



The Western Coalition of Arid States

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July 3, 2013

The Honorable Joe Heck
132 Cannon House Office Building
Washington DC 20515

Dear Representative Heck,

The Western Coalition of Arid States (WESTCAS) is an organization representing water interests throughout the Western states that recognize the unique conditions in the West for water supply, water quality, wastewater and reuse. We address these unique Western conditions in our federal legislative and regulatory efforts.

We are writing concerning HR 1823, the Protecting Lakes Against Quaggas [PLAQ] Act. Our members are addressing both quagga and zebra mussel control as a part of their daily operations. This includes the efforts of our members' agencies to control mussels found in imported water supplies as well as partnering with state and Federal agencies to implement inspection and public awareness efforts.

WESTCAS opposes adding quagga mussels to the Lacey Act because of potential problems that would result for water supply transfers in the West. Our major concern with the legislation is that adding quagga mussels to the Lacey Act, gives the US Fish and Wildlife Service (USFWS) the power to interrupt existing and future water transfer projects in the arid West where quagga mussels are found. Imagine the water supply crisis that would result if agencies were no longer able to transfer Colorado River containing quagga mussels across state lines to meet the water supply needs of about 10% of the total U.S. population.

The Voice of Water Quality in the Arid West

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The ability to move water over state lines is fundamental to the water supply of the arid west. Yet the USFWS has recently used the existing Lacey Act listing for zebra mussels to hold up a proposed water transfer project—even though that project included special provisions to mitigate zebra mussels.

This project—and the water supply for nearly two million people—was restored only through special legislation to override the USFWS opposition. In this case, legislation passed by the 112th Congress recognized that conveyance of zebra mussels across a state line to a treatment facility does not violate the Lacey Act. However, this legislation was limited to this specific water transfer project. WESTCAS cannot support HR 1823 without language to protect numerous existing and future water transfer projects that convey water containing quagga mussels.

As members of WESTCAS, we are dedicated to providing a safe and an assured water supply to our customers. We look forward to the opportunity to work with you with regard to HR 1823 to assure that a proper balance is struck between quagga mussel control and the ability of water agencies to move water over state lines.

Sincerely,

A handwritten signature in black ink that reads 'Ed Curley'.

Ed Curley
President

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