WESTCAS 2015 Annual Conference San Diego, California June 17, 2015

Review of WESTCAS 2015 Legislative Plan

2015 Agenda to Date WESTCAS Considering & Commenting

- Phoenix Workshop and Follow-up
- WOTUS
 - Comment Letter to EPA
 - Letter to the T&I Committee
- FFRMS
 - March 9th FEMA Letter Requesting Extension
 - May 6th Joint Comment Letter to FEMA
- Interstate Water Transfers
 - Meetings with Kiel Weaver, Matt Strictler Water, Power & Oceans
- ESA (direction in 2014)
 - Comment Letter & Testimony at House Natural Resources

Phoenix Workshop and Follow-up

Homework Paper: Feedback on Session 1 Issues & Preparation for Session 2

Policy Issues and How WESTCAS Can Make a Difference

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-	Issue Presented	WESTCAS Priority Level	Action (identity from number(s) below una comments). What is the WESTCAS "Ask"			
	WOTUS					
	ws transfer in the West (invasive species)					
	Federal Investment Nestern Wat	in eer				
	ESA Refor	m				
	Other Wes Water issi (FFRMS, E Nater Tra Rule, US F Service	pes PA nsfer orest GW				
	Rule, g	393	The second of th			

- NEXTURE ESSUBE 1) High WESTCAS and arid West issue of immediate concern Medium - Western states issue of moderate concern (or developing concern)
- Thank priority Issue to watch for future consideration or eliminate

- 2) Frequence of Opening Vision of Jurisdiction, WESTCAS State Members, others, as appropriate
- 3 Prepare written testimony, as appropriate 3 - Coordinate with other Western water resources association
- 3) WESTCAS DC Fly-in topic to be carried

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Name:	
Agency	r:

	WOTUS Issue Comments (from handout)					
WESTCAS Responder	Priority	Suggested Action	Comments			
1	Α	1,2,3,4,5				
2	Α	4				
3	A	1,2,3,4,5	Primary issue for me and my clients; need to support legislation with possibility of escaping veto- best way to support is with concrete examples of harm			
4	A	1	Prepare position paper. Work to support committee bill, maybe with letter outling vision of new bill			
5	Α	1,2,4				
6	Α					
7	Α	1,2,3,4,5				
8	Α	5,4,3				
9	A-B					
10	A		Scottsdale provided comments on proposed Rule. Ephemeral wastes needs to be addressed			
11	A	1				
12	Α	1,3,4,5				
13	A	2, 3, 5	Letter to T&I Chair Shuster and others as discussed I want to continue working on this issue (Bob Hollander)			

- A) High WESTCAS and arid West issue of immediate concern
- B) Medium Western states issue of moderate concern (or developing concern)
- C) Low priority Issue to watch for future consideration or eliminate

Suggested Actions:

- Prepare or Update WESTCAS position paper on topic
- Letter to Committee of Jurisdiction, WESTCAS State Members, others, as
- Prepare written testimony, as appropriate
- (4) Coordinate with other Western water resources association.
- (5)- WESTCAS DC Fly-in topic to be carried

And/or add comments, other suggestions, etc.

WOTUS Comment Letters

The Western Coalition of Arid States WESTCAS

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ADMINISTRAÇÃO DE PORTO David House, Care Water Tracket WWW.WESTUS.ORG

March 17, 2015

Committee on Transportation and Infrastructure The Honorable Bill Shuster, Chair 2165 Raybum House Office Building Washington DC 20515

The Honorable Bob Globs, Chair Subcommittee on Water and the Environment House Committee on Transportation and Infrastructure 2165 Raybum House Office Building Washington DC 20515

RE: Waters of the U. S. Proposed Rule (WOTUS)

Dear Chairman Shuster. Dear Chairman Globs:

The Western Coalition of Arid States (WESTCAS) is an association of over 1/ und vives con underson un And branes (vives (UAS) is an association of wire in about the and visatewater agencies, consulting enginess, and legal firms puone water and wastewater agencies, consulting engineers, and legal times whose mission is to support sound water policy for the Ard West. We deer whose massive is to support sound water pointy for the Ard virest. We deel appreciate the Joint Waters of the US (WOTUS) hearing that you and Chair and Chai appreciate the joint waters of the US (WA) US) meaning that you and Unit had the leaves identified the Pebruary 4. This letter is directly related to the issues identified to the instance that the instance is a second to the instance in t

in the Arid West, WOTUS impacts issues ranging from isolated waters. in the And week, you was impacts haves ranging from success waters, experiences, water reuse facilities, 6 dudge that hearing. In the And vices, man-made conveyances, water reuse reuse reuse representation of the properties of the state of the systems, agricultural and reasside ditches to other waters that are his systems, agricultural and reasside ditches to other waters that are his systems, agricultural and reasside ditches to other waters that are his systems, agricultural and reasonable of WESTCAS are familiar with the systems. ayavena, our curver are required orders of west of the resident with a modeled by drought. The members of WESTCAS are familiar with a associated by any engagement of the control of the aspects or western hydrology and water resources management. O reliablies to the WOTUS Rule are to make sure that they are fully at before the Rule becomes final.

As you and other Committee Members have observed during the As you and owner Wansening managers have outserved ourning or 2015 Joint hearing, both EPA Administrator McCartry and Ass) of the Army Descey acknowledged that there are problems will add a second to the second that there are problems will be a second to the second or one name wanter successfully and one of the need to correct their pulse. Additionally, they both admitted the need to correct their the rule becomes final. Despite the Administrator's recognity the rate occurring a mean area part one recommendation a recognist flews, unless the Congress adds to denty these lissues and t moves, were as one consultant outs to coming onese takens and ?

Can be no guarantee that EPA will address them before it? forward to finalize the rule.

OFFICERS PRESIDENT

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The Voice of Water Quality in the And April 4808 P. O. Box 77561 Washington, D. C. 20013-7561

770-424-8111 Fax: 770-424-9468

The Western Coalition of Arid States WESTCA November 13, 2014

Submitted electronically to: ow-docket@epa.gov

Water Docket U.S. Environmental Protection Agency Mail Code: 2822T 1200 Pennsylvania Ave., NW Washington, DC 20460

WESTCAS comments regarding U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers Proposed Rule Defining the Scope of Waters Protected under the Clean Water Act - Docket ID No. EPA- HQ-OW-2011-0880

Dear Sir or Madam:

Representatives from the Western Coalition of Arid States (WESTCAS1) completed its review of the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (collectively the "agencies") proposed rule defining the scope of waters protected under the Clean Water Act (CWA), 79 Fed. Reg. 22188 (Apr. 21, 2014). WESTCAS appreciates the efforts of the agencies to clarify the scope of CWA approvides the entitle of the assures to entity the serve of the simulations and manmada.

FFRMS Comment Letters

The Western Coalition of Arid States WESTCAS

The Western Coantion of Arid States WESTCAS

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Regulatory Affairs Division Office of Chief Counsel Federal Emergency Management Agency 8NE, 500 C Street SW Washington, DC 20472-3100

Attention: Docket ID FEMA 2015-0006 Dear Mr. Wright and Members of the Mittgation Framework Leadership Group (

We are writing on behalf of the Western Coalition of Arid States [WESTCAS]; the Association of California Water Agencies (ACWA); and the Texas Water Conservation Association [TWCA] to express our concerns over the draft Revised Guidelines for implementing Executive Order 13590 and to request that your Agency suspend further action on the draft until a sufficient time has been allowed for informed public input by the numerous affected public and private stakeholders impacted by this Order. Changes of the magnitude you are proposing for policies that have been in existence since Executive Order 11988 was issued some 38 years ago should implemented only after a very public and transparent process. The public comment period which ends May 6 does not meet this standard.

Our associations serve water-related constituencies in the Arid West. Many are tacing challenges with regard to severe drought and rapid population growth. The Guidelines which you propose inject a large element of uncertainty and complexity which greatly adds to the problems our members are currently trying Compressly writer greaty dute to the protection our manuals are contains a project to address. We are especially concerned over the one size fits all approach of the contains Executive Order 19690. Different areas of our nation are very different in terms of climate and topography. The Guidelines have the potential to increase the size of the flood plain in the areas served by our members and extend the reach If complex new Federal regulations into areas which rarely if ever are subject to

The Guidelines provide federal agencies with three options as the basis from THE GUIDBING PLUNDE NUMBER BY STORE WHILE SEE OPENING OF SEE USES WHICH TO determine "federal action" in a flood hazard area, "including:

- Using best available climate science.
- Adding two to three feet of freeboard to the 100-year flood plain elevation.
- Adopting a 500-year flood plain standard for protection.

cerns with regard to the impact of these three options. This includes numerous Federal agencies charged with implementing the Guidance they believe best meets their need in meeting their responsibilities. It rs to work with several different Federal agencies with regard to Issues. The prospect of these agencies choosing different options that have been identified would add many new layers of confusion

Page 2 of 3

each of the three options that are identified in the Guidelines. For use best available climate science but the Guidelines do not be an accepted "climate based science" standard for determining a areas like the Arid West differ markedly from many other regions. comment with regard to costs and benefits. Any time a policy that is the subject of huge proposed changes, this issue should be

mine and implement Federal Action on the flood plain are equally r membership provide and addition 2 or three or more of 00 year floodplain. But local engineering experience and determine where this additional protection can best be build require this extra freeboard protection to be employed in all psing option 2 despite the fact that this might add little to flood stantial increase in local costs. Option 3 which is flood protection the beyond the ability of government at any level to provide structure.

iciations provide flood and stormwater, management service his involves a complex and ongoing process of planning, projects. An expansion of the definition of what constitut ate all three of these steps, requiring our members to hall sses to a much greater area than is the case at present s is not unlimited, this will result in currently planned or being curtailed. And this in turn could lead to loss of (d protection and stormwater management are force be a balance between protecting sensitive flood pl/ ecessary to protect life and property. But this bala he Guidance is rushed as it currently is.

that the Federal agencies involved in this process. ntil 30 days after the final Guidelines are published. William MA, the Army Corps of Engineers, USERA will implement

Water Quality in the Arid West

561 Washington, D. C. 20013-7561 24-8111 Fax: 770-424-9468

The Western Coalition of Arid State WESTCAS Docket ID FEMA 2015-0006 May 6, 2015

this new policy, it is impossible for stakeholders such as our three associations to offer the informed comments that play such an important role whenever mailor new Federal policies. this new policy, it is impossible for stakeholders such as our three associations to offer the proposed. The public comment period which opened on February 5 of this year represents. of informed comments that play such an important role whenever major new Federal policies and of what must be a process to inform the public with regard to such tar-represents to the play in the public with regard to such tar-represents the public with regard the public with regard to such tar-represents the public with regard to such tar-represents the public with regard to such tar-rep proposed. The public comment period which opened on February 5 of this year represent said of what must be a process to inform the public with regard to euch far-farging new.

We believe that this process has only begun for say. start or what must be a process to inform the public with regard to such far-ranging new complex lesse and we ask that you suspend further action until this process has only begun for such a fact of the process has been they Guidance with regard to flood plains. We believe that this process has only begun for such implementary.

Implementary

Implemen

El Carley Western Coalition of

Tim Quint, Executive Director Association of California Water Agencies

Leroy Goodson, General Manager, Texas Water Conservation Association

The Voice of Water Quality in the Arid West

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