

The Western Coalition of Arid States

W E S T C A S



SUBMITTED FOR THE RECORD

Testimony of
Western Coalition of Arid States (WESTCAS)

Regarding
S. 2156
'The Science and Engineering to Comprehensively Understand
And Responsibly Enhance Water Act' (SECURE)

Before the
Senate Committee on Energy and Natural Resources

December 11, 2007

The Voice of Water Quality in the Arid West

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The Western Coalition of Arid States (WESTCAS) offers the following statement regarding our support and recommendations regarding the Senate Energy and Natural Resources Committee hearing on S. 2156, the SECURE Water Act.

WESTCAS is a coalition of approximately 125 water and wastewater districts, cities and towns and water resource professionals focused on water quality and water quantity issues in the states of Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon and Texas. Established in 1992, our vision has been to ensure sustainable water quality and quantity in the arid West. Our mission has been to work with state, regional, and federal water quality and quantity agencies to promote scientifically-sound laws, regulations, funding, and policies that protect the public health and the environment in the arid West.

The Southwestern United States is the fastest growing region in the country, with a 100% + population growth increase projection for Arizona and Nevada by 2030, and nearly 60% increase in Utah and Texas, and yet most areas in these states have suffered multiyear droughts over the last decade. This rapid growth projection, along with the consequences of a changing climate, requires communities to have a diverse water supply portfolio; and new approaches to creating higher quality sources of water supply need to be undertaken to meet the region's essential needs. Not unlike the arid West, there is already recognition that new water conservation skills will be critical for each region of the country to manage their water resources properly, as highlighted by the recent events in the Southeast.

The issue of climate change is global in nature but, for our purposes, national in scope and not just limited to the West. WESTCAS is supportive of addressing water quality and quantity problems in the East, Southeast, and other regions, but we deserve reciprocity in having our unique resource challenges met in a responsible fashion. Though much has been done on the issue of climate change in terms of broad research, we believe in the need to approach the issue in terms of practical preparedness in a comprehensive manner. This includes: water resources and the related issues of energy generation and use, sustainable agriculture, environmental conservation, public health and safety, and national security. In this context, we must highlight our concern that the federal government is inadequately addressing funding upgrades to existing water infrastructure, and is not focusing on federal agency outreach/coordination programs for at-risk sectors. These elements are necessary and vital adaptations in any national, climate change mitigation strategy.

Preparedness can be a strong cornerstone for such a strategy. In our view, what is missing is a nationwide approach where state and local governments, the private sector, non-governmental entities with expertise in the subject area, and the incubators of new

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deas (i.e. the university system), become part a national dialogue and national plan for addressing these pressing concerns.

WESTCAS supports the SECURE Water Act, and in particular one of the principles behind the SECURE Water Act that mandates routine reports to Congress on the effect of climate change on water resources and the quantity of brackish water within the United States. We believe that collection and reporting of independent scientific data, free of political posture, should be the basis for such policies and program development. Investing in more robust data collection, monitoring efforts, and modeling is important if we are to engage in the business of proper planning and making decisions which impact (what some refer to as) the triple bottom line: the economic, environmental and social agendas of this country. As such, the SECURE Water Act provides federal requirements to monitor and manage limited water resources to ensure adequate supplies for the future, and this is important if we are to convene a national strategy for addressing climate change as an issue that can be reconciled with population growth.

Although we support the proposed legislation, WESTCAS poses the following question regarding the expected direction to the Bureau of Reclamation to initiate a climate change adaptation program to develop strategies and conduct feasibility studies to address water shortages, conflicts, and other impacts to water users and the environment. Although WESTCAS is a historical and ardent supporter of the Bureau of Reclamation, we raise the question of whether the Bureau of Reclamation, at the present time, is the best federal agency to carry out such a mission, i.e. should the new mission go to another federal agency? Although we have been impressed with the Bureau's recent effort on the Modeling of the Boise Reservoir System with Climate Change, we wonder if the Bureau resources are being over-taxed, considering their massive backlog of authorized projects. Although, we can envision that with adequate Congressional funding and a serious commitment by the Bureau, when the backlog of work in their Construction Program is addressed, that they could play a positive role in the future of this key undertaking.

In posing this question regarding which federal agency is best to lead this proposed initiative, WESTCAS draws your attention to specific information that provokes our question on this issue, which can be found in the Bureau of Reclamation budget, through their Science and Technology program, which is currently funded at less than \$10 million dollars. When you examine the Bureau's Water Conservation Field Services program you see only \$6 million and less than \$1.5 million for Emergency Planning and Disaster Response. The Bureau of Reclamation's Water Investigations program ranges from the thousands to a couple of hundred thousand, and is not even active in every state of the arid West. Even more to the point, in 1997 a document was produced by the Western Water Policy Review Commission, which included numerous recommendations and studies that the Bureau could have taken advantage of in order to address the new mission that this legislation is now proposing. Instead, the Bureau

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embarked on their own initiative called *Water 2025* which offered no scientific basis for their decisions, as to where to provide minimal ‘seed’ money for projects - that do not even relate to a larger strategic plan as envisioned by the SECURE Water Act.

Although it is not our intent to appear critical, the Bureau is facing two other issues that raise this “best agency” question regarding the assignment of carrying out this proposed new mission. The first, the aging of its infrastructure, has hopefully been addressed by the last Congress with the passage of the *Rural Water Supply* legislation and the *21st Century Water Works Act*, though we note the delays by the Bureau to advance the guidelines for this new effort. Of additional concern is the Bureau’s increased funding of their Operation and Maintenance program; this is the first year it has exceeded the budget for their Construction program. In our view, this has important ramifications for the Bureau’s undertaking of new missions.

The downsizing of the Bureau’s staff also has implications for their engaging in new program work. The Bureau has been engaged in a ‘Managing For Excellence’ effort for the past two years, and like many other federal agencies, there are a large percentage of employees who are now eligible to retire. This retirement pool represents a huge institutional knowledge base, especially with regard to the unique character of the West. This, too, will have an impact on the Bureau’s ability to perform additional new work in the future.

On a more positive note, WESTCAS participated in an effort – the Invest In the West Campaign – several years ago to increase the budget of the Bureau of Reclamation, which had been chronically under-funded. Thankfully, Congress recognized the need and through its leadership, the budget was increased several hundred million dollars over several years. Still, our WESTCAS members, particularly those in California, have been concerned with the on-going lack of funding for the backlog of the authorized projects within the Bureau’s Title 16 Water Reuse and Reclamation Program. With over \$300 million needed, (and more authorizations pending in this Congress) these new ‘rivers’ of water are the future supplies for many in the West, and play an important role in addressing the conditions of future climate change. Reuse projects represent one of the most cost-effective approaches to meeting new water needs throughout the United States; WESTCAS would be pleased to work with Committee Members and their staffs on funding strategies to reduce the Bureau’s Title 16 backlog.

Legislation for greater research and technology development that promotes additional water reuse is also needed. In addition, we urge a federal agency education program aimed towards community acceptance of water reuse -in partnership with the local project developer- along the lines of the need for, and the benefits of, this technology. Especially in the arid West, recycling and reuse of finite water supplies is undoubtedly one of the major elements of adaptive management strategies in the face of

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the impacts of long-term drought and climate change and the burgeoning population growth.

We know the U.S. Army Corps of Engineers is not under the jurisdiction of your Committee. However, the recently passed and enacted *Water Resources Development Act* (WRDA) for the Corps provides a model that should be considered on a national scale for water resource planning at the state level -- the unstated purpose inherent in the proposed language of S. 2156. A recent report that we are familiar with indicated that, in the West, ten states have developed State Water Plans, three rely on annual reports, and four rely on so-called strategic plans for their water resources planning. The WRDA legislation, which WESTCAS supported, authorizes Statewide Comprehensive Water Planning for Oklahoma in Section 5119 of the Act, a section that should be applied nationwide. What is most important is the authorized technical assistance. This provides for the Secretary of the Army to assist in: 1) acquisition of hydrologic data, groundwater characterization, database development, and data distribution; 2) expansion of surface water and groundwater monitoring networks; 3) assessment of existing water resources; 4) numerical analysis and modeling necessary to provide an integrated understanding of water resources and water management options; 5) participation in state planning forums and planning groups; 6) coordination of federal water management planning efforts; and 7) technical review of data, models, planning scenarios, and water plans developed by states. There is \$6.5 million authorized at a twenty-five percent cost-share. We see this approach *as the future, and it should be applied nation-wide.*

The Texas members of WESTCAS have undertaken in their state, along with others throughout state and local government, the development of a new State Water Plan. That effort will be materially aided by the tremendous water resource planning expertise of the U.S. Army Corps of Engineers and the modeling capabilities within the organization, which is second to none. The Corps' budget far exceeds the U.S. Bureau of Reclamation's, and they are nationwide in scope. We strongly encourage a more pivotal role for the U.S. Army Corps of Engineers in this new legislation, i.e. S.2156.

WESTCAS supports the proposed roles and responsibilities for the USGS in the SECURE Water Act. We have been supportive of the USGS Stream Flow Information Program, and have worked to see that it has been adequately funded as a consequence of the cooperator partnerships that many of our members have undertaken as a result of the program. The inclusion of the USGS in this effort, given their scientific credibility and expertise, will be quite beneficial (as demonstrated later in our testimony) to water resource practitioners at the state and local level who are now challenged to address the climate change issue.

We have been impressed with the modeling efforts of the USGS and we also recognize how much they have done with so small a budget allocation for that effort. The

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recent announcement of the Instantaneous Data Archive (IDA) website will be extremely valuable for local and state water planners and the engineering community involved in hydrologic analysis. This points to the importance of the stream-gauging program being appropriately funded over the years. In addition, the recent USGS Circular *Water Budget: Foundations for Effective Water-Resources and Environmental Management* will ultimately prove to be a valuable tool in helping the public and elected decision-makers formulate better policies in the water resources arena.

An area of some concern for WESTCAS is how S. 2156 will be integrated with other Climate and Energy legislation currently before Congress. There are other climate adaptation programs, provisions for national water policy commissions, provisions for other studies to take place, and studies that have been previously authorized that have yet to yield results. In addition, there are new provisions in the Farm Bill legislation before Congress that promise also to be beneficial in this field. In addition, we believe there would be value in federal water agencies providing the Committee Members and staffers with a historical overview of what has been previously funded under loans, grants and cooperative agreements over the past ten years, so that future financial resources are well-directed. In addition, there is language in current legislation for recovery efforts on the Platte River - regarding water and land - that is being considered in the definition of an in-kind contribution. We believe, in these tight budgetary times at the state and local level, that serious consideration ought to be given to this concept.

The Energy and Natural Resources Committee has jurisdiction of the Department of Energy and the National Laboratories. Several WESTCAS members in New Mexico and California have experience with National Laboratory involvement in water resource issues, such as the hydrogeologic and technical assistance work in the Española Basin in New Mexico, and perchlorate research in California. One of the issues regarding Laboratory contributions to water resource problem-solving is always the cost-of-services for such expertise, and limited access to Laboratory expertise. Although the National Laboratories have a "work for others" program, the bureaucratic requirements often impede its successful utilization. In addition, the lack of a Department of Energy (DOE) Water Program creates a barrier to Laboratory involvement in water resource initiatives due to such work being viewed in variance with current DOE missions. We would encourage the Committee to consider how to bring these talented and valuable scientific resources to the table so that state and local water resource planners and managers could more readily benefit from these institutions and their Federal funding.

The expertise the National Laboratories possess with regard to science, engineering, computational modeling, basic research, and the development of new technologies adds an important new dimension to cutting edge solutions in the national water resource arena. We feel that all the National Laboratory expertise in both the

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energy and national security areas (that are being addressed by this legislation) can help bring a more holistic approach to all our efforts.

Finally, we would suggest that with regard to the Water Intergovernmental Panel created under Section 7, that the Secretary of Energy and EPA Administrator be added. It is important that both power and water quality issues be integrated into the Panel's efforts, as they are integrally linked with water quantity issues. We also appreciate the inclusion of the Secretary of Commerce through the Administrator of NOAA, especially given the work of the Climate Prediction Center in Boulder, Colorado and the National Weather Service's efforts with the development of the National Drought Monitor.

The many members of WESTCAS thank you for considering our views. This hearing is an important first step in considering the issue of the nation's water resources within the context of global climate change. We would encourage the Committee to engage in field hearings throughout the West to better hear from those likely to be affected and those who are challenged to prepare for the region's changing water resources future.

We look forward to the opportunity to work with the Committee as you move forward with this legislation.

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