



# Western States Water

## Addressing Water Needs and Strategies for a Sustainable Future

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### **ADMINISTRATION UPDATE**

#### **Department of Agriculture**

On April 22, Secretary Tom Vilsack, Department of Agriculture (USDA) announced the appointment of Jay Jensen, Deputy Under Secretary for Natural Resources and Environment. Jensen will be responsible for the U.S. Forest Service (USFS) and the Natural Resources Conservation Service (NRCS). Most recently, Jensen served as Executive Director of the Council of Western State Foresters/Western Forestry Leadership Coalition, which is a federal-state governmental partnership. He has also served as senior forestry advisor for the Western Governors' Association (WGA) – responsible for the biomass energy program -- and as the lead forestry advisor for the House Agriculture Committee. In a USDA press release, Secretary Vilsack said that Jensen's leadership with respect to the nation's forests was a "top priority" for USDA because it relates to "...the intensity of forest fires, climate change, biomass and renewable energy, clean water and revitalizing forest-dependent communities." (USDA Press Release 4-23)

### **CONGRESSIONAL UPDATE/WATER RESOURCES**

#### **Weather Modification/Mitigation**

The Senate Commerce, Science and Transportation Committee is planning a May hearing on S. 601, the Weather Mitigation Research and Development Policy Authorization Act of 2009, introduced by Senator Kay Bailey Hutchison on March 16. Senator Hutchison introduced similar legislation in the last Congress, which the WSWC supported. The new bill calls for the development and implementation of a comprehensive and coordinated national weather mitigation policy and national cooperative federal and state program of weather mitigation research and development. It specifically points to economic losses in drought and hail prone areas of the nation and the potential to increase snowpack, enhance rainfall and suppress hail. While there are at least 66 operational programs conducted across ten states, only a handful of related research programs are underway.

The bill's findings also note that a 2006 Bureau of Reclamation evaluation found cloud seeding for snow augmentation could potentially increase runoff in the seven-state Colorado River Basin by perhaps 800,000 acre-feet. Moreover, the bill finds the human impacts on

weather, including the impact of air pollution on cloud physics and precipitation processes are not well understood, perhaps causing inadvertent changes.

The bill would therefore direct the National Science Foundation (NSF) to establish a Weather Mitigation Office and appoint a director. NSF would also appoint an advisory board composed of eleven members representing states currently supporting operational weather mitigation programs, the National Center for Atmospheric Research (NCAR in Boulder, Colorado), the National Aeronautics and Space Administration (NASA), the American Meteorological Society, American Society of Civil Engineers, National Academy of Sciences, National Oceanic and Atmospheric Administration (NOAA), Department of Agriculture, and an experienced member from the academic/research community.

The research and development agenda is to cover "theoretical analysis, exploration, experimentation, and the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes." The Weather Mitigation Research Office would be tasked with coming up with an 10-year implementation plan within six months, in consultation with the advisory board, that would: (1) establish goals and priorities; (2) describe specific funding for competitive research grants, scientist support and training, and international research efforts; (3) identify and address federal agency programs and activities; (4) consider past reports and studies, including the National Research Council's report, *Critical Issues in Weather Modification Research*; (5) make recommendations for coordination of national and international organizations' activities; and (6) estimate federal funding for program research activities.

The bill explicitly mentions that research and development activities may include cloud and precipitation physics, cloud dynamics and cloud modeling, improving cloud seeding-related technologies, severe weather and storm research, and research related to "potential adverse affects of weather mitigation." It promotes improved forecasting and decision-making technologies, including tailored computer workstations and software and new observation systems with remote sensors, as well as assessments of the efficacy of weather mitigation.

Further, it encourages the development of federal/state agency and academic partnerships, as well as scholarship and educational opportunities.

The bill authorizes \$25M/year for FY2010-2014, with 66% going to NSF, and 34% split between NASA and NOAA, with half that amount set aside for competitive grants to state agencies, institutions of higher education, and non-profit organizations. Grants are limited to on-going current research and development projects. NSF would annually summarize program achievements in a report to Congress. (<http://thomas.loc.gov>)

## **ENVIRONMENT**

### **Endangered Species Act**

On April 20, Interior Secretary Ken Salazar announced \$57.8M in grants aimed at helping 27 states work with private landowners, conservation groups and other agencies to conserve threatened and endangered species through the acquisition and protection of habitat. The grants, authorized under the Endangered Species Act (ESA) Section 6, will support the development of Habitat Conservation Plans (HCPs) and will be awarded through the Fish and Wildlife Service's (FWS) Cooperative Endangered Species Conservation Fund (CESCF). HCPs are agreements between landowners and the FWS that allow landowners to conduct lawful activities on their property that may adversely impact a listed species so long as the landowners agree to conservation measures that mitigate impacts. Of the \$57.8M total, \$7.6M will be available through the HCP Planning Assistance Grants Program and \$36M through the HCP Land Acquisition Grants Program. Another \$14.1M will go to the Recovery Land Acquisition Grants Program. Salazar said the grants will "...empower landowners and local communities to be good stewards of the vital habitat that makes the recovery of listed species possible." (FWS News Release, 4-20)

## **WATER RESOURCES**

### **Bureau of Reclamation/Infrastructure/Stimulus**

On April 28, the Bureau of Reclamation's Acting Commissioner, William McDonald, testified before the House Natural Resources Committee's Subcommittee on Water and Power at an oversight hearing on the agency's spending of \$1B in appropriations it received under the Stimulus Act (WSW #1822). McDonald provided more information regarding the funds for projects in western states – in the Dakotas and Montana \$200M for six rural projects; in Oregon \$4M for environmental restoration and infrastructure reliability; in Colorado \$20M for infrastructure reliability, as well as \$12M for the Animas-La Plata Project; in Arizona \$66M for infrastructure reliability, future water supplies and environmental restoration; and in Washington \$120M also for infrastructure reliability, future water supplies and environmental restoration.

McDonald also said that Reclamation will select other projects for funding under: (1) the Title II Colorado River Basin Salinity Control Project (\$10M); (2) the Water Conservation Initiative/Challenge Grant Program (\$40M); and (3) the Lower Colorado River Multi-Species Conservation Plan (\$2.5M). The criteria for these competitive grant programs are available on [www.grants.gov](http://www.grants.gov) and the closing dates are May 14, 22, and 29 respectively. McDonald also said the final selection has yet to be made for emergency drought relief projects, but added that Reclamation is "...gathering information from those suffering from 2009 drought conditions" and will "...begin some projects within the coming months."

McDonald also described Reclamation's project selection process, saying that it used a "multi-tiered, merit-based" evaluation process that considered: (1) the Stimulus' general objectives (creating jobs, investing in infrastructure) and Interior policy objectives (improving energy efficiency and assisting Native Americans); (2) project priorities specific to Reclamation; (3) Reclamation's overall program priorities; and (4) criteria for the selection of projects within individual program investment areas. McDonald further said that Reclamation gave priority to Stimulus activities with "more efficient construction schedules, probable cost reductions, and an earlier realization of project benefits."

Of note, the Stimulus requires that all appropriated funds be obligated by the end of FY2010, and to this end, McDonald expects "...that nearly all [selected] projects...will be well along by the end of fiscal year 2010 and completed by the end of fiscal year 2011, although a few will not be completed until fiscal year 2012." Many of the projects receiving Stimulus funding may be included in President Obama's 2010 request, but McDonald said that Reclamation did not have sufficient information to characterize the Stimulus' effect. The testimony is at <http://resourcescommittee.house.gov>.

### **Water Resources Research**

On April 22, the Congressional Research Service (CRS) released a report, *Coordination of Federal Water Research: Legislative Issues* that address H.R. 1145, the National Water Research and Development Initiative, which passed by the House on April 23. It points out that H.R. 1145 would not increase authorized funding, but focus agency research agendas and create a National water Initiative Coordination Office. It adds that the existing National Science and Technology Council's Subcommittee on Water Availability and Quality (SWAQ), which produced a 2007 *Strategy for Federal Science and Technology to Support Water Availability and Quality in the United States*, was not created by statute. CRS suggests H.R. 1145 may shift research priorities, help avoid duplication and improve transparency, but without new money may not result in significant changes to the status quo. For a copy, contact the Council office.

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