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September 22, 2025

The Honorable Dusty Johnson  
Chair  
Subcommittee on Commodity Markets,  
Digital Assets, and Rural Development  
Committee on Agriculture  
House of Representatives  
1301 Longworth House Office Building  
Washington, DC 20515

The Honorable Don Davis  
Ranking Member  
Subcommittee on Commodity Markets,  
Digital Assets, and Rural Development  
Committee on Agriculture  
House of Representatives  
1010 Longworth House Office Building  
Washington, DC 20515

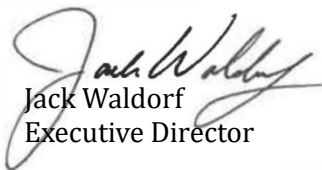
Dear Chair Johnson and Ranking Member Davis:

In light of the Subcommittee's September 18, 2025, hearing, USDA's Rural Development: Delivering Vital Programs and Services to Rural America, attached please find Western Governors' Association (WGA) policy resolutions 2023-06, Rural Development; 2023-07, Broadband Connectivity; 2024-09, Water Quality in the West; and 2025-01, Energy in the West. The resolutions contain Western Governors' recommendations for improving U.S. Department of Agriculture Rural Development program delivery and highlight specific rural development programs that are important to western communities.

I request that you include this document in the permanent record of the hearing, as it articulates Western Governors' collective and bipartisan policy on this important issue.

Thank you for your consideration of this request. Please contact me if you have any questions or require further information.

Sincerely,

  
Jack Waldorf  
Executive Director

Attachments



## Policy Resolution 2023-06 Rural Development

### A. **BACKGROUND**

Vibrant and prosperous rural communities are essential components of western states and the nation. Rural communities in the West grow and supply food, steward natural resources, contribute disproportionately to the armed services, and are critical to state economies. These communities are often richly diverse and face varying threats and opportunities, although they do share some common challenges – including low population density, distance from urban centers, and capacity constraints – that are more pronounced than in other regions and are frequently not reflected in the design of federal programs.

The COVID-19 pandemic and the rise of virtual systems such as telework, distance learning, and telehealth have transformed migration trends and the ways in which people live, work, and learn. However, these common challenges continue to hinder the delivery of services, connectivity, and economic development across the rural West. The planning and management processes required to implement solutions and to access and deploy federal funding to address such challenges are increasingly complex, compounding disinvestment over time and increasing geographic inequities.

### B. **GOVERNORS' POLICY STATEMENT**

1. Western Governors believe that strengthening social infrastructure in rural communities is the best strategy to ensure rural quality of life and prosperity. Congress and federal agencies should increase the proportion of rural economic development and infrastructure funding that goes toward capacity-building, particularly for U.S. Department of Agriculture (USDA) Rural Development programs, and Congress should allow agencies to negotiate the percentage of financial versus technical assistance within appropriations. Western Governors call for ample and consistent federal funding and consistent regulatory requirements across agencies for institutions, training, and technical assistance so that state and local governments, nonprofit organizations, and associations can assist communities in applying for and managing funding. Robust social infrastructure is fundamental to economic and community development and maximizes the impact of state and federal resources.
2. Criteria used to define rural and underserved communities vary at the federal level. Western Governors encourage federal agencies to be consistent in these definitions, and to consider the unique characteristics of the West and use the best data available to make program eligibility determinations.
3. Western Governors believe that many federal programs for rural development and distressed communities include unintended barriers for rural individuals and entities that need assistance most. Western Governors urge federal agencies to work with states to: thoroughly evaluate program requirements; identify barriers for rural applicants; and revise onerous requirements in a manner that recognizes the limited resources and capacity of rural applicants. In particular, Western Governors are concerned by:

- a. Scoring criteria that relate to numerical size and impact, such as the number of jobs created or the number of people served, which disadvantage small and isolated communities;
  - b. Requirements that applicants partner with other institutions like community colleges or foundations, which may not operate in the rural community seeking assistance;
  - c. Financial match or cash-on-hand requirements that rural organizations cannot meet;
  - d. Overly complicated or technical applications that deter rural customers from applying;
  - e. The use of median household income to determine program eligibility, particularly in coal, hard-rock mining, oil and gas, and power plant communities; and
  - f. Low administrative allowances that hinder communities from hiring qualified staff to cover the amount of territory and comply with federal regulatory requirements.
- 4. Western Governors also urge federal agencies to use state data for eligibility determinations when requested by states. States often have more up-to-date and granular data for rural communities than federal sources.
- 5. Western Governors recognize and support efforts at the federal and state level to coordinate the deployment of resources, leverage funding, and create one-stop application processes for rural customers. Western Governors are interested in exploring strategies to expand those models to include more funders and further enhance coordination between agencies and between states and the federal government.
- 6. Western Governors believe that changes in our economy, labor force, and technological innovations require fundamental changes and new approaches to economic development strategies. Western Governors promote and are dedicated to sharing rural development policies that focus on quality of life, the support of small businesses and entrepreneurs, and economic diversification, spurred by federal incentives for innovation. This will develop rural communities that are attractive places to live and work while protecting their rural character, natural resource-based industries, and natural areas.
- 7. Western Governors are eager to work with public universities, community colleges, and the business community to expand opportunities for young people to stay in their rural communities. There is a high demand for skilled workers in rural communities and states and territories should work together on regional solutions that provide the appropriate training and skills for the jobs that are available in rural communities where possible. Western Governors are also committed to increasing employment among veterans, people with disabilities, and historically disadvantaged communities in the rural West.
- 8. To address lower labor force participation in rural areas, Western Governors recommend that the federal government: invest in education and training programs that are tailored to the needs of rural communities; provide resources and support for entrepreneurs, such as

access to capital and business incubators to encourage more people to start their own businesses and create jobs in rural areas; invest in broadband infrastructure and expand access to internet services for new job opportunities and the ability to work remotely; and offer tax incentives, grants, or other financial incentives to support businesses locating in rural areas.

9. Western Governors encourage Congress to help create the conditions necessary to attract manufacturing enterprises and jobs to rural areas.
10. Rural communities in the West are envisioning transformative and systems-wide solutions to meet the unique needs of their communities. Western Governors urge Congress and federal agencies to be responsive to these successful, community-based methods and allow maximum flexibility in the use of federal economic development resources and the design of new and existing programs. Increased flexibility will also facilitate investments in quality of life and amenities in rural communities. Governors believe that metrics based solely on the absolute number of jobs created do not reflect the important economic benefits of investments in community assets that make rural communities attractive places to live, nor do they account for the relative impact of job creation in less populated rural communities or areas with high unemployment or poverty rates.
11. Western Governors support the adoption of community cooperative business models to preserve rural businesses and fill needs for child care, homecare, main street businesses, housing, sustainable food supply, and other community needs. Western Governors recognize the need for substantial technical assistance and education in developing new cooperative businesses and support federal funding of such efforts.
12. The Economic Development Administration (EDA) provides adequate resources for community and economic development planning, yet funding for project implementation is limited to specific geographic areas or types of infrastructure. Western Governors request that Congress and EDA broaden the eligible use of EDA funds to support the execution of community and economic development plans, create actionable improvements, and scale ideas across communities. Western Governors are especially interested in making agricultural innovation and housing eligible for EDA programs.
13. Western Governors have developed robust policies addressing a host of sector-specific issues and the challenges of providing services and maintaining infrastructure essential to communities across the vast expanse of the rural West. These policies focus on broadband connectivity, health care, affordable housing, transportation, workforce development, agriculture, water quality, and the relationship between communities and land management. Western Governors are committed to working with Congress and federal agencies to advance these priorities and improve the efficacy of federal, state and territorial programs to support critical infrastructure in the rural West.
14. Western Governors are concerned by food security challenges in rural communities. Rural grocery store closures jeopardize livability and community health. However, we are encouraged by the efforts occurring within our states. Western Governors are interested in exploring creative and comprehensive strategies to ensure rural food security and sustainability by strengthening and diversifying local agricultural economies and developing regional approaches to rural food supply chains.

15. The Cooperative Extension System, which serves every county in western states, is an important asset for rural development. Western Governors believe that Cooperative Extension can play a more meaningful role in economic development efforts in distressed communities and support continued investment in the system, especially for upskilling, training, and funding for new positions as it responds to the changing needs of rural communities. Western Governors are committed to maximizing the efficacy of Cooperative Extension in their states.
16. Western Governors assert that access to high-quality, culturally and linguistically relevant early education and child care is critical to rural communities and encourage Congress to allocate funding for these services. Access to child care is essential to ensure positive short and long-term health, development, and educational outcomes for young children and to allow families in rural communities to pursue the economic and educational opportunities that help them achieve a more secure future.
17. An absence of congressional action has resulted in a lack of consistency in the design and implementation of the Community Development Block Grant (CDBG) Program. Western Governors encourage Congress to reauthorize CDBG and standardize the program's environmental and administrative processes.

**C. GOVERNORS' MANAGEMENT DIRECTIVE**

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

*This resolution will expire in June 2026. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.*



## Policy Resolution 2023-07 Broadband Connectivity

### A. **BACKGROUND**

High-speed internet, commonly referred to as “broadband,” is the critical infrastructure of the 21<sup>st</sup> century and a modern-day necessity for businesses, individuals, schools, and government. Many rural and tribal western communities lack the business case for private broadband investment because of the high cost of infrastructure and the low number of customers in potential service areas. Factors such as the vast distances between these communities, challenging terrain, sparse middle mile and long-haul fiber-optic cable, and the need to permit and site infrastructure across federal, state, territorial, tribal, and private lands make planning, siting, and maintaining broadband infrastructure especially difficult. This has left many rural businesses and citizens at a competitive disadvantage compared to urban and suburban areas with robust broadband access.

Historically, federal broadband investment has struggled to address these inequities, due in large part to inaccurate and overstated data. Whether or not an area is considered “served” depends not only on if households have access to the internet, but also the speeds and bandwidth that they have access to. This determination has significant effects on a community’s eligibility for federal broadband infrastructure support and can prevent businesses, local governments, and other entities from applying for and securing federal funds to assist underserved or unserved communities. High-quality data is required to ensure that current public broadband deployment efforts are cost-effective and prioritize these areas, while digital inclusion efforts are needed to provide access to affordable broadband and devices and to build the digital skills to utilize broadband.

### B. **GOVERNORS’ POLICY STATEMENT**

1. Western Governors encourage Congress and federal agencies to recognize that the current definition of broadband – 25/3 Mbps – does not correspond with the requisite download and upload speeds necessary to support many business, education, and health care applications that promote economic and community prosperity. We support efforts to adopt a higher, scalable, and consistent standard across federal broadband programs – at least 100/20 Mbps and scalable to 100 Mbps symmetrical – that more accurately reflects modern innovations and bandwidth demands.
2. Western Governors request that the Federal Communications Commission (FCC), National Telecommunications and Information Administration (NTIA), U.S. Department of Agriculture (USDA), and other federal entities prioritize scalable broadband infrastructure investments that meet communities’ increased bandwidth demands into the future. Funds for equipment maintenance and upgrades are essential to ensure that federal broadband investments continue to provide high-quality service.
3. While Western Governors are heartened by significant federal investments in broadband, principally the \$42.5 billion Broadband Equity, Access, and Deployment (BEAD) Program established through the Infrastructure Investment and Jobs Act (IIJA), it is imperative that

federal program design and implementation does not repeat the mistakes of the past. Federal funding represents a historic opportunity to close the digital divide and should help states and territories reach areas in most need of assistance. To do so, Western Governors urge the FCC, NTIA, USDA, and other federal agencies involved in broadband deployment to work closely with Governors and state and territorial agencies and respond to and address their needs and concerns prior to releasing large tranches of funding. In particular, federal agencies that make independent broadband infrastructure awards should consult with states and territories prior to finalizing awards to ensure they align with state and territorial BEAD plans.

4. Due to their unique characteristics, western states and territories have a disproportionate amount of high-cost areas to serve. Federal funding and allocation formulas should reflect the exorbitant costs and challenges that the West faces when deploying broadband so that states and territories receive adequate funding to bring sufficient internet access to as many hard-to-reach households as possible.
5. The FCC should recognize state and territorial institutional knowledge about broadband needs and ensure that they have a significant role in data collection, verification, and mapping. The FCC should also make map challenge processes transparent and give states and territories ample time and resources to participate in these processes.
6. Western Governors note that continued federal investment will be needed to shore up connectivity gaps and backfill BEAD funding. We encourage Congress to consider supplementary funding for broadband deployment, including innovative and flexible ways to redirect existing resources, such as the Rural Digital Opportunity Fund.
7. Western Governors recognize that rural communities have unique challenges related to completing broadband deployment objectives for federal grant requirements. We recommend that the federal government allow states and territories to assume control of these funds for broadband purposes if grantees do not meet their objectives. Recovering funding at the state and territorial level would help communities seek a new solution in response to a state or territorial Notice of Funding Opportunity or redirect the capital to other pressing broadband needs.
8. Streamlining permitting processes is critical for western states, territories, and partners to meet federal funding deadlines. Western Governors encourage federal agencies to pursue strategies to prioritize reviews and standardize requirements for broadband infrastructure permits on federal lands and improve planning and permitting coordination between public land management agencies. We support efforts to reduce permitting timelines for broadband infrastructure co-located with existing structures and other linear infrastructure, such as roads, transmission lines, and pipelines. The Department of the Interior (DOI) and the U.S. Forest Service's online mapping platforms identifying telecommunications infrastructure sites on their lands will be helpful tools to accomplish this goal. Further, Governors urge DOI, USDA, and other federal land management agencies to allocate sufficient funding to support additional permitting staff. Without sufficient staff, western states and territories will see backlogs and long permitting timelines that will jeopardize projects that cross federal lands.

9. Regulations affecting broadband infrastructure permitting and siting vary by state and can create additional obstacles to private and public investment. Where possible, Western Governors should work together to minimize this barrier.
10. Western Governors encourage Congress and federal agencies to address application barriers for businesses, local governments, cooperatives, tribes, and other entities involved with broadband deployment in rural communities. The Governors have highlighted substantive policy recommendations related to these barriers in our rural development policy resolution. Western Governors are also committed to sharing best practices on how to collaborate with organizations, localities, and tribes in our states and territories, and establish a strategy among these partners on applying for federal broadband programs to enhance success and reduce competition for funds.
11. Western Governors appreciate USDA and FCC efforts to promote on-farm connectivity and the growth of the precision agriculture sector, which reduces water and pesticide usage and increases productivity. We request that Congress provide additional funding to support the adoption of precision agriculture and extend connectivity from the home to the field and encourage both agencies to engage with Governors' offices, state and territorial broadband representatives, and state departments of agriculture as they pursue policy and program initiatives to support this technology.
12. Western Governors recommend that adequate wireless spectrum be allocated to support rural residential connectivity and advanced and emerging agricultural technologies.
13. Western Governors emphasize the growing importance of internet exchange points (IXPs) in promoting cost-effective, reliable broadband service in rural areas. We encourage Congress and federal agencies to promote investment in rural IXPs via applicable broadband deployment programs, legislative proposals addressing infrastructure, and other methods.
14. Western Governors encourage federal agencies to continue expanding the eligibility of electric and telephone cooperatives to pursue USDA and FCC broadband deployment program support, as cooperatives' existing infrastructure and access to rights-of-way can help promote low-cost connectivity solutions for rural communities.
15. Western Governors urge federal agencies and Congress to expand policy, programmatic, and fiscal opportunities to improve broadband connectivity on tribal lands. This includes designing federal programs in a way that promotes partnerships between tribes, states, and various broadband providers. We recommend that federal broadband programs allocate a designated portion of their available funding to supporting projects on tribal lands.
16. Western Governors encourage Congress and federal agencies to leverage community anchor institutions in rural communities to spur connectivity to surrounding areas. We support efforts to advance "to and through" policies that provide flexibility to incentivize additional private or public broadband infrastructure investment beyond connected community anchor institutions.
17. Western Governors appreciate USDA Rural Development's efforts to promote broadband connectivity across the rural West and responsiveness to our recommendations. We encourage the federal government to streamline USDA's many broadband offerings and



authorize the Rural eConnectivity Program, otherwise known as the ReConnect Program. In so doing, USDA should require ReConnect to consult with state and territorial broadband offices prior to making awards to ensure coordination with state and territorial broadband infrastructure deployment plans.

18. Western Governors support efforts to promote flexibility within the FCC E-Rate Program in order to deliver home connectivity solutions for unserved and underserved students and respond to connectivity issues associated with the COVID-19 pandemic. We encourage the FCC to support bus wi-fi and other creative efforts that seek to address the homework gap.
19. Western Governors recognize the importance of ensuring that individuals and communities have the skills, technology, and capacity to reap the benefits of our digital economy. The Digital Equity Act within the IIJA provides states with capacity grants to address needs for digital skills in newly connected communities. Western Governors encourage NTIA to speed up the review and approval process for these funds so states and territories can begin to deploy funds. Further, Governors encourage Congress and federal agencies to work with states and territories to ascertain unmet and ongoing needs for digital equity following the expenditure of capacity grant funds in 2026.
20. Notwithstanding the many federal, state, and territorial initiatives to date to bring better connectivity to communities, internet affordability remains the largest barrier to closing the digital divide. Eighteen million households have access to the internet but cannot afford to connect to it. The Affordable Connectivity Program is a foundation of states' digital equity and inclusion strategies. Over 17 million households now rely on the program to pay for their monthly home internet bill each month. Western Governors call on Congress to continue to fund this vital program, without which future infrastructure projects may be underutilized.

**C. GOVERNORS' MANAGEMENT DIRECTIVE**

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

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## Policy Resolution 2024-09

### Water Quality in the West

#### A. **BACKGROUND**

Clean water is essential to strong economies, healthy ecosystems, and quality of life. In most of the West, water is a scarce resource that must be managed with sensitivity to social, environmental, and economic values and needs. The scarce nature of water makes even wastewater a valuable resource in the West and more flexibility is needed to determine how to best manage these varying resources. Because of their unique understanding of these needs, states are in the best position to manage and protect their water resources. The Clean Water Act (CWA) codifies the authority of states as co-regulators and recognizes the authority of states to allocate quantities of water. The Environmental Protection Agency (EPA) should uphold the state authority and co-regulator relationship when implementing the CWA and Safe Drinking Water Act (SDWA). States should be free to develop, implement, and enforce statutory requirements using an approach that makes sense in their specific jurisdiction, subject to the minimum requirements of the federal acts.

#### B. **GOVERNORS' POLICY STATEMENT**

##### **Clean Water Act (CWA)**

1. **State Authority and Implementation of CWA:** States have jurisdiction over water resource allocation decisions and are responsible for how to balance state water resource needs within CWA objectives. New regulations, rulemaking, and guidance should recognize this state authority.
  - a) **CWA Jurisdiction:** Western Governors urge EPA and the U.S. Army Corps of Engineers to engage the states as sovereigns and co-regulators in the development of any rule, regulation, policy, or guidance addressing the definition of “waters of the United States” as that term applies to the jurisdictional scope of the CWA. Specifically, federal agencies should engage with states – through Governors or their designees – with early, meaningful, substantive, and ongoing consultation that adequately supports state authority. Such consultation should begin in the initial stages of development before irreversible momentum precludes effective state participation.
  - b) **Total Maximum Daily Loads (TMDLs)/Adaptive Management:** States should have the flexibility to adopt water quality standards and set total maximum daily loads (TMDLs) that are tailored to the specific characteristics of western water bodies, including variances for unique state and local conditions.
  - c) **Anti-degradation:** CWA Section 303 gives states the primary responsibility to establish water quality standards (WQS) subject to EPA oversight. Given the states’ primary role in establishing WQS, EPA should directly involve the states in the rulemaking process for any proposed changes to its existing regulations. Before imposing new antidegradation policies or implementation requirements, EPA should document the

need for new requirements and strive to ensure that new requirements do not interfere with sound existing practices.

- d) **Groundwater:** States have primary authority over the protection of groundwater and exclusive authority over the management and allocation of groundwater resources within their borders. The regulatory reach of the CWA does not extend to the management and protection of groundwater resources unless the activity in question is the functional equivalent of a direct discharge from a point source. In addressing pollution to groundwater resources, the federal government must recognize and respect state authority, work in collaboration with states, and operate within the designated scope of federal statutory authorities. EPA should engage with states with early, meaningful, substantive, and ongoing consultation on any regulatory processes focused on groundwater resources or the development and application of the meaning of “functional equivalent.”
2. **Permitting:** Actions taken by EPA in its CWA permitting processes should not impinge upon state authority over water management or the states’ responsibility to implement CWA provisions.
- a) **State Water Quality Certification:** Section 401 of the CWA requires applicants for a federal Section 404 license and other permitting and actions to secure state certification that potential discharges from their activities will not violate state water quality standards. Section 401 embodies cooperative federalism. States’ mandatory conditioning authority should be retained in the CWA.
  - b) **General Permits:** Reauthorization of the CWA must reconcile the continuing administrative need for general permits with their site-specific permitting requirements under the CWA. EPA should promulgate rules and guidance that better support the use of general permits where it is more effective to permit groups of dischargers rather than individual dischargers.
  - c) **Water Transfers Rule:** Western Governors support EPA’s current Water Transfers Rule, which exempts water transfers between waters of the United States from the CWA National Pollutant Discharge Elimination System (NPDES) permitting requirements when such transfers do not involve the addition of any pollutants. States possess adequate authority to address the water quality issues associated with such transfers. Western Governors believe that transporting water through constructed conveyances to supply beneficial uses should not trigger duplicative NPDES permit requirements.
  - d) **Pesticides:** Western Governors generally support the primary role of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) in regulating agriculture and public health related pesticide applications to waters of the U.S. and will seek state-based solutions that complement rather than duplicate FIFRA in improving, where possible, environmental resources.
3. **Nonpoint Source Pollution:** Nonpoint source pollution requires state watershed-oriented water quality management plans; federal agencies should collaborate with states to carry out the objectives of these plans. The CWA should not supersede other ongoing federal, state, and local nonpoint source programs. Federal water policies must recognize that state programs enhanced by federal efforts could provide a firm foundation for a national

nonpoint source policy that maintains the non-regulatory and voluntary nature of the program. In general, the use of point source solutions to control nonpoint source pollution is also ill-advised.

- a) **Forest Roads:** Stormwater runoff from forest roads has been managed as a nonpoint source of pollution under EPA regulation and state law since enactment of the CWA. Western Governors support solutions that are consistent with the long-established treatment of forest roads as nonpoint sources, provided that forest roads are treated equally across ownership within each state.
4. **Nutrient Pollution:** Nitrogen and phosphorus (nutrient) pollution is a significant cause of water quality impairment across the nation, and continued cooperation between states and EPA is needed. This impairment is a serious concern across western states and additional resources to make investments in wastewater treatment infrastructure are needed as part of a strategy to address it. Further, research and development into technologies that allow states to better address nutrient pollution is needed.

States should be allowed sufficient flexibility to utilize their own incentives and authorities to establish standards and control strategies to address nutrient pollution, rather than being forced to abide by one-size-fits-all federal numeric criteria. Successful tools currently in use by states include best management practices, nutrient trading, controlling other water quality parameters, and other innovative approaches.
5. **CWA Reauthorization:** Western Governors support reauthorization of the CWA, provided that it recognizes the unique hydrology and legal framework in western states. Further, any CWA reauthorization should include a new statement of purpose to encourage the reuse of treated wastewater to reduce water pollution and efficiently manage water resources.
6. **Good Samaritan Legislation:** Congress should enact a program to protect volunteering remediating parties who conduct authorized remediation of abandoned hardrock mines from becoming legally responsible under the CWA and/or the Comprehensive Environmental Response, Compensation, and Liability Act for any continuing discharges after completion of a remediation project, provided that the remediating party – or “Good Samaritan” – does not otherwise have liability for that abandoned mine or inactive mine site.
7. **Stormwater Pollution:** In the West, stormwater discharges to ephemeral streams in arid regions pose substantially different environmental risks than do the same discharges to perennial surface waters. Western Governors emphasize the importance of state expertise in water management, including management of ephemeral streams. The federal government must recognize and respect state authority and work in collaboration with state agencies to support tailored approaches that reflect the unique management needs of ephemeral streams.
8. **State-Tribal Coordination:** Western Governors endorse government-to-government cooperation among the states, tribal nations, and EPA in support of effective and consistent CWA implementation. While retaining the ability of the Governors to take a leadership role in coordination with the tribal nations, EPA should promote effective consultation, coordination, and dispute resolution among the governments, with emphasis on lands where tribal nations have treatment-as-state status under Section 518 of the CWA. Federal

regulations intended to protect tribal reserved rights should respect states' authority to promulgate water quality standards within their boundaries; recognize that rights must be adjudicated through appropriate legal processes, not through promulgation of water quality standards; and not harm state-tribal relations or place states in the middle of tribal treaty disputes that may not be appropriate for states to attempt to resolve. Furthermore, Western Governors oppose shifting federal trustee responsibilities to the states by imposing the burden of determining the nature and extent of tribal reserved rights over to states.

### **Safe Drinking Water Act (SDWA)**

9. **Federal Assistance in Meeting SDWA Standards:** Western Governors believe that the SDWA and its standards for drinking water contaminants have been instrumental in ensuring safe drinking water supplies for the nation. It is essential that the federal government, through EPA, provide adequate support to the states and water systems to meet federal requirements. Assistance is particularly needed to find sustainable solutions for small and rural systems, which often lack the resources needed to comply with federal treatment standards.
10. **Drinking Water Standards:** Naturally occurring contaminants often occur in the West. Western Governors support EPA technical assistance and research to improve both the efficiency and affordability of treatment technologies for these contaminants. In any drinking water standards that the EPA may revise or propose for these and other contaminants, including disinfection byproducts, EPA should consider the disproportionate effect that such standards may have on western states and give special consideration to feasible technology based on the resources and needs of smaller water systems.
11. **Risk Assessments:** Analysis of the costs of treatment for drinking water contaminants should carefully determine the total costs of capital improvements, operation, and maintenance when determining feasible technology that can be applied by small systems. These costs should at least (at a minimum) be balanced against the anticipated human health benefits before implementing or revising drinking water standards, while recognizing that states may choose to set more health protective standards.
12. **Emerging Contaminants/Pharmaceuticals:** The possible health and environmental effects of emerging contaminants, including per- and polyfluoroalkyl substances (PFAS), cyanotoxins produced by harmful algal blooms, and pharmaceuticals, are of concern to Western Governors. Although some states have existing authorities to address possible risks associated with emerging contaminants and pharmaceuticals, there is a need for continued investment in scientific research and resources to address these contaminants.

### **Compliance with Federal Water Quality and Drinking Water Requirements**

13. **Cybersecurity:** WGA encourages federal agencies to work with states and provide assistance and guidance on cyber threats to critical water infrastructure. Flexibility should be provided to state plans to address their emerging cybersecurity threats.
14. **State Revolving Funds:** Western Governors support EPA's Clean Water State Revolving Fund (SRF) and Drinking Water SRF as important tools that help states and local communities address related water infrastructure needs and comply with federal water quality and drinking water requirements. Western Governors also urge Congress and the

Administration to ensure that the SRF Programs are adequately funded and provide greater flexibility and fewer restrictions on state SRF management. Western Governors urge Congress to ensure that SRFs authorized funding levels are fully appropriated and distributed to states under the program formula. Additional congressionally directed spending and community grants should not diminish resources otherwise made available to states.

15. **Restoring and Maintaining Lakes and Healthy Watersheds:** Historically, the Section 314 Clean Lakes Program and the Section 319 Nonpoint Source Management Program provided states with critical tools to restore and maintain water quality in lakes and watersheds. Western Governors urge the Administration and Congress to support these programs. Such support should not come at the expense of other federal watershed protection programs.
16. **EPA Support and Technical Assistance:** The federal government, through EPA, should provide states and local entities with adequate support and technical assistance to help them comply with federal water quality and drinking water requirements. EPA should also collaborate with and allow states to identify and establish priority areas, timelines, and focus on programs that provide the largest public health and environmental benefits.
17. **EPA Grant Funding for Primary Service – Rural Water and Wastewater Programs:** Some rural communities still lack basic water, wastewater, and sanitary services needed to assure safe, secure sources of water for drinking and other domestic needs. Adequate federal support, including but not limited to the U.S. Department of Agriculture’s Rural Utilities Service programs and EPA’s SRF, are necessary to supplement state resources.

#### **Water Quality Monitoring and Data Collection**

18. **Water Data Needs:** Western water management is highly dependent upon the availability of data regarding both the quality and quantity of surface and ground waters. Western Governors urge the federal government to support and develop programs that can be utilized by states for water resource management and protection and to provide assistance to states in developing innovative monitoring and assessment methods, including making use of biological assessments, sensors and remote sensing, as well as demonstrating the value to the states of the national probabilistic aquatic resource surveys.

#### **C. GOVERNORS’ MANAGEMENT DIRECTIVE**

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

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## Policy Resolution 2025-01

### Energy in the West

#### A. **BACKGROUND**

Western energy production, and its related delivery, are indispensable to meeting our nation's energy demands, and the energy sector is a significant contributor to the economic success of many western communities. Electricity generation and delivery systems are undergoing rapid, significant change across the West. The increasing effects of extreme weather events, the integration of clean energy and distributed energy resources, rapidly increasing demand from data centers and new technologies, the electrification of vehicles and buildings, and the retirement of traditional energy generating assets are all contributing to fundamental shifts in the electricity sector. Ensuring the reliability of energy generation and delivery systems is a priority of every Western Governor.

Western Governors recognize that approaches to energy use and development vary among our states and territories. The West has the vast majority of high-quality energy resources in the United States, including geothermal energy capacity, wind and solar power resources, the majority of oil and natural gas, coal, hydropower, and non-federal United States petroleum. Further, the West has the largest contiguous areas of high-yield biomass energy resource potential, is uniquely situated to produce low carbon intensity, clean hydrogen, and leads the nation in domestic uranium production and advanced nuclear reactor technology development. The presence of federal lands affects energy projects and infrastructure deployment across the West. Planning, permitting, and siting energy generating assets and transmission and pipeline infrastructure requires close coordination between states, private developers, utilities, and federal agencies to create an effective state-federal partnership in energy development, land management, and environmental protection.

#### B. **GOVERNORS' POLICY STATEMENT**

##### **Governors' Energy Priorities**

1. Western Governors recognize the following as energy policy priorities for the West:
  - a. Secure the United States' energy supply and delivery systems, and safeguard against both physical and cybersecurity risks.
  - b. Ensure energy is clean, affordable, equitable, and reliable by providing a balanced portfolio of resources.
  - c. Increase energy efficiency associated with electricity, natural gas, and other energy sources and uses to enhance energy affordability and to effectively meet environmental goals.
  - d. Advance efficient environmental review, siting, and permitting processes that facilitate clean energy development and the improvement and construction of necessary energy infrastructure, while ensuring environmental and natural resource protection.

- e. Improve the United States' electric grid's reliability and resilience.
- f. Protect western wildlife, natural resources, and the environment, including clean air and clean water, and reduce greenhouse gas emissions.
- g. Make the West a leader in energy education, technology development, research, and innovation.
- h. Utilize an all-of-the-above approach to energy development and use in the West, while protecting the environment, wildlife, and natural resources, and reducing emissions.

## **Grid Modernization and Resilience**

2. A robust, resilient, and well-maintained energy delivery system is vital to the economy and quality of life in the West. Grid infrastructure in the West faces potential disruptions due to natural disasters, particularly wildfires and extreme heat events, as well as a growing cyber threat landscape. Increased grid threats due to wildfires and extreme weather events highlight the need to develop and use energy systems that are both reliable and resilient to climate change. Upgrades to transmission and distribution infrastructure, including information technology systems, are needed to properly address these risk factors, as well as anticipated increased electricity demand. Coordination between electricity providers and states in energy markets can lead to cost-effective energy for ratepayers and leverage regional resources.
3. Transmission infrastructure in western states often crosses one or multiple federal lands jurisdictions. In these situations, close coordination between states, utilities, and federal agencies is needed to ensure that projects are planned, permitted, and sited in a timely, efficient manner. Western Governors encourage federal agencies to streamline project-permitting reviews to minimize timelines without compromising environmental and natural resource protection or states' roles in those processes.
4. Western Governors encourage Congress to provide federal agencies, particularly the Bureau of Land Management (BLM), the Environmental Protection Agency, the Department of Energy (DOE), the Federal Energy Regulatory Commission, the U.S. Forest Service (USFS), the Bureau of Ocean Energy Management, and the U.S. Fish and Wildlife Service with additional support to enhance staff and resource capacity to conduct environmental review and permitting activities associated with transmission infrastructure.
5. Western Governors recommend federal agencies leverage designated West-wide Energy Corridors to support the effective and efficient permitting and siting of energy infrastructure assets. Where applicable, Western Governors encourage BLM and USFS to integrate designated corridor specifications into local land use plans.
6. Western Governors believe clear, coordinated, and consistent wildfire mitigation strategies, including application of federal vegetation management practices, is integral to maintaining the health of western forests, preventing dangerous and damaging wildfires, and maintaining grid reliability. The Governors support effective and efficient cross-jurisdictional coordination that enables vegetation management for federal transmission and distribution rights-of-way.



## **Innovation and Technology**

7. Western Governors encourage innovation and application of short- and long-duration energy storage, including battery, hydrogen, pumped hydropower, geothermal, and compressed air technologies, where cost-effective. Western Governors also support reconsideration of federal definitions of short- and long-term energy storage with an eye toward incentivizing progressively longer storage capacity.
8. The potential for geothermal energy in the West is vast and brings many benefits, from baseload energy generation to heating and cooling efficiencies. The Heat Beneath Our Feet Chair initiative report is a roadmap for accelerating the development and deployment of geothermal technologies. Western Governors incorporate the recommendations identified in the Heat Beneath Our Feet Chair initiative report into this resolution by reference.
9. Western states are leading the development and deployment of decarbonization technologies and strategies, including carbon capture, utilization, and storage, engineered carbon dioxide (CO<sub>2</sub>) removal, and natural sequestration. The Decarbonizing the West Chair initiative report contains recommendations to advance these technologies and strategies to position western states at the forefront of innovation and reduce CO<sub>2</sub> in the atmosphere. Western Governors incorporate the recommendations identified in the Decarbonizing the West Chair initiative report into this resolution by reference.
10. Western Governors are committed to considering advanced and small modular reactors as a reliable and emission-free energy resource.
11. Western Governors are committed to developing regional hydrogen hubs to spur economic development and add more clean energy sources to the region's resource mix.
12. The developing floating offshore wind industry presents a strong economic and sustainable energy generation opportunity for the West. Western states can work collectively, and in consultation with tribal governments and in coordination with stakeholders, to address workforce, economic, infrastructure, social, environmental, and manufacturing challenges associated with offshore wind planning, siting, and deployment.
13. Western Governors commend efforts by the United States Geological Survey and state geological surveys to identify potential critical minerals deposits for alternative energy technologies and other consumer products vital to modern society.
14. Governors also support development of emerging tools and technologies that address barriers to mineral supply chain reliability, including technologies that help recycle or reuse existing critical mineral resources for use in clean energy technologies.
15. Western Governors are committed to leveraging 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, and energy education.
16. Western Governors encourage Congress and DOE to support and fund research, development, demonstration, and deployment of advanced energy technologies.

17. Western Governors support the creation of public-private research and development partnerships among industry, academia, the national laboratories, and federal agencies to identify promising new technologies, including energy efficiency technologies that advance clean energy with reduced environmental impacts.

### **Economic and Workforce Development**

18. Western Governors and states are committed to encouraging training and education in energy-related fields and ensuring there is an adequate workforce operating under the highest safety standards.
19. Many western states and communities have been affected by localized job losses due to changes in the energy sector and the closure of coal power plants. Western Governors and states are working diligently to facilitate the creation of employment opportunities for displaced energy sector workers.
20. Western Governors offer their support for the U.S. Department of Agriculture (USDA) Rural Energy for America program, which has benefited farmers, ranchers, and rural businesses that are often underserved by other federal energy efforts.
21. Western Governors support funding and long-term authorization for the State Energy Program (SEP), Weatherization Assistance Program (WAP), and Low-Income Home Energy Assistance Program (LIHEAP).
22. Western Governors support legislative measures that promote flexibility for rural electric cooperatives to refinance or adjust loans secured through the USDA Rural Utilities Service.
23. Western Governors support increasing the development and use of energy storage and low- and zero-emissions vehicles and associated infrastructure. WGA's Electric Vehicles Roadmap initiative report provides valuable insights on strategies to effectively integrate electric vehicle charging equipment with local grid infrastructure.
24. Western Governors call on the federal government to lift a barrier to domestic free trade between the contiguous United States and the noncontiguous states and territories in the Merchant Marine Act of 1920 by allowing those jurisdictions to receive energy commodities produced on the mainland but transported by foreign vessels, should those jurisdictions, and the jurisdictions whose ports are being used to ship these materials, desire it.
25. Redundant federal regulation of energy development, transport, and use is not required where sufficient state or territorial regulations exist. Existing state authority should not be replaced or impeded by Congress or federal agencies. Where additional regulations are necessary, federal agencies should consult and coordinate with states, territories, and tribes to ensure collaboration and understanding of unique circumstances within individual states, territories, and tribal nations.

### **C. GOVERNORS' MANAGEMENT DIRECTIVE**

1. The Governors direct WGA staff to work with congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.

2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

*This resolution will expire in December 2027. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.*