| Incentivize local governments to take voluntary actions to support the creation and expansion of fire-adapted communities and resilience. | Letter: State Collaboration in Addressing Rangeland Fire Risk | |
| | Letter: Wildfire Funding Reform | |

| | Governors' Policy | Venue |
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| Provide additional analyses to help communities evaluate the full costs of suppression in the wildland urban interface. | | |
| Address the associated effects of wildfire funding on federal natural resource management capacity, planning and project implementation. Ensure budget actions continue to support state wildfire and forestry capacity, including the USFS State and Private Forestry programs. | | |
| | National Forest and Rangeland Management Initiative June 2017 Special Report | House Agriculture House Natural Resources Senate Agriculture, Nutrition and Forestry Senate Energy and Natural Resources |

| Priority | Governors' Policy | Venue |
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| Build consistency in environmental analysis and bring agency practice in conducting EAs | | |
| more in line with the administrative policy intent of streamlined, summary documents. | | |
| Provide improved analytical tools to evaluate no-action alternatives. | | |
| Alternatives, Significance Thresholds, Extraordinary Circumstances, and Categorical | WGA Policy Resolution 2017-09, | House Agriculture |
| Exclusions (CE) | Western Agriculture | House Natural Resources Senate Agriculture, |
| Provide improved analytical tools no-action alternatives. | National Forest and Rangeland | Nutrition and Forestry |
| | Management Initiative June 2017 | Senate Energy and Natural |
| Allow agencies to analyze only the action and no-action alternatives when a project is | Special Report | Resources |
| collaboratively developed, unless a third alternative is proposed and meets the purpose and need of the project. | | |
| Clarify significance thresholds and Extraordinary Circumstances language for NEPA based | | |
| on best practices and provide, where possible, consistent approaches to interpreting | | |
| these NEPA requirements when agencies and the courts have had conflicting | | |
| interpretations. | | |
| Strengthen Farm Bill Authorities | WGA Policy Resolution 2017-10, | House Agriculture |
| | National Forest and Rangeland | House Natural Resources |
| Expand the use of GNA agreements and other 2014 Farm Bill tools to achieve all-lands | Management | Senate Agriculture, |
| restoration objectives across federal, state, local government and privately-owned lands. | | Nutrition and Forestry |
| Where programmatic agreements are already in place, use GNA agreements to address | WGA Policy Resolution 2017-09, Western Agriculture | Senate Energy and Natural Resources |
| priority restoration needs. | western Agriculture | Resources |
| ······ | National Forest and Rangeland | |
| Create flexibility in allocations of program income to support GNA projects across larger | Management Initiative June 2017 | |
| geographies. | Special Report | |
| Expand use of authorities included in the 2014 Farm Bill to increase the pace and scale of | Letter: Governors' Response to | |
| forest management and restoration on western National Forests and adjacent non- | <u>GNA Guidance Letter</u> | |
| federal lands. | | |
| | Letter: Governors' Support for | |
| Authorize the use of stewardship and GNA funds for recreation improvements and | Accelerated Implementation of | |
| restoration planning and implementation. | Forest Management Projects | |

| Priority | Governors' Policy | Venue |
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| Permanently authorize the insect and disease designation provisions of Section 602 of the 2014 Farm Bill and eliminate project constraints from Section 603 for condition class or fire regimes outside of the wildland-urban interface. | | |
| Allow for a portion (up to five percent) of retained receipts from stewardship contracting to be used for subsequent project planning and analysis. | | |
| Fully fund conservation title programs such as Environmental Quality Incentives Program (EQIP), Conservation Technical Assistance (CTA), Conservation Stewardship Program (CSP), Conservation Reserve Program (CRP), Agricultural Conservation Easement Program (ACEP), and the Regional Conservation Partnership Program (RCPP), that provide technical and financial assistance for forest and rangeland management in partnership with private landowners. Take steps to provide greater flexibility in the deployment of these programs to achieve restoration objectives. | | |
| PILT and SRS Funding Request full funding of PILT and SRS in the Interior Appropriations bill. | WGA Policy Resolution 2017-03, Tax-Exempt Federal Lands and Secure Rural Schools | House Appropriations Senate Appropriations |
| | Appropriations Requests Testimony FY <u>2019</u> | |
| USFS / Insect and Disease Designation Funding Request appropriate funding for USFS I&D projects in the Interior Appropriations bill. | WGA Policy Resolution 2017-10, National Forest and Rangeland Management | House Appropriations Senate Appropriations |
| USDA Specialty Crops Funding | WGA Policy Resolution 2017-09, | House Appropriations |
| Request adequate funding for the USDA Specialty Crop Block Grant Program (SCBGP) that provides critical research, education, and promotion tools to the fruit and vegetable producers in the Agriculture Appropriations bill. | Western Agriculture Appropriations Requests Testimony FY 2019 | Senate Appropriations |

| Priority | Governors' Policy | Venue |
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| Collaboration | WGA Policy Resolution 2017-10, | House Natural Resources |
| | National Forest and Rangeland | Senate Energy and Natural |
| Expand opportunities for state and local collaborative involvement in decision-making | <u>Management</u> | Resources |
| processes. | Notice of Found and Democland | |
| Enable state leadership to reinforce and reward collaboration on USFS and DOI planning | National Forest and Rangeland Management Initiative June 2017 | |
| and projects. | Special Report | |
| | | |
| Leverage the use of state, tribal, and local expertise and science in federal environmental | Appropriations Requests | |
| review, consultation, and permitting. | Testimony <u>2016</u> , <u>2017</u> , <u>2018</u> and | |
| | <u>2019</u> | |
| Reward successful implementation of collaborative projects through increased funding, | | |
| retained-receipt authority, or other capacity to pursue subsequent projects. | Letter: Governors' Response to | |
| Pass legislation such as the 21st Contury Concernation Service Corne Ast to make it | GNA Guidance Letter | |
| Pass legislation, such as the 21st Century Conservation Service Corps Act, to make it easier for young people and veterans to complete quality, cost-effective maintenance and | Letter: Governors' Support for | |
| improvement projects on public and tribal lands and waters across the country. These | Accelerated Implementation of | |
| programs could address the backlogged maintenance needs of land and water | Forest Management Projects | |
| management agencies; enhance outdoor recreation opportunities; improve the | | |
| accessibility of public lands; and respond to wildfires and other natural disasters. | | |
| | | |
| Multiple Use | WGA Policy Resolution 2017-10, | House Natural Resources |
| Establish a balance between multiple uses of public lands as required by federal statutes. | National Forest and Rangeland Management | Senate Energy and Natural Resources |
| Account for local needs and state priorities when evaluating the viability of various uses. | Management | Resources |
| recount for focul needs and state priorities when evaluating the vidently of various uses. | National Forest and Rangeland | |
| | Management Initiative June 2017 | |
| | Special Report | |
| | | |
| | Letter: Western Governors | |
| | Commend House and Senate | |
| | Leaders on Training Support Act | |
| Fuels Management and Reduction | WGA Policy Resolution 2017-10, | House Natural Resources |
| - | National Forest and Rangeland | Senate Energy and Natural |
| | Management | |

| Priority | Governors' Policy | Venue |
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| Identify fuels management priorities in consultation with states to focus resources on greatest wildfire threats. Consult with states in development of a consistent, cross-agency process for identifying and selecting highest priority hazardous fuels projects. Involve states in development and implementation of risk assessment tools for identifying and prioritizing hazardous fuels reductions projects on western NFS lands. Implement tracking measurements to quantify and report acres treated for hazardous fuels reduction as an accomplishment only after an entire project has been completed and the desired condition is achieved. Allow for investment of a portion of hazardous fuels funding on state and private lands commensurate with program funding increases for NFS lands. | Letter: State Collaboration in Addressing Rangeland Fire Risk USFS Inspector General's Report "Forest Service Wildland Fire Activities – Hazardous Fuels Reduction." (July 2016) | |
| Seed Reserves Utilize state expertise to develop a national network for the production and storage of native and non-native seed reserves adequate to meet the West's rehabilitation and restoration needs. Maintain these storage facilities on a 10-year planning horizon. | Letter: Governors' Comments on the 2015-2020 National Seed Strategy for Rehabilitation and Restoration Letter: Secretarial Order 3336: Rangeland Fire Prevention, Management, and Restoration Testimony: Oversight Hearing on Invasive Species | House Natural Resources Senate Energy and Natural Resources |
| State and Local Liaisons Invest in key state and federal liaison positions with decision-making authority to provide better engagement and understanding between state and federal forest, wildlife, and rangeland agencies. | National Forest and Rangeland Management Initiative June 2017 Special Report | House Natural Resources Senate Energy and Natural Resources |

| Priority | Governors' Policy | Venue |
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| Facilitate the participation of local governments by dedicating staff to develop and provide technical assistance and enhance communications across local, tribal, state and federal partners. | | |
| Streamlined Environmental Analysis Pilot Program Create a new pilot program to prioritize landscape-scale, streamlined environmental analysis for restoration projects envisioned over geographies greater than 100,000 acres (using either environmental assessments or environmental impact statements, depending on context and size of the project) in landscapes with demonstrated ecological and economic need and effective existing collaboration among diverse stakeholders. The analysis should be sufficient to allow for project-scale implementation and adaptive management, and should include the following elements: Site descriptions or land allocations that identify locations within the landscape in which specific restoration or maintenance treatments can be used appropriately; Standards and guidelines consistent with the appropriate forest plan and project-level design criteria for projects; Identification of the cumulative impacts of the project; and Provisions allowing for the implementation of project-level actions barring the introduction of new information or unforeseen circumstances. Congress should consider creating a limited and short-term categorical exclusion (CE) under NEPA available to expedite work in these pilot landscapes while environmental analyses are being developed, available for use at the agency's discretion provided the analyses achieve defined progress milestones. | WGA Policy Resolution 2017-09, Western Agriculture National Forest and Rangeland Management Initiative June 2017 Special Report | House Natural Resources Senate Energy and Natural Resources |
| Land Use Planning, USFS Forest Plans and BLM Resource Management Plans (RMPs) Enhance state-federal consultation regarding BLM's planning processes. Federal-state consultation should be substantive, take place on an early and ongoing basis, and involve both Governors and state regulators. RMPs should be developed and amended with meaningful and substantial input from governors and state regulators before they are released for public comment. | WGA Policy Resolution 2017-01, Building a Stronger State-Federal RelationshipNational Forest and Rangeland Management Initiative June 2017 Special Report | House Natural Resources Senate Energy and Natural Resources |

| Priority | Governors' Policy | Venue |
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| Apply Governors' Consistency Reviews to ensure consistency of RMPs with state plans, policies, programs, and processes. | Letter: Lack of Consultation on DOI Proposed Regional Office Boundaries | |
| Maintain the existing appeals process and timelines for Consistency Reviews and provide sufficient time for their completion. | Letter: Governors Encourage Collaboration on BLM Planning | |
| Ensure that the standard for consistency in the RMP process matches the requirement of FLPMA 1712(c)(9). | and Environmental Review | |
| Retain existing minimum public comment time frames and existing requirements for publication of a <i>Federal Register</i> notice at the start of every planning effort, as well as extend these publication requirements to Notices of Intent to prepare EAs as part of RMP | Letter: Governors Request Engagement with BLM on Land Use Planning and NEPA Processes | |
| amendments. Resolve outstanding issues with potential requirements to reinitiate endangered species consultations following the adoption, amendment or revision of an appropriate | Letter: Governors Concerned by Final BLM Planning 2.0 Rule Testimony: BLM Proposed Rule, | |
| management plan. | <u>Resource Management Planning</u> <u>Comments: BLM Proposed Rule,</u> | |
| | Resource Management Planning | |
| | Letter: Request for Extension of Comment Period for BLM Proposed Rule, Resource Management Planning | |
| | Letter: Request for Clarification on Aspects of BLM's Resource Management Planning (Planning 2.0) Initiative | |
| Local Offices and Workforce Give BLM state office directors independent authority to respond to issues that are | WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship | House Natural Resources Senate Energy and Natural Resources |
| unique to individual states. | <u>Actionship</u> | hesources |

| Priority | Governors' Policy | Venue |
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| Modify employee relocation practices to optimize leadership development and longevity. | Letter: Lack of Consultation on | |
| | DOI Proposed Regional Office | |
| | <u>Boundaries</u> | |
| | Letter: Governors Request | |
| | Engagement with BLM on Land | |
| | Use Planning and NEPA Processes | |
| Royalties and Leasing | WGA Policy Resolution 2017-12, | House Natural Resources |
| | States' Share of Royalties and | Senate Energy and Natural |
| Support legislation, regulatory changes, and agency practices that provide transparency | Leasing Revenues from Federal | Resources |
| and certainty, ensure fair value for the American public, and more efficiently administer | Lands and Minerals and States' | |
| the sales and leases of the resources on these federal lands. | Role in Associated Federal Policy | |
| Vegetation Management | WGA Policy Resolution 2017-10, | House Natural Resources |
| 5 5 | National Forest and Rangeland | Senate Energy and Natural |
| Apply clear, coordinated and consistent federal vegetation management practices to | Management | Resources |
| maintain the health of western forests, prevent dangerous and damaging fires, and | | |
| maintain grid reliability. | WGA Policy Resolution 2016-06, | |
| | Wildland Fire Management and | |
| Enable utilities to take necessary vegetation management actions on or adjacent to | Resilient Landscapes | |
| federal transmission rights-of-way without fear of strict liability imposition. | | |
| | WGA Policy Resolution 2018-04, | |
| Direct USFS and other federal land management agencies to work collaboratively with | Energy in the West | |
| states to achieve effective and efficient cross-jurisdictional coordination that enables | | |
| utilities to undertake necessary vegetation management actions on federal transmission | Letter: Support for Expedited | |
| rights-of-way – and to do so without fear of strict liability imposition for necessary | Review of Reintroduced | |
| vegetation management actions taken adjacent to transmission rights-of-way. | Electricity Reliability and Forest | |
| | Protection Act | |
| | Testimony: WGA Advocates for | |
| | Responsible Vegetation | |
| | Management for Electricity Assets | |
| | on Federal Lands | |
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| Priority | Governors' Policy | Venue |
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| National Park Service | WGA Policy Resolution 2016-10, | House Natural Resources |
| | National Parks and the West | Senate Energy and Natural |
| Support legislation to address the \$12 billion maintenance backlog on NPS land. | | Resources |
| Radioactive Waste Management | | |
| Spent Nuclear Fuel and High-level Radioactive Waste | WGA Policy Resolution 2017-05, | House Energy and |
| | Storage and Disposal of | Commerce |
| Work cooperatively with states in implementing a policy to ensure the safe | Radioactive Waste and Spent | Senate Energy and Natural |
| transportation, storage, and disposal of spent fuel and high-level waste. | Nuclear Fuel | Resources |
| | WGA Policy Resolution 2016-03, | |
| | Transportation of Radioactive | |
| | Waste, Radioactive Materials and | |
| | Spent Nuclear Fuel | |
| Interim Storage of Radioactive Waste | WGA Policy Resolution 2017-05, | House Energy and |
| | Storage and Disposal of | Commerce |
| Require the consent of an affected state's Governor before allowing construction of a | Radioactive Waste and Spent | Senate Energy and Natural |
| centralized interim storage facility. | Nuclear Fuel | Resources |
| | WGA Policy Resolution 2016-03, | |
| | Transportation of Radioactive | |
| | Waste, Radioactive Materials and | |
| | Spent Nuclear Fuel | |
| Species Conservation | | |
| State Authority / State Wildlife Data | WGA Policy Resolution 2017-01, | House Appropriations |
| | Building a Stronger State-Federal | Senate Appropriations |
| Promote early, meaningful consultation with states in the promulgation or development | <u>Relationship</u> | |
| of any rules, regulations, directives, or agency action that affects or influences states' | | |
| management of fish, wildlife and habitat under their management jurisdiction. | WGA Policy Resolution 2017-11, | |
| | Species Conservation and the | |
| | Endangered Species Act | |
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| Priority | Governors' Policy | Venue |
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| | WGA Policy Resolution 2017-08, State Wildlife Science, Data and Analysis | |
| | Appropriations Requests Testimony, FY <u>2015</u> , <u>2016</u> , <u>2017</u> , <u>2018</u> and <u>2019</u> | |
| State Authority / ESA Ensure that states are provided the opportunity to be full partners in administering and implementing the ESA, as defined in Section 6(a) of the ESA. | WGA Policy Resolution 2017-11, Species Conservation and the Endangered Species Act | House Appropriations Senate Appropriations |
| Petitions Require petitioners to provide a copy of petitions to affected states so states may provide any existing state data regarding the petitioned species. | WGA Policy Resolution 2017-11, Species Conservation and the Endangered Species ActComments: Streamlining Regulatory Processes and Reducing Regulatory BurdensComments II: Endangered & Threatened Wildlife and Plants; Revisions to the Regulations for PetitionsComments I: Endangered & Threatened Wildlife and Plants; Revisions to the Regulations for PetitionsComments I: Endangered & Threatened Wildlife and Plants; Revisions to the Regulations for Petitions | House Natural Resources Senate Environment and Public Works |
| Concurrent Jurisdiction Clarify or emphasize existing authority under the ESA for states to exercise concurrent jurisdiction with the Services to implement the ESA, including management of threatened species and issuance of Section 10 take permits, if states have the desire and capacity to do so. | WGA Policy Resolution 2017-11, Species Conservation and the Endangered Species Act WGA Species Conservation and the Endangered Species Act | House Natural Resources Senate Environment and Public Works |

| Priority | Governors' Policy | Venue |
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| | Initiative Year Two | |
| | Recommendations | |
| | Comments: Streamlining | |
| | Regulatory Processes and | |
| | Reducing Regulatory Burdens | |
| Recovery | WGA Policy Resolution 2017-11, | House Natural Resources |
| | Species Conservation and the | Senate Environment and |
| Provide states the opportunity to lead and develop recovery teams and, if states decline to develop and lead recovery teams, still seek sufficient participation from states to | Endangered Species Act | Public Works |
| assemble recovery teams. | WGA Species Conservation and | |
| | the Endangered Species Act | |
| | Initiative Year Two | |
| | Recommendations | |
| | Comments: Streamlining | |
| | Regulatory Processes and | |
| | Reducing Regulatory Burdens | |
| Critical Habitat Designations | WGA Policy Resolution 2017-11, | House Natural Resources |
| | Species Conservation and the | Senate Environment and |
| Critical habitat designations should be based on analysis that includes data and scientific information from states included in proposed critical habitat. | Endangered Species Act | Public Works |
| e e e e e e e e e e e e e e e e e e e | Comments: Streamlining | |
| | Regulatory Processes and | |
| | Reducing Regulatory Burdens | |
| | Comments: Implementing | |
| | Changes to the Regulations for | |
| | Designating Critical Habitat | |
| Mitigation Policy | WGA Policy Resolution 2019-03, | House Natural Resources |
| | Compensatory Mitigation | Senate Environment and |
| Develop mitigation requirements and processes that may affect state and private land in coordination with Governors in whose states DOI lands are situated. | MCA Policy Possibilition 2017-01 | Public Works |
| coordination with Governors in whose states DOI Jands are situated. | WGA Policy Resolution 2017-01, Building a Stronger State-Federal | |
| | Relationship | |
| | <u>Nelationship</u> | |

| Priority | Governors' Policy | Venue |
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| Where state compensatory mitigation programs or standards exist, federal agencies | _ | |
| should adopt and implement state-supported compensatory mitigation programs and | WGA Policy Resolution 2017-11, | |
| policies. | Species Conservation and the | |
| | Endangered Species Act | |
| Ensure that federal mitigation policy or programs are consistent with existing state | | |
| mitigation programs or standards where they are in place. | Comments: Endangered Species | |
| | Act Compensatory Mitigation | |
| Federal agencies should consult with states to provide consistency in the use of and | Policy | |
| improve assessment criteria for mitigation goals. Further, mitigation goals should | | |
| establish clear expectations backed by effective assessment criteria. | Letter I: Request for Clarification | |
| | on Secretarial Order 3330 | |
| | | |
| | Letter II: Reiterating Request for | |
| | Clarification on Secretarial Order | |
| | 3330 | |
| Voluntary Conservation | WGA Policy Resolution 2017-11, | House Natural Resources |
| | Species Conservation and the | Senate Environment and |
| Incentivize voluntary conservation actions to preclude the need to list species under the | Endangered Species Act | Public Works |
| ESA. | | |
| | Comments: Streamlining | |
| Support the provision of economic incentives for landowners to participate in voluntary | Regulatory Processes and | |
| conservation efforts. | Reducing Regulatory Burdens | |
| | | |
| | Comments: Policy Regarding | |
| | Voluntary Prelisting Conservation | |
| | Actions | |
| | | |
| Species Status Assessments (SSAs) | WGA Policy Resolution 2017-11, | House Natural Resources |
| | Species Conservation and the | Senate Environment and |
| Give state wildlife agencies a leadership role on SSA teams commensurate with level of | Endangered Species Act | Public Works |
| data and expertise they provide to the process. | | |
| | WGA Species Conservation and | |
| Provide an adequate internal appeal process to challenge the conclusions of an SSA. | the Endangered Species Act | |
| | Initiative Year Two | |
| | Recommendations | |
| | <u>neconinciadions</u> | |
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| Priority | Governors' Policy | Venue |
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| | Comments: Streamlining | |
| | Regulatory Processes and | |
| | Reducing Regulatory Burdens | |
| State Data and Expertise | WGA Policy Resolution 2017-11, | House Natural Resources |
| | Species Conservation and the | Senate Environment and |
| FWS should utilize data and expertise provided by states in conducting status reviews and 12-month findings on petitions for ESA listings. | Endangered Species Act | Public Works |
| | WGA Policy Resolution 2017-08, | |
| Leverage the use of state, tribal, and local expertise and science in federal environmental | State Wildlife Science, Data and | |
| review, consultation, and permitting. | Analysis | |
| | Comments: Streamlining | |
| Recognize that state agencies often have the best available science on species and retain | Regulatory Processes and | |
| primary management jurisdiction over most wildlife on Federal, State and private lands | Reducing Regulatory Burdens | |
| and require that federal agencies utilize state data and analyses as a principal source in | | |
| developing and analyzing science serving as the basis of a regulatory action. | Appropriations Requests | |
| | Testimony, FY <u>2015</u> , <u>2016</u> , <u>2017</u> , | |
| | 2018 and 2019 | |
| | Comments: Use of State Data & | |
| | Expertise in ESA Listing | |
| | Methodology | |
| | Testimony: State Wildlife Data | |
| | National Forest and Rangeland | |
| | Management Initiative June 2017 | |
| | Special Report | |
| | | |
| State Authority / ESA FOIA Exemption | WGA Policy Resolution 2017-08, | House Natural Resources |
| Fundamente anticipate manufale FOIA experience for constants atoms data set of the fordered | State Wildlife Science, Data and | Senate Environment and |
| Explore opportunities to provide FOIA exemptions for sensitive state data used in federal agency science and analysis. | <u>Analysis</u> | Public Works |

| Priority | Governors' Policy | Venue |
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| Consultation Promote early, meaningful consultation with states in the promulgation or development of any rules, regulations, directives, or agency action that affects or influences states' | WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship | House Natural Resources House Transportation and Infrastructure Senate Energy and Natural |
| management or allocation of water resources. | WGA Policy Resolution 2018-08: Water Resource Management in the West | Resources Senate Environment and Public Works |
| | Appropriations Requests Testimony <u>2016</u> , <u>2017</u> , <u>2018</u> and <u>2019</u> | |
| | Comments: WGA Defines Areas for Army Corps of Engineers to Collaborate with States | |
| | Comments: Governors Submit Analysis and Recommendations Regarding WOTUS | |
| | Comments: Notice of Proposed Rulemaking by USACE Regarding <u>"Surplus Water."</u> | |
| | Letter: Governors' Concern Regarding USACE Water Surplus Rule | |
| | <u>Testimony: State Authority over</u> <u>Water Management</u> | |
| | Comments: USFS Groundwater Directive | |
| | Comments: Ski Area Water Rights on Forest Service Lands | |

| Priority | Governors' Policy | Venue |
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| | Comments: Proposed USFS Directive for National Best Management Practices for Water Quality Letter: Concern on USFS Proposed Groundwater Management Directive | |
| Waters of the United States Recognize the authority of states to manage water within their boundaries in any attempts to define the jurisdictional scope of "Waters of the United States" in the Clean Water Act. Respect limits set by Congress and the U.S. Supreme Court in any attempts to define the jurisdictional scope of "Waters of the United States" in the Clean Water Act. | WGA Policy Resolution 2018-08:Water Resource Management in the WestAppropriations Requests Testimony 2016, 2017, 2018 and 2019Comments: WOTUS Rulemaking Federalism Analysis and RecommendationsComments: Final Waters of the United States (WOTUS) Rule Request for Extended Comment Period - Waters of the United States (WOTUS) RuleLetter: Concern Regarding Clean Water Act Jurisdiction Rulemaking | House Transportation and Infrastructure Senate Environment and Public Works |
| Management of Water Resources | WGA Policy Resolution 2018-08, Water Resource Management in the West | House Natural Resources House Transportation and Infrastructure |

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| Expressly, unambiguously, and conspicuously recognize states' primary authority over water management and allocation decisions in all new federal laws, rules, regulations, and guidance documents. Respect limits set by Congress and the U.S. Supreme Court for any definition of "Waters of the United States" in the Clean Water Act and recognize the authority of states to manage water within their boundaries. Recognize states' exclusive authority over the allocation and administration of rights to develop groundwater resources and expressly preclude federal agencies from usurping such authority through rulemakings, regulations, guidance documents, or agency directives. | WGA Policy Resolution 2017-04, Water Quality in the WestAppropriations Requests Testimony, FY 2015, 2016, 2017, 2018 and 2019Comments: WOTUS Rulemaking Federalism Analysis and RecommendationsComments: Final Waters of the United States (WOTUS) Rule Request for Extended Comment Period - Waters of the United States (WOTUS) RuleLetter: Concern Regarding Clean Water Act Jurisdiction RulemakingComments: WGA Defines Areas for Army Corps of Engineers to Collaborate with StatesComments: Notice of Proposed Rulemaking by USACE Regarding "Surplus Water" | Senate Energy and Natural Resources Senate Environment and Public Works |
| Clean Water Act Engage the states as co-regulators and ensure that state water managers have a robust and meaningful voice in the development of any federal rule regarding Clean Water Act jurisdiction. | WGA Policy Resolution 2018-08, Water Resource Management in the WestWGA Policy Resolution 2017-04, Water Quality in the West | House Energy and Commerce House Transportation and Infrastructure Senate Energy and Natural Resources |

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| Allow states to adopt flexible water quality standards and establish total maximum daily loads that are tailored to the specific characteristics of western water bodies, including variances for unique state and local conditions. | Appropriations Requests Testimony, FY 2015, 2016, 2017, 2018 and 2019 | Senate Environment and Public Works |
| Coordinate with states in establishing and, if necessary, modifying any water quality standards under Section 303 of the Clean Water Act to ensure any changes do not unduly interfere with sound existing practices. | <u>Comments: WOTUS Rulemaking</u> <u>Federalism Analysis and</u> <u>Recommendations</u> | |
| Ensure that authority delegated to states under Clean Water Act Section 401 to is preserved. | <u>Comments: Final Waters of the</u> <u>United States (WOTUS) Rule</u> | |
| | Request for Extended Comment Period - Waters of the United States (WOTUS) Rule | |
| | Letter: Concern Regarding Clean Water Act Jurisdiction Rulemaking | |
| Army Corps of Engineers Water Supply Rule | WGA Policy Resolution 2018-08, | House Appropriations |
| Fulfill the expanded procedural rulemaking requirements of Executive Order 13132. Recognize state authority over water management and allocation within their borders – states must not be required to relinquish any of their rights to natural flows of rivers which have been impounded by USACE or any other federal agencies. Define "surplus water" to expressly exclude natural flows (and any quantification of such flows) which would have occurred without the development of federal water projects. | Water Resource Management in the WestLetter: Governors Offer Analysis, Recommendations to Army Corps on Regulation of "Surplus Waters" | House Transportation and Infrastructure Senate Appropriations Senate Environment and Public Works |
| Allow access to divert and appropriate natural flows in USACE reservoir projects and do not charge storage fees to appropriators where such users are making withdrawals of natural flows within USACE reservoirs. | Appropriations Requests Testimony FY 2018 and 2019 | |
| Request that the Appropriations Committee include language in its report on Energy and Water Development affirming that administration of water supply contracts by USACE should not have any negative effect on states' primary authority in the management, allocation, planning, and protection of water resources within their boundaries and | | |

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| noting that the rights of states to access and appropriate such waters must not be precluded by any federal regulations, including the Surplus Waters Rule proposed by the Corps in December 2016. | | |
| Drought Seventeen Bureau of Reclamation states, Hawaii and Alaska are affected by water shortages because of extended drought conditions and infrastructure to assure adequate water supplies. This challenge has both regional and national aspects, including how best to meet the need for efficient infrastructure financing to maintain and enhance adequate water supplies, avert further economic and environmental harm, and maintain food security. The following policy solutions should be considered: Providing incentives for innovative water management policies among states (with federal, tribal and local partners) that preserve states' primacy in water management, recognize state law, and align with the financial, environmental and social values of water to Western citizens today and in the future; Strengthening federal efforts to maintain adequate collection of drought and water data; Coordinating information programs across multiple agencies, enhancing data networks (where appropriate) and facilitating better use of existing information; Promoting greater investment in water infrastructure through tools such as loan guarantees, revolving funds, infrastructure banks, and water trust funds; and Creating a budget neutral federal loan program that will make it possible for Western states, and other concerned public and private entities in western states, to secure financing on reasonable terms to complete important water resources management projects. | WGA Policy Resolution 2018-08, Water Resource Management in the West | House Transportation and Infrastructure Senate Environment and Public Works |
| Drought Forecasting | WGA Policy Resolution 2018-08, | House Science, Space, and |
| Work with states and resource managers to improve predictive and adaptive capabilities for extreme weather variability and related impacts, with a priority on improving sub- | Water Resource Management in the West | Technology |

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| seasonal and seasonal precipitation forecasting capabilities to support water management decision-making. | Letter Supporting Adequate Funding of NIDIS Program | Senate Commerce, Science, and Transportation |
| Pass legislation to reauthorize the National Integrated Drought Information (NIDIS) program under the National Oceanic and Atmospheric Administration. | Letter: Support for Federal Drought Relief legislation | |
| | Letter Supporting Comprehensive Western Drought Legislation Letter Supporting reauthorization of NIDIS program | |
| Federal Water Data Programs Request adequate funding for federal efforts to coordinate water data gathering and information programs, including: (i) U.S. Geologic Survey's Groundwater and Streamflow Information Program; (ii) Natural Resource Conservation Service's Snow Survey and Water Supply Forecasting Program; (iii) National Oceanic and Atmospheric Administration's weather and hydrology-related data collection, monitoring, and drought information programs; and (iv) National Aeronautics and Space Administration's National Land Imaging (Landsat) Program with its infrared sensor. | WGA Policy Resolution 2018-08: Water Resource Management in the West | House Appropriations Senate Appropriations |
| Local Watershed Planning Provide resources such as technical support to states and local watershed groups. States may empower these watershed groups to address local water issues associated with water quality, growth and land management to complement state water needs. | WGA Policy Resolution 2018-08: Water Resource Management in the West | House Natural Resources Senate Environment and Public Works |
| Water Infrastructure Congress should provide adequate support for the CWA and SDWA State Revolving Funds. Further, Congress should fully utilize the receipts accruing to the Reclamation Fund for their intended purpose in the continuing conservation, development and wise use of western resources to meet western water-related needs, including the construction of Congressionally-authorized Bureau of Reclamation rural water projects and facilities that are part of a Congressionally-authorized Indian water rights settlement. | WGA Policy Resolution 2018-08: Water Resource Management in the West | House Transportation and Infrastructure Senate Environment and Public Works |

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| Congress also should consider facilitating greater investment in water infrastructure, utilizing such tools as loan guarantees, revolving funds, infrastructure banks and water trust funds. | | |
| Capital budgeting and asset management principles should be used to determine funding priorities based on long-term sustainability and not annual incremental spending choices. It should be accompanied by dedicated sources of funding with appropriate financing, cost-sharing, pricing and cost recovery policies. | | |
| Water Resources Development Legislation Congress should authorize water resources development legislation on a regular schedule and appropriate funding, so all projects and studies authorized in such legislation can be completed in a timely manner. | WGA Policy Resolution 2018-08: Water Resource Management in the West | House Transportation and Infrastructure Senate Environment and Public Works |
| Water Infrastructure Planning and Permitting Water infrastructure planning and permitting guidelines, rules and regulations should be coordinated, streamlined and sufficiently flexible to: (1) allow for timely decision-making in the design, financing and construction of needed infrastructure; (2) account for regional differences; (3) balance economic and environmental considerations; and (4) minimize the cost of compliance | WGA Policy Resolution 2018-08: Water Resource Management in the West | House Transportation and Infrastructure Senate Environment and Public Works |
| Water Conservation and Efficiency Adopt strategies to sustain water resources and extend existing water supplies further through water conservation, water reuse and recycling, desalination and reclamation of brackish waters, and reductions in per capita water use. The Governors encourage the use of and research into promising water-saving strategies. Technology exists to use produced, reused, recycled and brackish water -sources traditionally considered to be marginal or wastewater. Adoption of this technology has been limited by inadequate data, regulatory obstacles, financial barriers, public attitudes and logistical uncertainties. Encourage use of produced, brackish, and reused water (where appropriate) through regulatory streamlining and development of policy options. | WGA Policy Resolution 2018-08: Water Resource Management in the West | House Transportation and Infrastructure Senate Environment and Public Works |

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| State Authority / CWA | WGA Policy Resolution 2017-04, | House Appropriations |
| | Water Quality in the West | Senate Appropriations |
| Request that the Committee include the following language in its report on Interior | | |
| Appropriations: | | |
| "The Committee directs federal agencies to engage in active and meaningful consultation | | |
| with states regarding any new definitions of federal jurisdiction over state-managed resources such as water." | | |
| USFS / Groundwater | WGA Policy Resolution 2018-08, | House Natural Resources |
| | Water Resource Management in | Senate Energy and Natura |
| Obtain statutory language confirming that states have exclusive authority over the | the West | Resources |
| allocation and administration of rights to groundwater located within their borders and | | |
| are primarily responsible for protecting, managing, and otherwise controlling the resource. | | |
| EPA Water Transfers Rule | WGA Policy Resolution 2018-08, | House Appropriations |
| | Water Resource Management in | Senate Appropriations |
| Request that the Appropriations Committee include language in its Interior report | the West | |
| directing the Environmental Protection Agency to exclude water transfers that do not | | |
| involve the addition of a pollutant from the permitting requirements of the Clean Water | WGA Policy Resolution 2017-04, | |
| Act's National Pollutant Discharge Elimination System (NPDES) and affirming that states already have the authority to address water quality issues associated with transfers. | Water Quality in the West | |
| Snow Survey and Weather Forecasting | WGA Policy Resolution 2018-08: | House Agriculture |
| | Water Resource Management in | House Appropriations |
| Work closely with states and other resource managers to improve predictive and adaptive | the West | House Natural Resources |
| capabilities for extreme weather variability and related impacts. | | Senate Agriculture, |
| | Letter: Importance of Snow | Nutrition and Forestry |
| Coordinate water data gathering and information programs across multiple agencies. | Survey and Water Supply | Senate Appropriations |
| Provide adequate funding for the NRCS Snow Survey and Water Supply Forecasting | Forecasting Program | Senate Energy and Natura |
| Program, as it provides states with vital data in their management of water resources. | | Resources |
| | Appropriations Requests | |
| Request adequate funding for SNOTEL in the Agriculture Appropriations bill. | Testimony FY 2019 | |

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| Education and Workforce Training Fully fund the Career and Technical Education for the 21st Century Act (formerly the Carl D. Perkins Career and Technical Education Act). | WGA Policy Resolution 2018-13 Workforce Development in the Western United States | House Appropriations Senate Appropriations |
| Maintain the 15 percent reserve for statewide activities under the Workforce Innovation and Opportunity Act. | | |
| Training and Education | WGA Policy Resolution 2018-13, Workforce Development in the | House Education and the Workforce |
| Increase student access to short-term education and skills training programs in reauthorization of the Higher Education Act, including through expanding the Pell Grant program to include high-quality short-term training programs leading to industry-recognized credentials. | Western United States WGA Policy Resolution 2019-04, Health Care in Western States | Senate Health, Education, Labor and Pensions |
| Include the College Transparency Act in reauthorization of the Higher Education Act, to adopt and report on earnings, employment and credential attainment metrics by education provider and individual program in a manner that protects student privacy and ensures data security. | | |
| Support and incentivize state, local, and industry-led partnerships to create and scale work-based learning and apprenticeship programs. New federal investments in apprenticeships should align with existing efforts to foster a coherent system with minimal duplication at the federal, state, and local level. | | |
| Examine and implement programs to ensure states have an adequate health care workforce – including in primary care and other in-demand specialties – that is prepared to serve diverse populations in urban, suburban, and rural communities. Support efforts to increase the diversity of the health care workforce to improve health outcomes for all. | | |
| Preclearance Work to complete the negotiation process with foreign countries and add new preclearance-approved international airports as soon as possible. | WGA Policy Resolution 2019-01 Foreign Visitor Preclearance | House Homeland Security Senate Homeland Security and Governmental Affairs |

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| Work with western states to help identify optimal international foreign visitor preclearance airports for future consideration. | | |
| Broadband Examine strategies to improve the accuracy and granularity of federal broadband data, particularly in rural areas. Support federal broadband deployment programs that prioritize assistance for areas that wholly or severely lack access to broadband. Examine strategies to improve coordination and permit streamlining for cross-boundary broadband infrastructure projects. Support innovative technologies, such as TV White Spaces, that have the potential to provide low-cost broadband service to rural communities. Support federal policies that provide adequate spectrum access to support the growth of TV White Spaces technology. | WGA Policy Resolution 2019-04, Health Care in Western StatesLetter: Comments to NTIA on Federal Broadband DataLetter: Rural Utilities Service e- Connectivity Pilot ProgramLetter: Support for TV White Spaces TechnologyAppropriations Requests Testimony FY 2019 | House Agriculture House Energy and Commerce Senate Agriculture, Nutrition and Forestry Senate Commerce, Science and Transportation |
| Infrastructure Coordinate, streamline, and increase the flexibility of infrastructure planning and permitting guidelines, rules, and policies to: (i) allow for timely decision-making in the design, financing, and construction of needed infrastructure; (ii) account for regional differences; (iii) balance economic and environmental considerations; and (iv) minimize costs. Support improved infrastructure permitting and environmental review processes that result in more efficient reviews without shortening timelines for state input and consultation, or compromising natural resource, wildlife, environmental quality or cultural values. Ensure that agencies set, and adhere to, timelines and schedules for completion of reviews and develop improved metrics for tracking and accountability in the federal infrastructure permitting and environmental reviews. | WGA Policy Resolution 2018-15, Modernizing Western InfrastructureWGA Policy Resolution 2015-08, Water Resource Management in the WestLetter: Administration's Clarification of One Federal Decision Policy and Section 401 and 404 of the Clean Water Act | House Transportation and Infrastructure Senate Commerce, Science and Transportation |

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| Avoid shifting costs to states or creating undue or disproportionate impacts to the infrastructure in the West. | | |
| Acknowledge and support the diverse infrastructure needs facing western states in any federal infrastructure financing appropriations. | | |
| Harbor Maintenance Trust Fund | WGA Policy Resolution 2018-06, | House Transportation and |
| | Transportation Infrastructure in | Infrastructure |
| Fully fund the Harbor Maintenance Trust Fund and reform the Harbor Maintenance Tax to ensure Western ports remain competitive. | the Western United States | Senate Environment and Public Works |
| Transportation | WGA Policy Resolution 2018-06, | House Transportation and |
| Brouido additional flovibility to states to determine how and where to deploy investment | Transportation Infrastructure in | Infrastructure Senate Environment and |
| Provide additional flexibility to states to determine how and where to deploy investment to maximize the use of scarce resources. | the Western United States | Public Works |
| Reduce regulation accompanying federal transportation programs by expediting project delivery and streamlining the environmental review process without diminishing environmental standards or safeguards. | | |
| Create and fund a viable, long-term funding mechanism is critical to the maintenance and expansion of our surface transportation network. | | |
| Enhance the ability to leverage scarce resources by creating and enhancing financing mechanisms and tools that are appropriate for all areas of the United States, including those with low traffic densities where tolling and public private partnerships are not feasible. | | |
| Use the historic formula-based approach for the distribution of funds to ensure that both rural and urban states participate in any infrastructure initiative. | | |
| Provide a long-term solution to ensure solvency of the Highway Trust Fund and provide for increased, sustainable federal transportation investment through the fund. | | |

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| Mining Ensure access to the metals that are critical to U.S. economic and national security – providing vital base materials for electronics, telecommunications, satellites, aircraft, manufacturing and alternative energy technologies (particularly wind and solar). Develop a National Minerals Policy that truly enables mineral exploration and development in a manner that balances the nation's industrial and security needs with adequate protection of natural resources and the environment (including long-term effects and potential effects) and addresses permitting delays, patenting, maintenance fees, an equitable government revenue mechanism, and the development of a clean-up fund and program for reclaiming abandoned hard rock mines. Encourage U.S. Department of the Interior and the U.S. Department of Agriculture to take an active role, working with western states, in the development of a National Minerals Policy that recognizes the importance of a domestic supply of minerals for our country. | WGA Policy Resolution 2018-09, National Minerals Policy | House Natural Resources Senate Energy and Natural Resources |
| Wood ProductsExpand opportunities for existing programs and financing to support wood product business development and infrastructure.Encourage collaboration between USFS research and development, state and private forestry, and NFS capacities that support existing and emerging wood products technologies.Encourage appropriate research, development and deployment focused on commercially- ready technologies with high potential to contribute to current and emerging restoration objectives.Better align these capacities with the contributions of states and industry partners and actively pursue public-private partnerships, with the goal of providing sustainable economic development opportunities for rural communities. | WGA Policy Resolution 2017-09, Western Agriculture National Forest and Rangeland Management Initiative June 2017 Special Report | House Natural Resources Senate Energy and Natural Resources |

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| Pass legislation to promote forest and rangeland product markets and technologies, and expand funding for the Community Wood Energy Program. Use program funds to create and incentivize state, federal and tribal partnerships in support of these objectives. | | |
| USDA Market Access and Foreign Market Development Funding | WGA Policy Resolution 2017-09, | House Appropriations |
| | Western Agriculture | Senate Appropriations |
| Support funding for USDA Market Access and Foreign Market Development Programs to | | |
| promote opportunities for western producers to increase export revenues and encourage | Appropriations Requests | |
| trade agreements. | Testimony FY 2019 | |
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List of Acronyms:

- ACIR Advisory Commission on Intergovernmental Relations
- BLM Bureau of Land Management
- CCR Coal Combustion Residual
- CE Categorical Exclusion
- CEQ Council on Environmental Quality
- CERCLA Comprehensive Environmental Response, Compensation, and Liability Act
- DOI Department of the Interior
- EA Environmental Assessment
- EPA Environmental Protection Agency
- ESA Endangered Species Act
- FERC Federal Energy Regulatory Commission
- FLPMA Federal Land Policy and Management Act
- FRRRPA Forest and Rangeland Renewable Resources Planning Act
- FWS Fish and Wildlife Service
- GAO Government Accountability Office
- GNA Good Neighbor Authority
- MUSYA Multiple-Use Sustained Yield Act
- NAAQs National Ambient Air Quality Standards
- NEPA National Environmental Policy Act
- NFS National Forest System
- NFMA National Forest Management Act
- NRCS Natural Resources Conservation Service
- NWRSIA National Wildlife Refuge System Improvement Act

OMB – Office of Management and Budget OIRA – Office of Information and Regulatory Affairs RCRA – Resource Conservation and Recovery Act RMP – Resource Management Plan SMCRA - Surface Mining Control and Reclamation Act SSA – Species Status Assessment USACE – U.S. Army Corps of Engineers USFS – U.S. Forest Service