
WESTCAS Reg-Leg Forum: Responses to Leg Issues

* Required

*Clean Water Act Rulemaking - Joint with Regulatory Response **

Concerns with putting the Rule ahead of completing the science. From Leg perspective, Congress will be concerned and is considering appropriate actions. Response (please respond to each category and add explanation as needed): WESTCAS Role - 1) Carry solo; 2) Partner; 3) Monitor. WESTCAS Pathways - 1) Member/staff; 2) Cmt Member/staff; 3) Agency staff. WHO's Issue?: 1) WESTCAS (arid West); 2) Local or State; 3) National

*FY 2015 Appropriations – are we back on regular cycle? **

Comments on WESTCAS response to the FY15 budget process. Input on water related budget items (BOR, USACE, EPA, etc)? Efforts to work on appropriation "riders"?

*Bureau of Reclamation – critical legislation input and comments to Agency (on D&S or other) **

Based on the BOR-related Leg presented, please provide comments on WESTCAS response. Please refer to the categories and provide comment on WESTCAS Role, Pathways, and Ownership of Issue.

*Water Resources Development Act in Conference – USACE Implementation Guidance **

As explained at Reg-Leg, a WRDA is expected in next 2-3 months. After review (HRA will provide membership with assessment of key provisions), the question of how involved WESTCAS wants to be (and will allowed to be) involved with the USACE on development of the "Implementation Guidance." Please comment on the level of involvement that would be appropriate for WESTCAS.

*USFWS, invasive species, and “Categorical Exclusions” **

WESTCAS recognizes that water transfers and hydropower operations are and will be critical to the arid West. The issue of conflicts between the USFWS regulatory actions to control invasive species when there is a connection to a water supply or hydropower operation needs to be carefully considered. WESTCAS has commented to USFWS that any such connection should be considered an "Extraordinary Circumstance" with respect to NEPA review (avoids the use of Categorical Exclusion and would trigger EIA or EA effort). What are

your comments on continued WESTCAS support? Should appropriation riders be considered if the USFWS adopts the regulations to allow use of CE with the water transfer being explicitly cited as an "Extraordinary Circumstance?"

Principles, Requirements & Interagency Guidelines *

Recognizing the problems with the PR&G and the fact that these requirements apply to ALL agencies "government wide", the federal water-related projects (new, modifications, permits, etc) will be impacted. Please comment on the WESTCAS continuing to 1) monitor the issue and identify opportunities for comment; 2) actively working with Congress members and staff to seek revisions to the PR&G; or 3) other action that you would suggest?

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