

**Written Testimony of Jack Waldorf, Executive Director  
Western Governors' Association**

**Submitted to the United States House of Representatives  
Committee on Appropriations  
Subcommittee on Energy and Water Development and Related Agencies  
March 27, 2024**

**Fiscal Year 2025 Appropriations**

Chair Fleischmann, Ranking Member Kaptur, and Members of the Subcommittee, the Western Governors' Association (WGA) appreciates the opportunity to provide testimony on the appropriations and activities of the federal agencies under the Subcommittee's jurisdiction, including the Department of Energy (DOE), Federal Energy Regulatory Commission (FERC), Bureau of Reclamation (BOR), and U.S. Army Corps of Engineers (Corps). WGA is an independent organization representing the Governors of the 22 westernmost states and territories. It is an instrument of the Governors for bipartisan policy development, information sharing and collective action on issues of critical importance to the western United States

The agencies within the Subcommittee's jurisdiction wield significant influence over the American West and the development of energy and water resources in the region. Western Governors recognize the importance of a close and productive working relationship between states and the federal government and understand that more effective intergovernmental cooperation depends on federal recognition of states as co-sovereigns and partners. The promotion of a greater partnership between states and the federal government is central to the mission of WGA and is reflected in WGA Policy Resolution 2024-01, Strengthening the State-Federal Relationship. WGA Policy Resolutions 2022-01, Energy in the West; 2021-08, Water Resource Management in the West; 2021-10, Water Quality in the West; 2022-09, Radioactive

Materials Management; and 2023-10, Infrastructure Permitting, communicate Governors' collective perspectives on energy and water policy priorities and infrastructure needs.

States possess primary legal authority for the allocation, management, protection, and development of water resources in their borders. In most of the West, water is a scarce resource that must be managed with sensitivity to social, environmental, and economic values and needs. Governors best understand these needs in their states and are in the best position to manage and protect their water resources.

Without undermining states' authority over water resource management, Congress should ensure adequate funding is available for new water projects, as well as improvements to aging water, wastewater and hydropower facilities. Infrastructure investments are essential to our nation's continued economic prosperity, electricity generation capacity, and environmental protection. The Subcommittee should also continue to fully use receipts accruing to the Reclamation Fund for their intended purpose: the conservation, development, and use of resources to meet western water-related needs, including the construction of Congressionally authorized BOR rural water projects and facilities that are part of Congressionally authorized Indian water rights settlements.

Western Governors emphasize the important functions of BOR's WaterSMART program and the Corps' Planning Assistance to the States program, which support investments in modern water delivery infrastructure and comprehensive water resources planning, respectively. The Subcommittee also should recognize the potential of greater private investment in water infrastructure, utilizing and promoting, where appropriate, such tools as loan guarantees, revolving funds, infrastructure banks, and water trust funds. Western Governors urge that capital

budgeting and asset management principals be used to determine funding priorities based on long-term sustainability and not annual incremental spending choices.

Western states rely on basic information on the status, trends, and projections of water resource availability to make sound water management decisions. Water users throughout the West and decision makers at all levels of government need the ability to assess drought conditions and respond effectively. Lacking the ability to implement drought mitigation measures when needed can lead to increased wildfires, impaired ecosystems, degraded agricultural production, and threatened municipal and industrial water supplies. For these reasons, Western Governors support strong and dedicated funding to Corps and BOR programs that make water data available to water managers.

On the subject of data, given the numerous federal programs, policies, and regulations directly affecting the collective states and territories, Western Governors encourage the Subcommittee to direct Congress and federal agencies to improve their internal processes and coordinate with states and territories on federal policies and procedures, as well as integrate state and territorial data into federal programs, including for policymaking purposes.

The spread of invasive mussels, crabs, and aquatic vegetation continues to be a major threat to western water resources. The containment of these invaders in infested waters in the West depends upon the collaboration and cooperation of federal, state, and local agencies. Many state-led containment programs benefit from federal cooperation and funding. Western Governors request that the Subcommittee provide BOR and the Corps with the necessary funding to collaborate with western states to contain the spread of aquatic invasive species.

Energy generation and delivery systems are undergoing rapid, significant change across the West. Western Governors encourage the Subcommittee to support new and existing

programs focused on investments in grid infrastructure hardening and weatherization technologies, vegetation management in utility corridors, and enhanced cybersecurity defense systems for electricity providers.

Western Governors support a variety of federal programs that promote energy systems planning, energy efficiency upgrades, and the adoption of innovative energy technologies in rural areas. Western Governors encourage the Subcommittee to continue funding the State Energy Program, which is key for state efforts on planning for transmission and distribution infrastructure and transportation electrification infrastructure, and the Weatherization Assistance Program, which helps make homes more energy efficient.

Western Governors emphasize the importance of permitting and completing infrastructure projects on efficient timelines. Leveraging existing rights of way or co-locating infrastructure projects along linear infrastructure assets can help support permitting and environmental review efficiencies. Moreover, the importance of highly qualified staff that oversee the process and evaluation of permit applications should not be overlooked. Recent infrastructure investments have increased workloads for local agency field offices and created new demand for technical assistance from local communities and states. Western Governors encourage the Subcommittee to consider additional support to agencies overseeing critical infrastructure projects to increase their capacity to conduct environmental reviews and permitting activities in a timely manner.

The West has long been an international hub for new energy technology and Western Governors request the Subcommittee fund research, development, demonstration, and deployment of advanced energy and energy storage technologies, including geothermal; battery;

hydrogen; pumped hydropower; compressed air; and carbon capture, utilization, and storage. DOE's National Laboratories serve a crucial role in energy research and development across the West. Western Governors also note the importance of emerging tools and technologies that address barriers to mineral supply chain reliability, including technologies that help recycle or reuse existing critical mineral resources, and encourage the Subcommittee to support DOE programs focused on critical mineral and battery manufacturing, processing, and recycling.

Continued funding for DOE's Waste Isolation Pilot Plant (WIPP) Transportation Safety Program is essential to the cleanup and disposal of transuranic (TRU) waste from U.S. nuclear weapons complex facilities in western states, including Idaho National Laboratory, Los Alamos National Laboratory in New Mexico, Lawrence Livermore National Laboratory in California, and the Hanford Site in Washington. DOE must continue to provide sufficient and timely in-kind, financial, technical, and other appropriate assistance to states and tribes through whose jurisdictions TRU waste will be transported. The safe and uneventful transportation of TRU waste is a priority of Western Governors, and WGA encourages the Subcommittee to provide adequate funding to ensure that the important work of the WIPP Transportation Safety Program continues. Furthermore, Congress should refrain from advancing the interim storage of nuclear waste through the appropriations process without the written consent of the current Governor in whose state or territory the facility is to be located.

Western Governors and federal agencies deal with a complex web of interrelated energy and water resource issues. It is an enormous challenge to judiciously balance competing needs and Western Governors appreciate the difficulty of the decisions this Subcommittee must make. The foregoing recommendations are offered in a spirit of cooperation and respect, and WGA is prepared to assist you as the Subcommittee discharges its critical responsibilities.