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May 15, 2017

Justin Clark
Director of Intergovernmental Affairs
The White House
1600 Pennsylvania Avenue N.W.
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Dear Mr. Clark:

President Trump's Executive Order 13777 (E.O.), Enforcing the Regulatory Reform Agenda, requires that federal agencies seek input and assistance from states. Western Governors appreciate this requirement and commend to your attention WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship, as a good starting point for reform of federal regulatory processes.

Western Governors believe that one of the most important and durable reforms the President could undertake is to work with them to realign the relationship of the federal government and states so that it operates as a true partnership. Such realignment could be significantly advanced by a serious effort to redefine state-federal consultation coupled with agency accountability for engagement in that process.

Pursuant to Western Governors' definition of true consultation:

Each Executive department and agency should be required to have a clear and accountable process to provide each state – through its Governor as the top elected official of the state and other representatives of state and local governments as he or she may designate – with *early, meaningful and substantive* input in the development of regulatory policies that have federalism implications. This includes the development, prioritization and implementation of federal environmental statutes, policies, rules, programs, reviews, budgets and strategic planning.

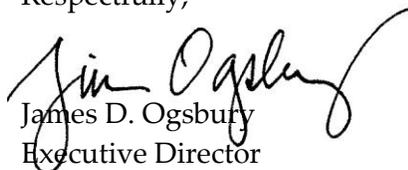
WGA has prepared the attached agency-by-agency menu of reforms for consideration by the White House and various departmental Regulatory Reform Task Forces. These options are informed by Governors' past interactions with federal agencies. We believe they can be useful in initiating realignment of the state-federal relationship, an objective that is consistent with the purposes of the President's E.O.

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Western Governors are excited to work in authentic partnership with the federal government. Governors are optimistic that the new Administration will be eager to unleash the power and creativity of states for the common advantage of our country. By working cooperatively with the states, the Administration can create a legacy of renewed federalism, resulting in a nation that is stronger, more resilient and more united.

We hope this menu of reforms will be a useful resource to the various Regulatory Reform Task Forces. The Western Governors' Association is prepared to help coordinate the participation of Western Governors in this very important effort.

Respectfully,



James D. Ogsbury
Executive Director

Attachment

cc: Honorable Ryan Zinke, Secretary of the Interior
Honorable Sonny Perdue, Secretary of Agriculture
Honorable Scott Pruitt, Administrator, Environmental Protection Agency
Lieutenant General Todd T. Semonite, Commanding General and Chief of Engineers



WESTERN GOVERNORS' ASSOCIATION

Realigning the State-Federal Relationship

Agency-by-Agency Menu of Possible Reforms

This document contains a variety of process improvement recommendations informed by Western Governors' policy resolutions and previous interactions with the Administration and Congress. The Governors' primary priorities for regulatory reform are articulated in [WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship](#).

The document begins with a presentation of cross-cutting recommendations (those impacting more than one agency), followed by agency-specific recommendations. It was developed to as a practical tool for the Executive Branch and Congress as they consider regulatory process improvements.

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
CROSS-CUTTING		
White House Congress	Establish a federalism office in the executive branch - potential models include the U.S. Advisory Commission on Intergovernmental Relations (ACIR) and Council on Environmental Quality (CEQ).	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
White House	Revise Executive Order 13123, <i>Federalism</i> .	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
Congress	Establish a permanent Joint Select Committee on Intergovernmental Relations.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
White House Agencies Congress	Governors have specifically defined “consultation.” Seek opportunities for more meaningful consultation through: agency-specific processes; Executive Branch cross-cutting regulatory efforts (such as those outlined in recent E.O.s); administrative reorganization, and Congressional regulatory reform initiatives.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Letter to Agencies: Executive Order, “Enforcing the Regulatory Reform Agenda”: DOI , USDA , USCOE
Congress	Clarify definitions in key enabling statutes to better define state-federal consultation.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
White House Agencies Congress	Clarify which federal actions trigger the state consultation requirements under E.O. 13132, <i>Federalism</i> . Federal agencies have recently contemplated excluding certain regulatory activities (such as agency procedures, directives development, and handbook or manual updates) from the APA process (see 80 FR 74740, November 30, 2015, RFI Regarding Involving the Public in the Formulation of Forest Service Directives). This would preclude the application of notice and comment requirements to a great deal of regulatory activity and could operate to diminish the role of states in the development of these significant regulatory tools.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Comments: USFS Groundwater Directive

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
White House/ CEQ Congress	Better define “cooperating agency” under NEPA processes.	
White House Agencies Congress	Infrastructure planning and permitting guidelines, rules, and regulations should be coordinated, streamlined, and sufficiently flexible 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 the costs of compliance.	WGA Policy Resolution 2015-08: Water Resource Management in the West
White House Congress	Develop an E.O. or legislation that: ensures a more focused and streamlined federal approach to invasive species issues and that promotes greater coordination, collaboration, and communication with states and Pacific islands; and provides for greater transparency of invasive species data and management decisions.	WGA Policy Resolution 2016-05, Combating Invasive Species Letter: Concern regarding invasive species management Testimony: Oversight Hearing on Invasive Species Letter: Recommendations for state experts for Invasive Species Advisory Council
White House Congress	<p>Require agencies to develop step-by-step internal guidelines on compliance with the preemption provisions of the Federalism E.O.; and</p> <p>Require internal oversight procedure by which agency scrutinizes potential preemptions of state authority.</p>	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
White House Congress	Require OMB/OIRA to update directions to agencies "federalism official" designations and "consultation plans." These directions should describe how agencies identify policies with federalism implications and the procedures agencies will use to ensure meaningful and timely consultation with states. Make consultations plans and contact information for designated federalism officials publicly available.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
White House	Improve preemption and federalism review requirements in OIRA's "A-4 Circular" checklist.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
Congress	Strengthen existing statutory savings clauses and incorporate savings clauses in new legislation as opportunities arise.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
Congress	Request a GAO analysis of how often federalism reviews occur in key agencies and what they include.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
Congress	Seek mandatory use of state data and expertise, subject to existing state requirements for data protection and transparency.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act WGA Policy Resolution 2014-14, State Wildlife Science, Data and Analysis Appropriations Requests Testimony, FY 2015 , 2016 , 2017

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
Congress	Require agencies to assure state participation in relevant federal science boards by requiring the selection of state scientists to serve on science-based groups informing federal regulation (e.g. EPA Science Advisory Board panels).	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship Appropriations Requests Testimony, FY 2015
White House Agencies Congress	Seek mandatory use of a refined model for federal land management agencies' economic impact and cost/benefit analyses designed in conjunction with affected states and counties.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
White House Agencies Congress	Require agencies to share assumptions supporting federalism assessment impact analyses. (n.b. In a previous CERCLA 108(b) federalism assessment process, EPA refused to share assumptions or modeling information with states. See details here.)	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
DEPARTMENT OF AGRICULTURE		
United States Forest Service (USFS)		
Congress	Clarify definitions in key enabling statutes such as NFMA, MUSYA, and FRRRPA to better define state-federal consultation.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
White House Agencies	Consult with states in a meaningful way prior to proposing directives or rules affecting states' management and allocation of water resources.	WGA Policy Resolution 2015-08: Water Resource Management in the West

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	<p>(n.b. USFS previously contemplated excluding certain regulatory activities (such as agency procedures, directives development, and handbook or manual updates) from the APA process [see 80 FR 74740, November 30, 2015, RFI Regarding Involving the Public in the Formulation of Forest Service Directives]. This would preclude the application of notice and comment requirements to a great deal of regulatory activity and could diminish the role of states in the development of these significant regulatory tools.)</p>	<p>WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship</p> <p>Appropriations Requests Testimony, FY 2016, 2017</p> <p>Testimony: State Authority over Water Management</p> <p>Comments: USFS Groundwater Directive</p> <p>Letter: Concern on USFS Proposed Groundwater Management Directive</p> <p>Comments: Ski Area Water Rights on Forest Service Lands</p> <p>Comments: Proposed USFS Directive for National Best Management Practices for Water Quality</p>
<p>White House/ CEQ</p> <p>Agencies</p>	<p>Increase state-federal coordination to complete the siting and permitting of electricity transmission across federal lands within three years of submission of a completed application.</p> <p>Include meaningful state consultation as a required component of the west-wide energy corridor designation process under section 368 of the Energy Policy Act of 2005.</p>	<p>WGA Policy Resolution 2016-09: Energy and Transmission</p> <p>Comments: The first iteration of DOE's Quadrennial Energy Review</p> <p>Comments: DOE Integrated, Interagency Pre-Application Process proposal</p> <p>Comments: DOE Integrated, Interagency Pre-application Process proposal</p> <p>Letter: Western states' need for substantial state role in Section 368 energy corridor designation process</p> <p>WGA Policy Resolution 2016-09: Energy and Transmission</p>

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
		<p>Letter: Request for substantive partnership in Section 368 energy corridor designation process</p> <p>Letter: Offer to work with federal agencies on western energy Section 368 corridors</p>
White House Agencies	<p>Consult with states in development of a consistent, cross-agency process for identifying and selecting highest priority hazardous fuels projects.</p> <p>Involve states in development and implementation of risk assessment tools for identifying and prioritizing hazardous fuels reductions projects on western NFS lands.</p> <p>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.</p>	<p>USFS Inspector General's Report "Forest Service Wildland Fire Activities – Hazardous Fuels Reduction." (July, 2016)</p>
White House Agencies	<p>Federal statutes require federal land management agencies to establish a balance between multiple uses of public lands. Take steps to account for local needs and state priorities when evaluating the viability of various uses.</p>	<p>WGA Policy Resolution 2016-01 National Forest and Rangeland Management</p> <p>WGA National Forest and Rangeland Management Initiative</p>
Agencies	<p>Expand use of authorities included in the 2014 Farm Bill to increase the pace and scale of forest management and restoration on western National Forests and adjacent non-federal lands; Expand opportunities for state and local collaborative involvement in decision-making processes.</p>	<p>2016-01 National Forest and Rangeland Management</p> <p>Appropriations Requests Testimony, FY 2016, 2017</p> <p>Letter: Support for accelerated implementation of forest management projects</p>

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	<p>Target funding from USFS, BLM, NRCS and state sources to address cross-boundary management goals in priority areas consistent with state forest action plans. Increase training of state, tribal, and other partners in USFS analysis, administration, and business practices to facilitate interagency implementation of cross-boundary projects.</p> <p>Enable State leadership to reinforce and reward collaboration on USFS and DOI planning and projects.</p>	
Agencies	Identify fuels management priorities in consultation with states to focus resources on greatest wildfire threats.	<p>2014-10 Regional Wildfire Fighting Resources</p> <p>Letter: State collaboration in addressing rangeland fire risk</p>
DEPARTMENT OF COMMERCE		
National Marine Fisheries Service (NMFS)		
	Provide regulatory and statutory avenues to implement forthcoming recommendations produced by the Western Governors' Species Conservation and ESA Initiative.	WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act
	Require petitioners to provide a copy of petitions to affected state(s) so states may provide any existing state data regarding the petitioned species.	<p>WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act</p> <p>Comments: Endangered & Threatened Wildlife and Plants; Revisions to the Regulations for Petitions</p>
	Limit critical habitat designations for broadly distributed species to only the area deemed necessary by the best available science. Critical habitat designations should be based on analysis that	WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	includes data and scientific information from states included in proposed critical habitat. Engage states as full partners in critical habitat designations, especially when federal agencies intend to rely on the precautionary principle, coupled with the use of long-term modeling and forecasting.	Comments: Implementing Changes to the Regulations for Designating Critical Habitat
	Utilize data and expertise provided by states in conducting status reviews and 12-month findings on petitions for listing species under the ESA.	WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act Comments: Use of State Data & Expertise in ESA Listing Methodology
National Oceanic and Atmospheric Administration (NOAA)		
	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-seasonal and seasonal precipitation forecasting capabilities to support water management decision-making.	WGA Policy Resolution 2015-08, Water Resource Management in the West Letter: Support for federal drought relief legislation
DEPARTMENT OF DEFENSE		
United States Army Corps of Engineers (USACE)		
	Promote early, meaningful consultation with states in the promulgation or development of any rules, regulations, directives, or agency action that affects or influences states' management or allocation of water resources, including "surplus" water supplies in USACE reservoirs or water storage projects.	WGA Policy Resolution 2015-08, Water Resource Management in the West Letter: Concern regarding U.S. Army Corps of Engineers water surplus rule

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	Any attempts to define the jurisdictional scope of "Waters of the United States" in the Clean Water Act must respect limits set by Congress and the U.S. Supreme Court, recognizing the authority of states to manage water within their boundaries.	WGA Policy Resolution 2015-08, Water Resource Management in the West Appropriations Requests Testimony, FY 2015 , 2016 , 2017 Comments: Final Waters of the United States (WOTUS) Rule Request for Extended Comment Period - Waters of the United States (WOTUS) Rule Letter: Concern regarding Clean Water Act jurisdiction rulemaking
DEPARTMENT OF ENERGY		
	Work cooperatively with states in implementing a policy to ensure the safe transportation, storage, and disposal of spent fuel and high-level waste.	WGA Policy Resolution 2016-03: Transportation of Radioactive Waste, Radioactive Materials and Spent Nuclear Fuel 2017-05 Storage and Disposal of Radioactive Waste and Spent Nuclear Fuel
	Require consent of an affected state's Governor before allowing construction of a centralized interim storage facility.	WGA Policy Resolution 2016-03: Transportation of Radioactive Waste, Radioactive Materials and Spent Nuclear Fuel WGA Policy Resolution 2017-05 Storage and Disposal of Radioactive Waste and Spent Nuclear Fuel

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	<p>Increase state-federal coordination to complete the siting and permitting of electricity transmission across federal lands within three years of submission of a completed application.</p> <p>Include meaningful state consultation as a required component of the west-wide energy corridor designation process under section 368 of the Energy Policy Act of 2005.</p>	<p>WGA Policy Resolution 2016-09: Energy and Transmission</p> <p>Comments: The first iteration of DOE's Quadrennial Energy Review</p> <p>Comments: DOE Integrated, Interagency Pre-Application Process proposal</p> <p>Comments: DOE Integrated, Interagency Pre-application Process proposal</p> <p>Letter: Western states' need for substantial state role in Section 368 energy corridor designation process</p> <p>WGA Policy Resolution 2016-09: Energy and Transmission</p> <p>Letter: Request for substantive partnership in Section 368 energy corridor designation process</p> <p>Letter: Offer to work with federal agencies on western energy Section 368 corridors</p>
FEDERAL ENERGY REGULATORY COMMISSION		
	<p>Existing state hydropower licensing authorities should not be replaced or in any way impeded by FERC jurisdiction.</p>	<p>WGA Policy Resolution 2016-09: Energy and Transmission</p> <p>Letter: Hydropower facility licensing authorities</p> <p>Comments: The feasibility of a two-year licensing process for small hydropower projects</p>

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
ENVIRONMENTAL PROTECTION AGENCY		
	Clarify key enabling statutes such as CAA, CWA, RCRA, CERCLA to better define delegated authority of states.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
	<p>Use of state science should be a predicate for rulemaking decisions.</p> <p>Enhance state representation on the Science Advisory Board (SAB), as well as on it standing and <i>ad hoc</i> committees. State participation should constitute no less than 10% of the membership of SAB committees, subcommittees, and subject matter panels.</p>	<p>WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship</p> <p>Appropriations Requests Testimony, FY 2015</p>
	Consult with Western Governors and state regulators prior to determining whether to pursue any CERCLA section 108(b) financial assurance regulations. In the event EPA opts to pursue regulation of any industry subject to such regulation, it should enter substantive pre-publication consultation with Western Governors and state regulators.	<p>WGA Policy Resolution 2017-06: Financial Assurance Regulation</p> <p>Comments: CERCLA 108(b) financial assurance rule for hardrock mining industry</p> <p>Letter: Concerns over potential EPA CERLCA 108(b) financial assurance requirements</p>
	<p>Recognize state authority under the Clean Air Act.</p> <p>Ensure that newly promulgated rules are drafted and issued, where appropriate, in coordination with existing regulations, considering elements and requirements common to both.</p> <p>Provide states and local entities with adequate support and</p>	<p>WGA Policy Resolution 2014-13: State Clean Air Act Authority and Air Quality Regulation</p> <p>Appropriations Requests Testimony, FY 2017</p> <p>Letter: Concern over pending revision to Exceptional Events Rule, given reduced ground-level ozone NAAQS</p>

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	<p>technical assistance to help them comply with regulations promulgated under the CAA.</p> <p>Collaborate with states to identify priority areas and focus on programs that provide the greatest benefit to air quality.</p> <p>Adhere closely to the timelines in the CAA.</p> <p>Recognize and account for unique circumstances of individual states. Avoid one-size-fits-all rulemakings (exceptional events and ozone example).</p> <p>Complete and publish timely guidance for state use in connection with implementation of the 2015 revised National Ambient Air Quality Standard for ground-level ozone.</p> <p>Avoid duplication of state programs. Permit states to create programs tailored to individual state needs, industries, and economies. Engage states as co-regulators (e.g. with respect to methane emissions).</p> <p>Provide those states with delegated authority timely implementation guidance when new and revised regulations are published.</p>	<p>Comments: Proposed reduction to ground-level ozone NAAQS</p> <p>WGA Policy Resolution 2015-02: Methane Emissions Regulation</p>
	<p>Expressly, unambiguously, and conspicuously recognize states' primary authority over water management and allocation decisions in all new federal laws, rules, regulations, and guidance documents.</p> <p>Any definition of "Waters of the United States" in the Clean Water Act must respect limits set by Congress and the U.S. Supreme</p>	<p>WGA Policy Resolution 2015-08: Water Resource Management in the West</p> <p>Appropriations Requests Testimony, FY 2015, 2016, 2017</p> <p>Comments: Final Waters of the United States (WOTUS) Rule</p>

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	<p>Court, recognizing the authority of states to manage water within their boundaries.</p> <p>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.</p>	<p>Request for Extended Comment Period - Waters of the United States (WOTUS) Rule</p> <p>Letter: Request for Waters of the United States (WOTUS) Rule Comment Period Extension</p> <p>WGA Policy Resolution 2017-04: Water Quality in the West</p> <p>Appropriations Requests Testimony, FY 2016, 2017</p>
	<p>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 CWA jurisdiction, particularly in the early stages of development and before any irreversible momentum precludes effective state participation.</p> <p>Allow states to adopt flexible water quality standards and establish total maximum daily loads (TMDLs) that are tailored to the specific characteristics of western water bodies, including variances for unique state and local conditions.</p> <p>Directly coordinate with states in establishing and, if necessary, modifying any water quality standards under Section 303 of the CWA; EPA should document the need for any new requirements and ensure they do not unduly interfere with sound existing practices.</p>	<p>WGA Policy Resolution 2017-04: Water Quality in the West</p> <p>Appropriations Requests Testimony, FY 2015, 2016, 2017</p> <p>Comments: Final Waters of the United States (WOTUS) Rule</p> <p>Request for Extended Comment Period - Waters of the United States (WOTUS) Rule</p> <p>Letter: Request for Waters of the United States (WOTUS) Rule Comment Period Extension</p> <p>Letter: Concern regarding Clean Water Act jurisdiction rulemaking</p>
DEPARTMENT OF HOMELAND SECURITY		

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
Federal Emergency Management Agency (FEMA)		
	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 2015-04: Federal Disaster Recovery Assistance for Communities in the West
DEPARTMENT OF THE INTERIOR		
	Clarify definitions in key enabling statutes (such as FLMPA and NWRSA) to better define state-federal consultation.	WGA Policy Resolution 2017-01, Building a Stronger State-Federal Relationship
Bureau of Land Management (BLM)		
	<p>Enhance state-federal consultation regarding BLM's planning processes.</p> <p>Resource Management Plans (RMPs) should be developed and amended in coordination with Governors. These foundational documents should be developed with meaningful and substantial input from governors and state regulators before they are released for public comment.</p> <ul style="list-style-type: none"> • Provide sufficient time for completion of Governors' Consistency Reviews; • Governors' Consistency Reviews should be applied to ensure consistency of RMPs with state policies, programs and processes – as well as various types of state plans (e.g. 	<p>WGA Policy Resolution 2017-01: Building a Stronger State-Federal Relationship</p> <p>Letter: Governors concerned by final BLM Planning 2.0 Rule</p> <p>Testimony: BLM proposed rule, Resource Management Planning</p> <p>Testimony: BLM proposed rule, Resource Management Planning</p> <p>Comments: BLM proposed rule, Resource Management Planning</p>

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	<p>State Wildlife Action Plans) and multi-state agreements – in addition to officially adopted state land use plans;</p> <ul style="list-style-type: none"> • Maintain the existing appeals process (and associated timelines) for Governors’ Consistency Reviews; and • Ensure that the standard for consistency in the resource management planning process matches the requirement of FLPMA 1712(c)(9). <p>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.</p> <p>Federal-state consultation should be substantive, take place on an early and ongoing basis, and involve both Governors and state regulators.</p> <p>Retain existing minimum public comment period timeframes. Any process that reduces BLM’s responsibility to actively inform the public of its actions represents a retreat from openness and transparency.</p> <p>Retain existing requirements for publication of a Federal Register notice at the start of every planning effort. These publication requirements should also apply to Notices of Intent to prepare environmental assessments as part of RMP amendments.</p>	<p>Letter: Request for extension of comment period for BLM proposed rule, Resource Management Planning</p> <p>Letter: Request for clarification on aspect of BLM’s Planning 2.0 Initiative</p>
	<p>Most Western states have a BLM office that coordinates and directs agency activity in that state. State directors need to be</p>	

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	given independent authority to respond to issues that are unique to individual states.	
	FLPMA requires BLM to establish a balance between multiple uses of public lands. Take steps to account for local needs and state priorities when evaluating the viability of various uses.	
	Use authorities in the 2014 Farm Bill (Good Neighbor Authority and Stewardship Contracting Authority) to increase the pace and scale of forest management and restoration on BLM lands.	2016-01 National Forest and Rangeland Management Appropriations Requests Testimony, FY 2016, 2017 Letter: Support for accelerated implementation of forest management projects
	<p>Develop mitigation requirements and processes that may affect state and private land in cooperation with the Governors in whose states DOI lands are situated. Clearly define and predictably implement those requirements and processes so proper and reasonable mitigation can be incorporated in project planning.</p> <p>Revise BLM Mitigation Policy to better define key terms.</p>	WGA Policy Resolution 2017-01: Building a Stronger State-Federal Relationship Letter: Request for clarification on Secretarial Order 3330, Improving Mitigation Policies and Practices of the Department of the Interior Letter: Reiterating request for clarification on Secretarial Order 3330 Letter: Governors request Interior establish preference for state-based mitigation programs
	In any methane regulation, ensure that the capture, commoditization and sale of methane is promoted and that states remain empowered able to create programs tailored to individual state needs, industries, and economies.	WGA Policy Resolution 2015-02: Methane Emissions Regulation

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
		<p>Comments: BLM should defer to state regulations for BLM proposed rule on methane reduction from oil and gas sector</p> <p>Letter: Request for extension of comment period for BLM proposed rule for methane reduction from oil and gas sector</p> <p>Letter: Urging state consultation on BLM's methane rule</p>
	<p>Recognize that the states, territories, and flag islands have regulated the practice of hydraulic fracturing for decades and redundant federal regulation is not required where sufficient state regulations exist.</p>	<p>WGA Policy Resolution 2016-09: Energy and Transmission</p> <p>Letter: Input on BLM proposed rule, Oil and Gas: Hydraulic Fracturing and Federal and Indian lands</p>
	<p>Improve state-federal coordination to complete the siting and permitting of electricity transmission across federal lands within three years of submission of a completed application.</p> <p>Include meaningful state consultation as a required component of the west-wide energy corridor designation process under section 368 of the Energy Policy Act of 2005.</p>	<p>WGA Policy Resolution 2016-09: Energy and Transmission</p> <p>Letter: Western states' need for substantial state role in Section 368 energy corridor designation process</p> <p>Letter: Support for Presidential Memo Transforming our Nation's Electric Grid through Improved Siting, Permitting and Review</p> <p>Letter: Support for the Senate's BLM Permit Processing Improvement Act of 2014</p> <p>Letter: Support for reauthorization of the Federal Permit Streamlining Pilot Project</p> <p>Letter: Western states' need for substantial state role in Section 368 energy corridor designation process</p>

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
		<p>Letter: Request for substantive partnership in Section 368 energy corridor designation process</p> <p>Letter: Offer to work with federal agencies on western energy Section 368 corridors</p>
	Provide states a forum to advise DOI on federal mineral leasing royalty policy (such as through reestablishment of the Royalty Policy Committee).	WGA Policy Resolution 2017-12: States' Share of Royalties and Leasing Revenues from Federal Lands and Minerals and States' Role in Associated Federal Policy
	Identify fuels management priorities in consultation with states to focus resources on greatest wildfire threats.	WGA Policy Resolution 2014-10 Regional Wildfire Fighting Resources
U.S. Fish and Wildlife Service (FWS)		
	Provide regulatory and statutory avenues to implement recommendations produced by the Western Governors' Species Conservation and ESA Initiative.	WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act
	<p>Consult with Governors and state regulators to clarify landscape-scale compensatory mitigation and define "net conservation gain."</p> <p>Develop mitigation requirements and processes in cooperation with Governors in whose states DOI lands are situated. Clearly define and predictably implement those requirements and processes to ensure proper and reasonable mitigation is incorporated in project planning.</p>	<p>WGA Policy Resolution 2017-01: Building a Stronger State-Federal Relationship</p> <p>WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act</p> <p>Comments: Endangered Species Act Compensatory Mitigation Policy</p>

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	Mitigation requirements having the potential to impact state and private land must be developed in coordination with Governors.	Letter: Request for clarification on Secretarial Order 3330, Improving Mitigation Policies Letter: Request for clarification on Secretarial Order 3330, Improving Mitigation Policies and Practices of the Department of the Interior Letter: Reiterating request for clarification on Secretarial Order 3330 Comments: Proposed Revisions to the U.S. Fish and Wildlife Service Mitigation Policy
	Require petitioners to provide a copy of the petitions to affected state(s) so states may provide any existing state data regarding the petitioned species.	WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act Comments: Endangered & Threatened Wildlife and Plants; Revisions to the Regulations for Petitions
	Incentivize voluntary conservation actions in order to preclude the need to list species under the ESA. Support the provision of economic incentives for landowners to participate in voluntary conservation efforts. Consult with Governors to promote proper implementation of FWS policy on Voluntary Prelisting Conservation Actions.	WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act Comments: Policy Regarding Voluntary Prelisting Conservation Actions
	Limit critical habitat designations for broadly distributed species to only the area deemed necessary by the best available science. Use scientific information and analysis from states to inform critical habitat designations. Engage states as full partners in critical habitat designation, especially when federal agencies	WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act 2016-08: Species Conservation and the Endangered Species Act.

Entity	Description of Reform	Nexus to Governors' Policy Resolutions
	intend to rely on the precautionary principle, coupled with the use of long-term modeling and forecasting.	
	The Services should utilize data and expertise provided by states in conducting status reviews and 12-month findings on petitions for listing species under the ESA.	WGA Policy Resolution 2016-08, Species Conservation and the Endangered Species Act WGA Policy Resolution 2014-14, State Wildlife Science, Data and Analysis Comments: Use of State Data & Expertise in ESA Listing Methodology Testimony: State Wildlife Data Appropriations Requests Testimony, FY 2015 , 2016 , 2017