

WESTCAST Conference
San Diego, California

WESTCAS ***Plan of Action*** *in D.C.*

June 21, 2018



Hicks-Ray Associates

Discussion ➡ Action Items

- *Important legislative items*
 - *WRDA 2018*
 - *FY 19 Appropriations, incld Title XVI*
 - *Lacey Act*
- *Civil Works at USACE – clouds on horizon*
- *prospects for other legislation ranging from tax reform to the Lacey Act, WIFIA proposals, forest fires*

HRA Presentation

+

**Action Items = Letters, Position Papers,
Input, Collaboration, Monitoring**



WESTCAS Arid-West Federal Issues

- **Updates**
- **Emerging**
- **Actions**
- **Input**

Main Reference – Tracking & Recording 

Updates & Actions



Building the WESTCAS Portfolio for the 2nd Year of the 115th Congress

WESTCAS "Plan of Action in D.C." Update

June 21, 2018

☒ - Position Papers Underway or Posted

| Issue/Concern | Proposed Actions | Prior WESTCAS consideration | Updates to Consider | PLAN OF ACTION (Update based on Input) |
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| FY19 Appropriations | <ul style="list-style-type: none"> Support plus-up to resource agencies budgets (USGS, EPA, COE, BuRec) Letter of Support for FY19 E&W Appropriations bill, including additional Title XVI funding, USACE & BuRec Letter of Support for FY19 EPW Appropriations | Current | <p>Letter Senate EPW to support and to House E&W Appropriations Cmts to express appreciation for plus-up of USACE, BuRec (including Title XVI, WaterSMART), USGS.</p> <p>Letter can also express appreciations of efforts to reach regular order on Approp bills</p> | <ol style="list-style-type: none"> Consider support letter to Approp Cmt Monitor Approp actions Coordn with other Associations |
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| ESA Reforms | <ul style="list-style-type: none"> Briefing paper (or Policy Statement) Monitoring Natural Res Cmt direction on proposed ESA reforms | Prior WESTCAS mtgs | Emerging new reform legislation anticipated | <ol style="list-style-type: none"> Identify timing of needed support letters |

menti Break – INPUT

www.menti.com

32-78-38

Emerging Issues & Proposed Actions

Building the WESTCAS Portfolio for the 2nd Year of the 115th Congress

WESTCAS "Plan of Action in D.C." Update

June 21, 2018

Page 3 of 3

| Issue/Concern | Description of Issue & Current Status | Timeframe | Actions for Consideration | PLAN OF ACTION (Update based on Input) |
|---|---|---|--|--|
| REPAIR Act | Proposal by Rep Gozar (R-AZ) | Pending, discussion draft | Review draft & Monitor | TBD |
| Moving Civil Works Program out of DoD | WRDA, Congressional leadership and Admin, some governors calling for moving Civil Works out of DoD | Discussion but taking root | Coordinate with other Water Association with USACE interests | TBD |
| CEQ proposal to update implementing regulation for NEPA | Recent draft of future FR notice (6/20/18) Monitor for issuance and prepare response Coordinate with FWQC | June 2018 Conference | Review background statement in draft notice | TBD |
| WRDA Amd proposed by Sen Feinstein | Directs EPA and Reclamation to enter into an MOU by April 1, 2019. Simplified approach | June 2018 Conference | Review in more detail & consider support | TBD |
| Healthy forests – Water Quality & Fire Borrowing issue | Proposals requested in Farm Bill but not included | Issue of forest fire impacts discussed at several | Coordinate with other Water Associations (ACWA, Colo) | TBD |
| Water Supply Rule – USACE | Submitted comments on Rule; Extension period has ended | Pending final notice by USACE | Monitor only | Not anticipated for release; continue to monitor |


menti Break - INPUT

Building the WESTCAS Portfolio for the 2nd Year of the 115th Congress

WESTCAS "Plan of Action in D.C." Update

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FY19 Key Appropriations

FY19 Energy and Water Appropriations

- Funds both the Army Corps of Engineers and the Bureau of Reclamation.
- Bill has already passed the full House of Representatives on June 6
- Passed out of Senate Appropriations Committee on May 21.
- May be considered to be on the “fast-track” for FY19 Appropriations bills.

FY19 Energy & Water Approp

| | House | Senate | Admin | Difference |
|--------------------|-----------------|-----------------|-----------------|---|
| USACE Total | \$7,278,000,000 | \$6,927,000,000 | \$4,785,000,000 | >\$2.49B House >\$2.142B Sen |
| Construction | \$2,323,000,000 | \$2,161,000,000 | \$ 871,733,000 | |
| Investigations | \$ 123,000,000 | \$ 123,000,000 | \$ 82,000,000 | |
| | | | | |
| BOR Total | \$1,540,000,000 | \$1,478,000,000 | \$ 995,000 | >\$545M House >\$483M Sen |
| Title XVI | \$ 65,000,000 | \$ 54,406,000 | \$ 3,000,000 | 20X Increase! |
| WaterSMART | \$ 34,000,000 | \$ 34,000,000 | \$ 10,000,000 | 3.4X Increase! |
| | | | | |
| | | | | |

FY 2019 Interior and Environment Bill

| | House | Admin | Difference |
|-----------|--|-----------------|------------|
| EPA Total | \$7,950,000,000 (\$100M less FY18) | \$5,950,000,000 | \$ 2B |
| CW+DW SRF | \$2,600,000 | | |
| WIFIA | \$ 75,000,000 | | |
| ★STAG | Rescission of \$75M in unobligated funds | | |

“...reflects the Administration’s goal to rein in outdated, unnecessary and potentially harmful regulations at the EPA. **For example, it includes a full repeal of the economically damaging “Waters of the United States” regulation.**”



ACTIONS – Letters Approp Cmts

DRAFT

The Honorable Mike Simpson, Chairman
House Appropriations Committee
Subcommittee on Energy and Water and Related Agencies
2362B Rayburn House Office Building
Washington, DC 20515

DRAFT

The Honorable Ken Calvert, Chairman
House Appropriations Committee
Subcommittee on Interior and Environment B-308
Rayburn House Office Building
Washington DC 20515

Dear

The Honorable Betty McCollum, Ranking Member

House Appropriations Committee
Subcommittee on Interior and Environment
1016 Longworth House Office Building
Washington DC 20515

Dear Chairman Calvert and Ranking Member McCollum:

As you move to complete work on the FY19 Interior and Environment Appropriations bill, the Western Coalition of Arid States [WESTCAS] respectfully requests your full support of the US EPA Clean Water and Drinking Water SRF programs as well as the funding for the USGS to support its stream gauging program.

WESTCAS is an organization of water and wastewater service providers who advocate for water resources in the Arid Southwest. We are active in both the legislative and regulatory arenas with regard to water related issues that affect our membership. We seek to raise awareness of the unique character of arid regions that lead to the development of proposed legislation and rulemaking in support of water resources.

We strongly support the Committee's efforts to return the appropriations process to regular order and strongly encourage to continue with this endeavor throughout the remainder of the FY19 appropriations cycle.

In addition, we support the Committee's goal to rein in outdated, unnecessary and potentially harmful regulations at the EPA. This effort is exemplified by the full repeal of the economically damaging "Waters of the United States" regulation.

Thank you again for your consideration of our request.

Sincerely,

DRAFT

The Honorable Lamar Alexander, Chairman
Subcommittee on Energy and Water Development
Room 142, Dirksen Senate Office Building
Washington, DC 20510

DRAFT

The Honorable Lisa Murkowski, Chair
Subcommittee on Interior, Environment and Related Agencies
Room 131, Dirksen Senate Office Building
Washington, DC 20510

The Honorable Tom Udall, Ranking Member
Subcommittee on Interior, Environment and Related Agencies
Senate Office Building
Washington DC 20510

Dear Chair Murkowski and Ranking Member Udall:

We are writing to you on behalf of the Western Coalition of Arid States [WESTCAS] to ask for your consideration to support FY19 funding for important programs in the US Army Corps of Engineers and the Bureau of Reclamation. WESTCAS is an organization of water and wastewater service providers who advocate for water resources in the Arid Southwest. We are active in both the legislative and regulatory arenas on water related issues that affect our membership. We seek to raise awareness of the unique character of arid regions that lead to the development of proposed legislation and rulemaking that support water resources.

As you work to finalize the FY19 Interior, Environment and Related Agencies Appropriations bill, we respectfully request that you continue your long-standing support for the key programs within the United States Army Corps of Engineers and the Bureau of Reclamation. As you work to complete action on the FY19 bill with your Senate colleagues, we urge that you provide the higher of the funding amounts of the House and Senate bills for these important investments in America's water infrastructure.

Thank you for your leadership in returning the appropriations process to regular order, and we encourage to continue in this endeavor. We thank you for your consideration of our request.

Sincerely,

Building the WESTCAS Portfolio for the 2nd Year of the 115th Congress

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WOTUS & Legislative “Fix”



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Water Resources Development Act

Chairman Garrett Graves



Chairman John Barrasso



The America's Water Infrastructure Act of 2018, S. 2800

HOUSE VERSION

- Water Resources Development Act 2018, H.R. 8
- Passed House 408-2
- Short, Primarily COE policy
- 50 amendments considered

SENATE VERSION

- The America's Water Infrastructure Act of 2018, S. 2800
- Passed out of EPW unanimous vote
- Length, EPA & COE policy

IN COMMON

- Chief's Reports & Sec 7001 report
- Authorize project modifications and changes
- **Study Crops of Engineers' structure and civil works function in the Department of Defense**

Senate floor time
expected after
NDAA



House Adopts WRDA 2018

Smooth sailing to a 408-2 vote & adopting 50 amendments...

With only a couple of glitches:

- Rep Velaquez (D-NY) motion to recommit, failed by vote of 180-227
- Noteworthy amendments not included or withdrawn:

DeFazio - the provision to require that Harbor Maintenance Trust Fund revenues can only be used for their intended purpose

Weber – Enhance the Levee Safety Action Classification risk category tool by making LSAC rating transparent and promote options

WRDA 2018, H.R. 8

TITLE I – GENERAL PROVISIONS

Section 117. Transparency in Administrative Expenses.

This section directs the Corps to issue a contract to the National Academy of Public Administration to study the efficiency of the Corps' current staff salaries and administrative expense procedures, within one year of enactment.

Section 118. Study of the Future of the United States Army Corps of Engineers.

This section directs the Corps to contract with the National Academy of Sciences in order to evaluate and provide recommendations to Congress on the efficacy of the current organizational structure of the civil works functions of the Corps and identify impediments to efficient project delivery.

Section 125. Study on Economic and Budgetary Analyses.

This section directs the Corps to contract the National Academy of Sciences to review and make recommendations on improving the Corps' economic principles and analytical methodologies when evaluating the budgeting for water resources development projects.

Section 124. Funding to Process Permits.

This section amends Section 214 of the Water Resources Development Act of 2000 to extend the authority for certain entities to contribute funds to the Corps to expedite the evaluation of a permit, under the jurisdiction of the Department of the Army, related to a project or activity for public purpose.

TITLE II – STUDIES

Section 201. Authorization of Proposed Feasibility Studies.

This section authorizes the Corps to conduct feasibility studies for 10 projects for water resources development and conservation and other purposes. These projects that the Corps is authorized to study were submitted to Congress in a Report to Congress on Future Water Resources Development pursuant to Section 7001 of the Water Resources Reform and Development Act of 2014, or otherwise reviewed by Congress.

TITLE III – DEAUTH., MODIFICATIONS

Section 301. Deauthorization of Inactive Projects.

This section establishes a process that will lead to the deauthorization of \$3 billion in previously authorized, yet inactive Corps projects. This section requires the Corps to submit a list of inactive project to Congress that were authorized for construction prior to November 8, 2007, have not begun planning, design, or construction, or, if projects have begun planning, design, or construction, they have not received any funds, federal or non-federal, in the past six years. After a 180-day period of congressional review, the projects on the list are automatically deauthorized.

Section 302. Backlog Prevention.

This section terminates the authorization for any project or separable element of a project authorized for construction by this Act after 10 years unless construction has been initiated, a post-authorization study has been issued, or the authorization has been modified by an Act of Congress. Additionally, this section amends the backlog prevention provision in Section 6003 of WRRDA 2014 to align with this section.

TITLE IV – WTR RES INFRASTRUCTURE

Section 401. Project Authorizations.

This section authorizes six water resources projects that have completed technical review by the Corps and are recommended by the Chief of Engineers. The projects are authorized to be carried out in accordance with the plan, and subject to the conditions, described in the Chief's Reports. Each of the projects has as its primary purpose, one of the following: navigation, flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration. This section also authorizes two project modifications for previously authorized projects.



America's Water Infrastructure Act of 2018

S. 2800

GENERAL PROVISIONS

Sec.1002. National Academy studies.

This section requires the National Academy of Sciences to conduct studies to examine how the Corps can increase transparency in cooperating with Congress, State and local units of government, and local stakeholders, as well as other cost-share partners, government agencies, and stakeholders.

Sec.1017. Corps capabilities.

This section states that the Secretary shall conduct the study currently authorized by section 936 of WRDA 1986 and complete it within 1 year. The purpose is to study and evaluate the measures necessary to increase the capabilities of the Corps to undertake the planning and construction of water resources projects on an expedited basis and to comply with all requirements of law applicable to the Corps' water resources program.

Sec.1028. WIFIA study.



This section requires the Secretary to conduct a study on WIFIA implementation impediments. The study should look into the obstacles that need to be removed so that the Secretary can implement the Water Infrastructure Finance and Innovation Act (33 U.S.C. 3901 et seq.), identify all projects that the Secretary determines are potentially viable to receive assistance, and

STUDIES

Sec.2001. Authorization of proposed feasibility studies.

This section authorizes the Secretary to conduct feasibility studies for 9 projects for water resources development that were submitted to Congress in an annual Report to Congress on Future Water Resources Development pursuant to section 7001 of the Water Resources Reform and Development Act of 2014, or otherwise reviewed by Congress.

DEAUTH., MODIFICATIONS

Sec.2109. Project deauthorization and study extensions.

Subsection (a) extends the period for deauthorization of projects under section 6003(a) of WRRDA 2014 from 7 to 10 years. The Secretary must not count any period of time during which the project's locally preferred plan under section 1036(a) is being reviewed by the Corps and awaiting a decision by the Secretary.

INFRASTRUCTURE

Sec.2201. Project authorizations.

This section authorizes 6 Chiefs Reports:

Navigation—

- (1) Houston-Galveston Navigation Channel Extension

Flood Risk Management—

- (1) Ala Wai Canal
- (2) Mamaroneck-Sheldrake Rivers

Hurricane and Storm Damage Risk Reduction—

- (1) St. Johns County
- (2) St. Lucie County
- (3) Sabine Pass to Galveston Bay

ACTION – Letters

DRAFT

The Honorable Bill Shuster
Chairman
Committee on Transportation and
Infrastructure
U.S. House of Representatives
Washington D.C. 20515

The Honorable Garrett Graves
Chairman
Subcommittee on Water Resources
and Environment
U.S. House of Representatives
Washington D.C. 20515

The Honorable Peter A. DeFazio
Ranking Member
Committee on Transportation and
Infrastructure
U.S. House of Representatives
Washington D.C. 20515

The Honorable Grace Napolitano
Ranking Member
Subcommittee on Water Resources
and Environment
U.S. House of Representatives
Washington D.C. 20515

Dear Chairman Shuster, Ranking Member DeFazio, Chairman Graves, and Ranking Member Napolitano:

The Board of Directors of the Western Coalition of Arid States [WESTCAS] wishes to express our appreciation for your leadership in passing H.R. 8, the Water Resources Development Act of 2018, unanimously through your Committee followed by passage on the House floor by an overwhelming majority of 408 to 2 votes. It is our sincere hope that you will be able to go to conference with your Senate counterparts and create a final version of the bill. Success in this endeavor would be a welcome confirmation that the Congress has now firmly re-established a two-year cycle for WRDA reauthorizations.

WESTCAS is an organization of water and wastewater service providers who advocate for water resources in the arid southwest. Growing population and recurrent droughts throughout our region mean that legislation like WRDA is vital to our mission. This includes the provisions relating to the approximately 700 Army Corps of Engineers dams and their missions including water supply and flood control. Your legislation lays out a solid framework for the future including more local involvement in the selection of projects and an acceleration of the process through which Federal funding is awarded.

Thank you again for the effort that you have made to advance WRDA reauthorization process. WESTCAS looks forward to working with you and with your Senate counterparts as you proceed to conference on this bipartisan legislation.

Sincerely,

Steve Bigley
President

DRAFT

The Honorable John Barrasso
Chairman
Committee on Environment and
Public Works
United States Senate
Washington D.C. 20510

The Honorable James Inhofe
Chairman
Subcommittee on Transportation and
Infrastructure
United States Senate
Washington D.C. 20510

The Honorable Tom Carper
Ranking Member
Committee on Environment and
Public Works
United States Senate
Washington D.C. 20510

The Honorable Benjamin Cardin
Ranking Member
Subcommittee on Transportation
Infrastructure
United States Senate
Washington D.C. 20510

Dear Chairman Barrasso, Ranking Member Carper, Chairman Inhofe and Ranking Member Cardin:

The Board of Directors of the WESTCAS Coalition of Arid States [WESTCAS] wishes to express our appreciation for your leadership in passing S-2800, America's Water Infrastructure Act of 2018 unanimously through your Committee. It is our sincere hope that you will be able to go to conference with your House counterparts and create a final version of the bill. Success in the endeavor would be a welcome confirmation that the Congress has now firmly reestablished a two-year cycle for WRDA reauthorizations.

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Thank you again for the effort that you have made to advance the WRDA reauthorization process. WESTCAS looks forward to working with you and with your House counterparts as you proceed to conference on this bipartisan legislation.





Sincerely,

Steve Bigley
President

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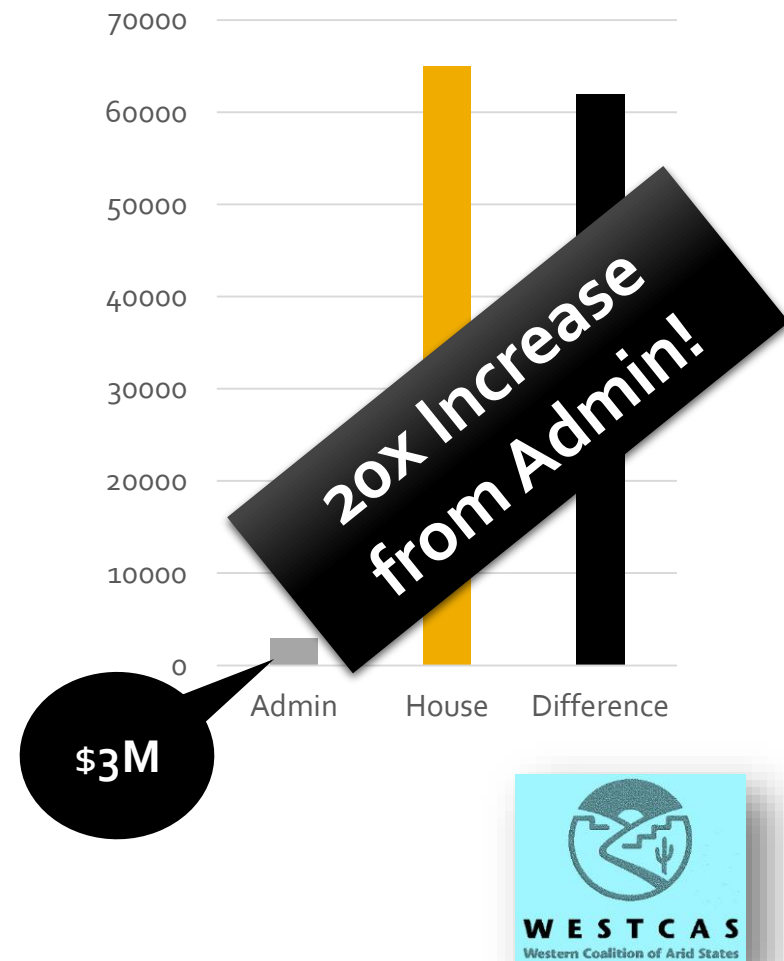
June 21, 2018


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Title XVI

- Review funding – Congress agrees with benefits of program
- Call on Jolene Walsh – support for competitive program



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|  <p>Title XVI Competitive Grant Program[☑]</p> | <ul style="list-style-type: none"> Based on strong funding support in both House & Senate, WESTCAS letters of support should recognize / state appreciation & benefits As appropriate, identify opportunities for additional, stabilized funding (deals with backlog/resolving the “Legacy” vs “Competitive” prgrms) Make program truly ‘Competitive’ | <p>Competitive grant program language supported by WESTCAS</p> <p>One program</p> <p>Competitive for all applications</p> | <p>Proposed FY19 budget of \$3 million would have effectively ended; PLUS-UPS by Congress:</p> <ul style="list-style-type: none"> > House @ \$65M > Senate @ \$54.406M | <ol style="list-style-type: none"> Letters to Cmt of jurisdiction & appropri cmts Coordn with other associations & agencies |
| <p>Lacey Act Legislation[☑]</p> | <ul style="list-style-type: none"> Consider WESTCAS policy statement Coordinate with IWSA Support for Invasive Species Advisory Council (WESTCAS input and/or membership?) | <p>At several prior WESTCAS mtgs</p> | <p>Legislation introduced in 115th Congress – Updates on March 2018 Hearing</p> <p>ARK decision removes Title 16</p> | <ol style="list-style-type: none"> Updates presented at HRA update on 6/21/18 Identify timing of WESTCAS support (for Advisory Council or other, TBD) |
| <p>Water Conservation Rebate[☑]</p> | <ul style="list-style-type: none"> Support letter, as needed Briefing paper to clarify issue Coordination with other Western water associations | <p>June 2016 Santa Fe conference; Oct 2016 & Oct 2017 Fall Conferences; Feb 2018 Fly-in</p> | <p>Support from the national drinking water associations; support from State associations</p> | <ol style="list-style-type: none"> Review & comment on Briefing paper Identify other assoc for collaboration |
| <p>ESA Reforms</p> | <ul style="list-style-type: none"> Briefing paper (or Policy Statement) Monitoring Natural Res Cmt direction on proposed ESA reforms | <p>Prior WESTCAS mtgs</p> | <p>Emerging new reform legislation anticipated</p> | <ol style="list-style-type: none"> Identify timing of needed support letters |
| | <ul style="list-style-type: none"> | | | |

Lacey Act

Legislative Progress → toward Work Group & Solution

House Water, Power and Oceans Subcommittee Hearing:
*Federal Impediments to Commerce and Innovative Invasive
Species Management*
May 12, 2018

Discussion on whether to form a WPO Subcommittee "Work Group" consisting of Members, Congressional staff and various stakeholders (WESTCAS opportunity) to work towards a consensus solution on selected issue.



Mike Rickman, North Texas MWD



Lacey Act (WESTCAS Input!)

Legislative Progress → toward Work Group & Solution

House Water, Power and Oceans Subcommittee Hearing:


Federal Impediments to Commerce and Innovative Invasive

Species Management

May 12, 2018

Testimony focused on the growing success of invasive species mussel management including the “Don’t Move A Mussel” program and the efforts of MET, TPWD and the Coachella Valley Water District to limit the spread of zebra and quagga mussels.

**DON'T MOVE A
MUSSEL**

| Issue/Concern | Proposed Actions | Prior WESTCAS consideration | Updates to Consider | PLAN OF ACTION (Update based on Input) |
|---|---|---|--|--|
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| | ○ | | | |

Water Conservation Rebate Tax

115TH CONGRESS
1ST SESSION

H.R. 448

To amend the Internal Revenue Code of 1986 to expand the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures and storm water management measures.

Introduced in House (01/11/2017)

Water Conservation Rebate Tax Parity Act

This bill amends the Internal Revenue Code to expand the tax exclusion for energy conservation subsidies provided by public utilities to exclude from gross income subsidies provided (directly or indirectly):

- (1) by a public utility to a customer, or by a state or local government to a resident of such state or locality, **for the purchase or installation of any water conservation or efficiency measure;** and
- (2) by a storm water management provider to a customer, or by a state or local government to a resident of such state or locality, for the purchase or installation of any storm water management measure.

Co-sponsors: 37

ESA “Targeted” Reforms



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Emerging & Special Issues for WESTCAS Consideration & Monitoring

| Issue/Concern | Description of Issue & Current Status | Timeframe | Actions for Consideration | PLAN OF ACTION (Update based on Input) |
|---|---|---|--|--|
| REPAIR Act | Proposal by Rep <u>Gozar</u> (R-AZ) | Pending, discussion draft | Review draft & Monitor | TBD |
| Moving Civil Works Program out of DoD | WRDA, Congressional leadership and Admin, some governors calling for moving Civil Works out of DoD | Discussion but taking root | Coordinate with other Water Association with USACE interests | TBD |
| CEQ proposal to update implementing regulation for NEPA | Recent draft of future FR notice (6/20/18) Monitor for issuance and prepare response Coordinate with FWQC | June 2018 Conference | Review background statement in draft notice | TBD |
| WRDA <u>Amd</u> proposed by Sen Feinstein | Directs EPA and Reclamation to <u>enter into</u> an MOU by April 1, 2019. Simplified approach | June 2018 Conference | Review in more detail & consider support | TBD |
| Healthy forests – Water Quality & Fire Borrowing issue | Proposals requested in Farm Bill but not included | Issue of forest fire impacts discussed at several | Coordinate with other Water Associations (ACWA, Colo) | TBD |
| Water Supply Rule – USACE | Submitted comments on Rule; Extension period has ended | Pending final notice by USACE | Monitor only | Not anticipated for release; continue to monitor |

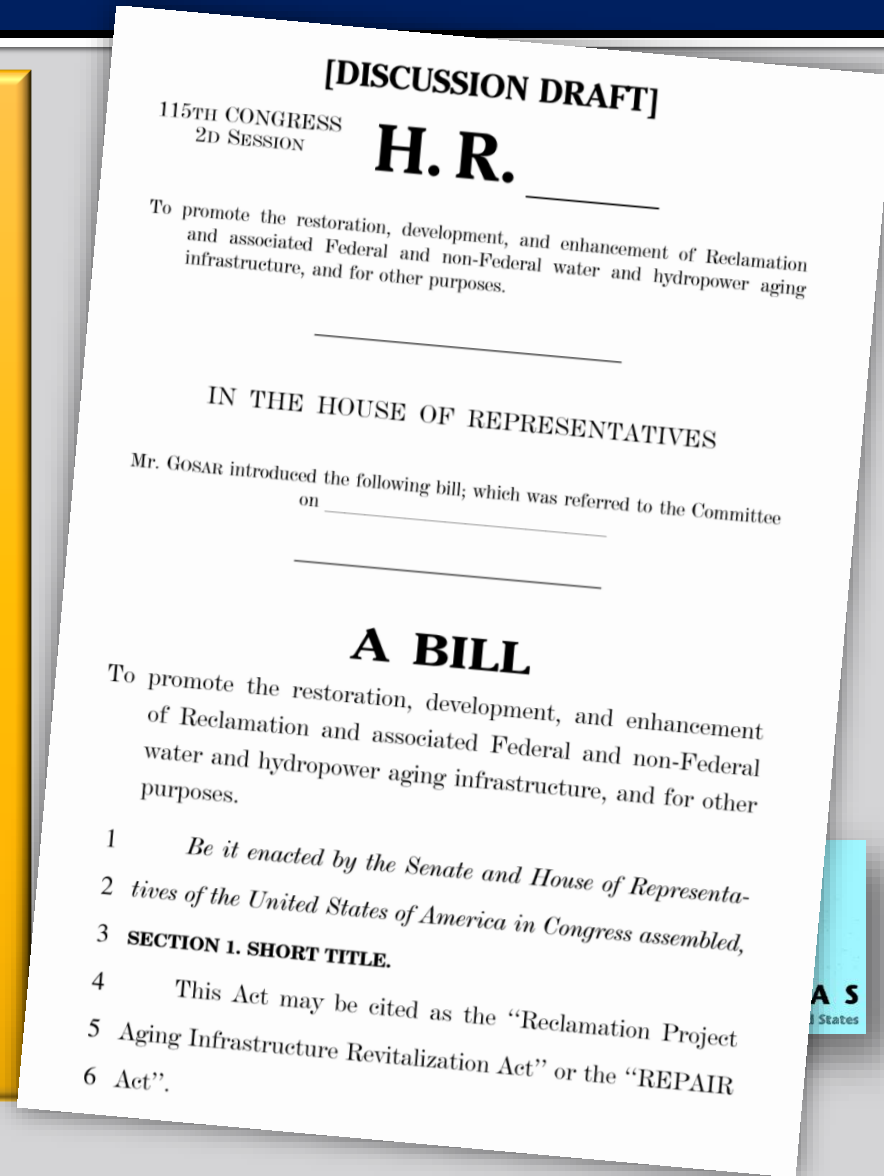
REPAIR Act proposal

Brad Hiltcher, MET

- The *Reclamation Project Aging Infrastructure Revitalization Act* (REPAIR Act) will provide valuable funding for restoration, development, and enhancement of water and hydropower infrastructure projects.

REPAIR Act – discussion draft

- Paul Gozar (R-AZ)
- **Purpose:** to promote Reclamation, federal & non-federal water/hydro with aging infrastructure
- **Loans:** interest rate equal to yield of similar US Treasury security
- **Eligibility:** projects in Reclamation states
- **“Obligor”** pays a determined credit risk
- **Project costs** generally > \$5.0 M



Blowing-up the USACE Civil Works

Chairman Shuster:

*“Why does it need to be at DoD?”
Shuster said during the March 6
House Transportation &
Infrastructure Committee hearing.*

*“Two hundred years ago it made
sense; the Army was the only thing
that could build a dam, a roadway.
But today there’s no need for Civil
Works to remain at DoD”*



David Collinsworth – Brazos River Authority General Manager
Mark Mazzanti – SWD Programs Mg
Tom Kula – former SWD Cmd & NTMWD General Manager
Fred Caver – former Deputy for Civil Works



CEQ proposal

- Recent notice
- Updating implementing regulation
- 40 years w/ only one major update
- Seeking public comments



This document is scheduled to be published in the Federal Register on 06/20/2018 and available online at <https://federalregister.gov/d/2018-13246>, and on [FDsys.gov](https://fdsys.gov)

[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Parts 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, and 1508

[Docket No. CEQ-2018-0001]

RIN: 0331-AA03

Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance Notice of Proposed Rulemaking.

SUMMARY: The Council on Environmental Quality (CEQ) is considering updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA). Over the past four decades, CEQ has issued numerous guidance documents but has amended its regulations substantively only once. Given the length of time since its NEPA implementing regulations were issued, CEQ solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process consistent with the national environmental policy stated in NEPA.

DATES: Comments should be submitted on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit your comments, identified by docket identification (ID) number CEQ-2018-0001 through the Federal eRulemaking portal at <https://www.regulations.gov>. Follow the online instructions for submitting comments.

CEQ proposal

II. Request for Comment

CEQ requests comments on potential revisions to update and clarify CEQ NEPA regulations.

Examples of questions asked:

Scope of NEPA Review:

Should CEQ's NEPA regulations be revised to provide greater clarity to ensure NEPA documents better focus on significant issues that are relevant and useful to decisionmakers and the public, and if so, how?

NEPA Process:

Should CEQ's NEPA regulations be revised to ensure that envir. reviews...involving multiple agencies are conducted in a manner that is concurrent, synchronized, timely, and efficient, and if so, how?

Emerging & Special Issues for WESTCAS Consideration & Monitoring

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Remaining Issues

INPUT & DISCUSSION

WRDA Amd
proposed by Sen
Feinstein



Recent request from Sen
Feinstein's office; needs
review

Healthy forests –
Water Quality &
Fire Borrowing issue



Chris Treese to provide
update & suggestions on
response

Water Supply
Rule – USACE




Final issuance of this Rule
can happen anytime but
not expected

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Your Comments, Questions or Notes

Go to www.menti.com and use the code **32 78 38**

Ongoing Issues – Rank WESTCAS/Arid-West interest & ability to influence outcome



- 1 WOTUS
- 2 WRDA (conference)
- 3 Lacey Act (Advisory Grp)
- 4 Title XVI (funding/prgm)
- 5 Water Consrv Rebate (legislation)
- 6 ESA (target reform)
- 7 CWA (WOTUS definition target)

Questions & Discussion

