



MEMORANDUM  
DECEMBER 28, 2018

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**TO:** BOARD OF DIRECTORS

**FROM:** CHRIS TREESE

**SUBJECT:** FEDERAL AFFAIRS:  
4TH QUARTER 2018

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***ACTION:** No specific action requested with this memo; however, as always, Board direction and priority-setting welcomed.*

***STRATEGIC INITIATIVE(S):***

***1.B Outreach and Advocacy***

***7. Water Needs/Project Development***

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I will continue my tradition of a “progressive memo” on federal affairs for the Board’s quarterly meetings. Since federal issues remain active longer than state issues, creating separate quarterly memos for each federal issue would be redundant and inefficient. This progressive memo will follow the issues and developments of interest to the River District in the 115<sup>th</sup> Congress. Since a session of Congress runs for two years, I will update this memo through 2018 to provide the Board with an easier, read-at-a-glance communication concerning federal affairs. The length of this memo will grow with each quarterly Board meeting. New materials will be highlighted in **bold** for easy reference. **Accordingly, this is the final update for the 115<sup>th</sup> Congress.**

If Board members have questions between quarterly updates or desire additional information on specific federal developments, please do not hesitate to contact me.

**NOTE:** While there are relatively few updates to tracked legislation indicated in bold in this quarter’s federal affairs memo, significant progress was made on a 2018 Farm Bill and publication of a new rule implementing “Waters of the U.S.”

**Highlights: 4th Quarter:**

- **President Trump signed into law the Water Resources Development Act, principally authorizing projects and programs of the US Army Corps of Engineers.**
- **Aimed at helping projects in CA, OR, and WA, President Trump signed a memorandum ordering the government to speed up environmental reviews and streamline regulations that he says are hindering work on major water projects.**
- **Secretary Zinke set a target date of July 1, 2019 for his reorganization of the Department of the Interior. Commissioner Burman and others have spoken of plans and planning confirming the reorganization and the July 1 date.**

- **In October, Reclamation Commissioner Brenda Burman announced the appointment of Shelby Hagenauer as Reclamation's Deputy Commissioner. Hagenauer has close to 20 years of experience working in and with the federal government through positions on Capitol Hill and the private sector. Her policy experience ranges from work on natural resource, agriculture and California water policy to financial services and defense issues.**
- **President Trump issued a Presidential Memorandum October 19th directing the Departments of the Interior and Commerce to do what it takes to ensure that western water users have what they need to irrigate millions of acres of farmland and provide water and power to millions of Americans. Specifically, the Presidential Memorandum directed the Interior and Commerce Departments to take several actions, including:**
  - **Expediting regulatory actions essential to the operation of water infrastructure while ensuring compliance with the Endangered Species Act and National Environmental Policy Act;**
  - **Improving the information and modeling capabilities related to water availability;**
  - **Expanding use of water desalination and water recycling;**
  - **Removing unnecessary burdens unique to the operation of the Columbia River Basin's water infrastructure.**
- **Secretary of the Interior Ryan Zinke and Secretary of Commerce Wilbur Ross signed a Memorandum of Agreement that will ensure that the Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West (see above) is implemented as quickly and smoothly as possible.**
- **Reclamation Commissioner Brenda Burman challenged the seven basin states to come to complete and formal agreement on Drought Contingency Plans (DCP) on the Colorado River. At Colorado River Water Users, she declared, "Close is not done" and set January 31, 2019 as a hard deadline for all required parties to formally endorse the DCP documents and related agreements. Failure to meet the deadline, she announced, would result in her initiating promulgation of rules unilaterally.**
- **The 2018 Farm Bill passed during the lame duck session and was signed by the President. Congressman Tipton (R-CO) was the only Colorado House Republican to vote for the bill. The River District issued a press release thanking our two US Senators for their hard work on numerous provisions of interest to western water users.**
- **The Upper Colorado River Commission (UCRC) unanimously approved the Upper Basin's Drought Contingency Plan documents. Note: the upper basin's plan is not fully approved unless and until both the upper and lower basin plans are approved.**
- **Interior Secretary Zinke resigned effective at the beginning of the New Year. Former Rifle resident, David Bernhardt, is the acting Secretary.**
- **Arizona Governor Ducey appointed state Representative Martha McSally (R-AZ) to the Senate seat being vacated by. Jon Kyl, who was tapped earlier this year to fill**

**the seat of the late Senator John McCain. McSally lost her race for Congress this year to Kyrsten Sinema (D-AZ).**

- **Sen. Cory Gardner (R-CO) just before Christmas announced he has worked out an agreement with Senate leadership to introduce and vote on legislation in the New Year to reauthorize the Land and Water Conservation fund.**

### **Budget:**

Congress avoided a shutdown on December 7 by passing another Continuing Resolution (CR). This CR ensured the departments not covered by previously-passed appropriations bills did not have to shutdown; however, the new deadline set by the CR was December 21.

While more than half of the federal government's departments are operating under appropriations bills passed by Congress and signed by the President, roughly 40% are not, including, of note to the River District, the Department of the Interior and EPA.

**As of this writing, the remaining appropriations bills are still not passed. Efforts to pass a continuing resolution to keep federal operations funded ran into a demand from Mr. Trump for \$5 billion to fund a southern boundary wall. To date, Congress refuses to provide more than half the demanded amount, and Mr. Trump has tweeted he's not backing down. As a result, roughly 25% of the federal government is shut down for lack of funds, including all of EPA and Interior – except for “essential services.”**

### **Farm Bill:**

There is a renewal authority for RCPP that we actually worked on in the base bill that made it in and would allow the River District to just expand their work without reapplying. I wrote this with you in mind and RCPP goes up to \$300 m/year, so this can be valuable to you. We got the ability to increase cost share for water conservation to 90 percent (often overlooked but was also in the amendment). Authority to use 566 without limitation in RCPP. (When you combine that with the ability to waive the plan, RCPP can function more like a grant.

This year's Farm Bill also includes some important forest health provisions.

1. The Water Source Protection Program, which requires the Forest Service to work with downstream water users to develop partnerships to protect and restore water supplies;
2. Another section of the bill is the authorization of the Watershed Condition Framework, which directs the Forest Service to classify all national forest watersheds on their functionality, and develop watershed restoration action plans in cooperation with partners;
3. The reauthorization and doubling of the funding level for the Collaborative Forest Landscape Restoration Program (CFLRP), which funds collaborative restoration projects mostly aimed at reducing fuels and fire risk. The 2018 Farm Bill allows for existing projects to continue on a case-by-case basis, but also provides authorization for at least 10 new projects around the country.

All of the above provisions were included in the final Farm Bill. The River District worked closely with both Colorado Senators on final language to several key provisions in the Conservation Title of the bill. We are indebted to the hard work and our close working relationship with both offices.

The following are highlights of a few of the more notable provisions:

#### **EQIP**

The Farm Bill modified the Environmental Quality Incentives Program (EQIP) to allow irrigation districts and other water users to access EQIP funds “to implement water conservation or irrigation practices under a watershed-wide project that will effectively conserve water, provide fish and wildlife habitat, or provide for drought-related environmental mitigation.”

There is expanded authority under the Environmental Quality Incentives Program for irrigation districts - for the first time ever - to receive funding as direct applicants for water conservation measures.

The final bill includes improved contracting procedures intended to streamline and made more effective under the Regional Conservation Partnership Program. The River District fought hard for these improvements based on our RCPP contracting experiences.

#### **Forestry**

The forestry title is, broadly speaking, the Senate’s version. There are some provisions that were in the House bill, like Sec. 8101 support for State assessments and strategies for forest resources, but overall most of the language comes from the Senate bill. Below is a brief review of the relevant forestry titles.

**Sec. 8101. Support for State assessments and strategies for forest resources**

**Sec. 8102. State and private forest landscape-scale restoration program**

**Sec. 8401. Promoting cross-boundary wildfire mitigation**

**Sec. 8402. Authorization of appropriations for hazardous fuel reduction on Federal Land**

**Sec. 8404. Water Source Protection Program**

**Sec. 8406. Authorization of appropriations to combat insect infestations and related diseases**

**Sec. 8503. National Forest Foundation Act – Both Bills**

**Waters of the US (WOTUS):**

Mid-December, the Trump administration released its proposed revised definition of "waters of the United States." According to the administration's release, the proposal covers "six types of aquatic resources: traditionally navigable waters, tributaries, impoundments, wetlands adjacent to traditionally navigable waters, some ditches, and some lakes and ponds. It covers streams and creeks that flow year-round or intermittently into larger downstream waters, including navigable waters and other tributaries to them."

The December document dedicates considerable time to the definition and limited applicability of ditches. There is a new category for ditches proposed for addition to the definition of "waters of the US." "Ditches" are generally defined not to be "waters of the US." Only "jurisdictional ditches" may be considered waters of the US. Jurisdictional ditches are those that "function as traditional navigable waters, if they are constructed in a tributary and also satisfy the conditions of the proposed "tributary" definition, or if they are constructed in an adjacent wetland and also satisfy the conditions of the proposed 'tributary' definition."

Encouragingly, the pre-publication document explains, "The regulatory status of ditches has long created confusion for farmers, ranchers, irrigation districts, municipalities, water supply and stormwater management agencies, and the transportation sector, among others. In an effort to reduce that confusion, the agencies propose to delineate the categories of ditches that would be "waters of the United States," and are proposing to exclude all other ditches from that definition."

**On December 11, the Army Corps of Engineers ("Corps"), Department of Defense ("DOD"), and the United States Environmental Protection Agency ("EPA") (collectively "the Agencies") jointly proposed a new "Waters of the United States" (or "WOTUS") definition. The Agencies intend for the proposal to replace the Obama-era "Clean Water Rule: Definition of 'Waters of the United States, 2015'."**

**The Agencies stated that the Proposed 2018 WOTUS Rule is intended to "further clarify jurisdictional questions, eliminate case-by-case determinations, and narrow CWA jurisdiction to align with Justice Scalia's opinion in *Rapanos v. United States*. The Agencies' definition encompasses "relatively permanent flowing and standing waterbodies that are traditional navigable waters in their own right or that have a specific connection to traditional navigable waters, as well as wetlands abutting or having a direct hydrologic surface connection to those waters."**

**Of particular interest to the River District and germane to our comments on the 2015 rule, this new rule simplifies and narrows the definition of ditches. While an apparent improvement over the 2015 rule, additional clarity is needed to limit the jurisdictional question of irrigation ditch inclusion/exclusion.**

**Finally, the new rule expressly excludes certain waters from the definition of "waters of the United States." Specifically, the proposal's exclusions include:**

- 1) groundwater,
- 2) ephemeral surface features and diffuse stormwater run-off,
- 3) ditches that do not fall into the category of jurisdictional ditches,
- 4) prior converted cropland,
- 5) artificially irrigated areas,
- 6) artificial lakes and ponds constructed in uplands,
- 7) most stormwater control features,
- 8) wastewater recycling features, and
- 9) waste treatment systems.

**Legislation:**

**Bolts Ditch Access:**

H.R. 689 is a do-over of the previous Congress' bill granting the Town of Minturn access to the headgate of Bolts Ditch, which is just within the boundaries of the Holy Cross Wilderness Area. Rehabilitation of Bolts Ditch will allow Minturn to develop local storage. HR 689 passed the House and the Senate Energy and Natural Resources Committee, still awaiting 20 seconds of floor time.

**Bolts Ditch language made it into the lame duck Public Lands legislative package; however, the package never became legislation. The good news is incoming House Resources chair Raul Grijalva (D-AZ) has set passage of this Public Lands omnibus as a priority for early in the 116th session of Congress.**

**Duplicative Pesticides Permitting/Regulation:**

Congressman Gibbs (R-OH) introduced H.R. 953 to remove the duplicative permitting requirements and oversight for pesticide applicators that resulted from the US Supreme Court's ruling in the National Cotton Council case. HR 953 would remove regulation under the Clean Water Act and the associated risk of citizens' suits. The River District has supported similar legislation for the past 3 Congresses. Passed House; assigned to Senate Environment and Public Works.

**Water Supply Permitting Coordination Act:**

Rep. McClintock (R-CA) introduced H.R.1654 establishing Reclamation as the lead agency for coordinating all reviews, analyses, opinions, statements, permits, licenses, or other approvals of "qualifying" (most) reservoir projects. Congressman Tipton is a co-sponsor. Passed House.

S. 677 is the companion Senate bill. The full House passed H.R.1654 on a vote of 233-180. Acting Interior Assistant Secretary for Water and Science Scott Cameron earlier testified the bill complements the Trump administration's efforts to reduce bureaucracy for infrastructure generally. Senator Barrasso (R-WY) introduced the companion Senate bill, 677. S. 677 assigned in Senate to Energy and Natural Resources.

**Water Rights Protection Act**

Congressman Tipton introduced his Water Rights Protection Act again this Congress. I testified earlier this year in conceptual support before the Water, Power and Oceans subcommittee. Since that time, Mr. Tipton's office has worked closely with us to resolve concerns over by-pass flow language. H.R. 2939 is the result. It is attached. *I request formal direction on this bill. I recommend support.* A copy of the bill is attached. The new language is very close to the bill from the last Congress that we supported. The goal of the compromise language is to include neutral language on federal by-pass flow authorities that does not prejudice in any way any future challenge to by-pass flow authority. The bill passed the House Resources Committee 24-14.

Senator Barrasso (R-WY) introduced S. 1230, the Senate companion bill; Senator Gardner is a co-sponsor. The Senate bill's language is more problematic.

The House version, which the Board unanimously endorsed in July, was attached to H.R. 23 as title VII and passed the full House. HR 23 is Representative Valadao's (D-CA) "Gaining Responsibility on Water Act ('GROW Act')." It primarily addresses California water issues and may be too complex, politically involved, and/or too costly to proceed in the Senate.

The Senate Committee on Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining held a hearing on S.1230, the Senate version of Mr. Tipton's Water Rights Protection Act. Sen. Barrasso (R-WY) is prime sponsor, Sen. Gardner (R-CO) is co-sponsor. Of concern is the Senate bill does not include the "compromise" language we worked out with Mr. Tipton. Senate Energy & Natural Resources Committee held a hearing on S.1230 at the end of March 2018.

Senator Flake (R-AZ) introduced S.2563, the "Water Supply Infrastructure and Drought Resilience Act of 2018" which includes, among other provisions, the Senate version of the Water Rights Protection Act in its entirety as Title III.A.

### Forest Health

There are three proposed bills under consideration that will address wildfire.

Senators Wyden and Crapo have proposed S. 1842, the Wildfire Disaster Funding Act, which creates emergency funding for wildfire by requiring "specified adjustments to discretionary spending limits in FY2017-FY2026 to accommodate appropriations for wildfire suppression operations in the Wildland Fire Management accounts at the Department of Agriculture (USDA) or the Department of the Interior." The bill also requires the President's budget to include the average costs for wildfire suppression over the previous 10 years. S. 1842 has been referred to the Budget Committee.

Congressman Bruce Westerman (R-AR) introduced H.R. 2936. The House Natural Resources Committee held a hearing on a draft version of the legislation and included it in a markup June 22<sup>nd</sup>. I testified in 2015 before the Senate Ag. Committee in favor of wildfire legislation that addresses both budgetary and regulatory issues. The Resilient Federal Forests Act accomplishes this. The House Natural Resources Committee passed HR 2936, 23-12. However, three other

House Committees also have jurisdiction and have not taken action. The full House passed H.R.2936; it has been assigned to Senate Committee of Ag., Nutrition and Forestry.

Senators Daines and Tester of Montana introduced S. 605, the Litigation Relief for Forest Management Projects Act, which would reverse a Ninth Circuit Court of Appeals decision requiring U.S. Forest Service to consult more with the Fish and Wildlife Service on endangered species potentially affected by projects.

Sen. Lisa Murkowski (R-Alaska), chairwoman of the Senate Interior, Environment and Related Agencies Appropriations Subcommittee, announced that leaders pulled away from a wildfire provision in the hours before announcing the two-year budget agreement. Accordingly, efforts will continue in other avenues to end “fire borrowing” and prioritize healthy forest practices to ensure sustainable watersheds.

#### H.R. 953, Duplicate Permitting for Pesticide Applicators

Congressman Bob Gibbs (R-OH) introduced HR 953 addressing the US Supreme Court’s decision in the National Cotton Council case. As a result of the ruling, pesticide applicators, public and private, are subject to dual permitting and regulation under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and the Clean Water Act. HR 953 would eliminate the requirement for Clean Water Act permitting and the risk of citizen suits under the CWA to anyone following FIFRA requirements. Elimination of this duplicate permitting requirement has been a River District priority for at least the past three Congresses.

The House passed legislation in late May to allow the application of pesticides near waterways without federal Clean Water Act permits, HR 953. The vote was 256-165. Twenty-five Democrats joined 231 Republicans voting yes. It has been assigned to the Senate Committee on Environment and Public Works.

#### Water Conservation Rebate Tax Parity Act

H.R. 644 by Jared Huffman (D-CA) would exclude rebates for water conservation or stormwater management from taxable income. This would treat water conservation rebates the same as energy conservation rebates for tax purposes. This would also eliminate the requirement that utilities issue Form 1099s reporting taxable income for every rebate provided as an incentive for water conservation measures purchased or implemented.

#### ESA Reform

The House Natural Resources Committee marked up a series of bills aiming to become the basis for reform of the Endangered Species Act.

- H.R. 717, the Listing Reform Act, introduced by Congressman Olsen (R-TX), requires the review of the economic cost of adding a species as endangered or threatened. House Natural Resources Committee passed the bill on to the floor.
- H.R. 3131, the Endangered Species Litigation Reasonableness Act, introduced by Congressman Huizenga (R-MI), adjusts rates awarded to lawyers in ESA litigation. House Natural Resources Committee passed the bill on to the floor.

- H.R. 1274, the State, Tribal, and 5 Local Species Transparency and Recovery Act, introduced by Congressman Newhouse (R-WA), requires data used in the federal decision-making be made available to the states and ensures that state, and tribal data is used. House Natural Resources Committee passed the bill on to the floor.
- H.R. 2603, the Saving America's Endangered Species Act, Introduced by Congressman Gohmert (R-TX), provides that nonnative species shall not be treated as endangered or threatened under the ESA. House Natural Resources Committee passed the bill on to the floor.

The comment deadline for proposed streamlining of ESA consultations was September 24. The proposal addresses section 4 and 7 of the ESA, including, but not limited to:

- Procedures for programmatic consultations under section 7 and incidental take permits intended to streamline the Services' development of biological opinions;
- Procedures that allow for "expedited consultation" where actions have minimal adverse or predictable effects;
- A definition of "foreseeable future" for listing decisions that extends only so far as the Services can reasonably determine that conditions posing danger of extinction are probable;
- To remove "listing in error" from a delisting justification; and
- Designating unoccupied areas as critical habitat only when occupied areas are inadequate to ensure recovery.

This regulatory proposal coincides with a number of legislative proposals originating with the Western Caucus to streamline the ESA. In late July, members of the caucus introduced nine bills to amend and modernize the ESA, incentivizing voluntary conservation efforts, creating state-led cooperative agreements for recovery, and prioritizing data from local communities in making scientific decisions about conservation. These bills largely followed recommendations from the Western Governors' Association.

Of note is a bill from Congressman Tipton, H.R. 6344, the LOCAL ("Land Ownership Collaboration Accelerates Life Act of 2018) Act. The bill seeks to codify voluntary conservation programs like Species Recovery Agreements and Habitat Reserve Agreements. In addition, it establishes a private party conservation grants program and a habitat conservation planning loan program for state and local governments.

However, these ESA reform bills drew only "cautious support" from the Trump administration during a hearing this week on four of the bills. Even the conservative Pacific Legal Foundation cautioned against several of the bills' efforts to limit judicial review, at least according to E&E News.

#### Upper Colo River & San Juan Recovery Programs

Newly elected Utah Congressman John Curtis and Colorado Senator Gardner introduced separate House and Senate bills to extend annual funding authorization for the Upper Colorado River and San Juan River Endangered Fish Recovery Programs. Passage is necessary to continue the

programs and the benefits provided by the programs to water users in the four upper basin states. Senator Gardner introduced S. 2166 as a companion bill.

House Resources' Water, Power and Oceans subcommittee held a hearing on H.R. 4465 in early December. The full Committee passed it by unanimous consent.

At the end of February, the Water and Power Subcommittee of the Senate Energy and Natural Resources Committee held a hearing on **S.2166**, Reauthorization of Funding for Colorado River Recovery Programs. At the hearing, the Department of Interior testified on the bill. Interior supported the efforts of the recovery programs and commented favorably on the recovery programs. The hearing was informational in nature and no action was taken on the bill. **The committee passed the bill out and it was placed on the Senate General Orders calendar – and received no further action.**

H.R. 4465 passed the House on a suspension vote (requires 2/3) on a 392-6 vote (3/13/2018).

Senate subcommittee on Water & Power (of Energy and Natural Resources Committee) held hearings at end of March 2018; markup not scheduled. All testimony was positive.

The 2019 Energy and Water Appropriations bill includes funding for the Upper Colorado and San Juan recovery programs for FY19 (Section 505). The Recovery Program participants have begun discussions on new legislation to authorize annual funding for FY20-23 for introduction in the next session of Congress. The group is also considering changing (accepting) to annual appropriations rather than hydropower funding for the remainder of the programs' lives. Reassuringly, Reclamation Commissioner Burman stated that she will do everything in her power to maintain these programs through any disruptions in appropriations.

#### Land & Water Conservation Fund

The Land and Water Conservation Fund, which uses off-shore lease revenues to preserve and maintain the nation's parks, forests, recreation areas and cultural sites, is set to end at the end of this fiscal year, unless Congress reauthorizes it. The program provides grants to states and local communities, and the federal government uses some of the money to acquire land and water to promote conservation and recreation. House Resources Chairman Rob Bishop (R-UT) and ranking member Raúl Grijalva (D-AZ.) have different ideas for how to go about preserving the fund, which has been around since the 1960s.

"There will be a bill" for LWCF next year, Bishop reported. Rep. Grijalva introduced, H.R. 502, last year to permanently reauthorize the fund. That bill recently reached 218 co-sponsors, including 26 Republicans. It has not had a hearing. Chairman Bishop wants more oversight of LWCF. Rep. Simpson (R-ID) introduced a measure this year that would provide \$450 million annually in mandatory funding for both LWCF and a new National Park Service and Related Agencies Maintenance and Revitalization Conservation Fund. This bill, H.R. 2863, extends the Land and Water Conservation Fund (LWCF) through FY2024. LWCF would fare differently under the House and Senate fiscal 2018 Interior spending bills. The Senate measure would set aside \$400

million for the program, while the fund would receive \$275 million in the House version. President Trump's fiscal 2018 budget request recommended slashing LWCF to \$64 million.

The Land and Water Conservation Fund received a “plus up” giving it more money than originally proposed. However, the budget bill did not fully fund LWCF, nor reauthorize LWCF.

**Congress adjourned without taking action to renew the federal Land and Water Conservation Fund, but Senator Cory Gardner (R-CO) just before Christmas announced he has worked out an agreement with Senate leadership to introduce and vote on legislation in the New Year to reauthorize the fund.**

#### SCPP

Senator Heller (R-NV) introduced S.2539 extending authorization for federal spending on the System Conservation Pilot Program (Colorado River basin) for four more years, from 2018 to 2022. S.2539 was assigned to the Committee on Energy and Natural Resources. Separately, the Upper Colorado River Commission at its latest meeting voted unanimously to cease further participation in SCPP projects at this time believing that legislative and institutional work is a priority over new pilot programs.

#### WRDA

The Senate EPW Committee passed S. 2800, America’s Water Infrastructure Act of 2018 (AWIA), passed on May 23; the bill is now on to the full Senate. Of interest to CRWCD are the following provisions:

- *WIFIA (Water Infrastructure Financing and Innovation Act) study*: study on WIFIA implementation impediments at the Corps.
- *WIFIA Reauthorization*: extends authorization at \$100 million for fiscal years 2020 through 2021, for a total of \$200 million.
- *Water Infrastructure Resiliency and Sustainability Program*: establishes EPA grant program in FY 2019 & 2020 owners or operators of water systems for the purpose of increasing the resiliency or adaptability of the systems to any ongoing or forecasted changes (based on the best available research and data) to the hydrologic conditions of a region of the United States. Practices and projects include water banking, other forms of water transactions, and conjunctive use of groundwater and surface water.

The House passed the Water Resources Development Act of 2018 by a 408-2 vote. The House bill is far more streamlined than the Senate bill and does not include financing provisions. As expected, the action will be in the conference committee.

As reported last time, the House passed its version of the WRDA bill in June. However, the Senate’s proposal has stalled, with at least one senator (Sen. Burr) blocking it as a way to force action on the Land and Water Conservation Fund. According to news sources, the new bill would be a compromise between the two chambers’ proposals. However, Senate negotiators have added hundreds of pages of new language for consideration, slowing progress on a compromise bill.

**CRD Priorities for the 116<sup>th</sup> Congress:**

**Generally:**

The River District will establish and maintain a close, working relationship with each of the delegation's offices, both in DC and appropriate field offices with particular attention to our new delegation member. The River District will monitor water-related legislative and administrative proposals for potential impact to the River District and western Colorado water users. The River District will leverage its membership and involvement in national and West-wide organizations such as National Water Resources Association, Family Farm Alliance, and Western Coalition of Arid States to amplify our voice and foster coalitions on issues of primary importance to the CRD.

Generally, the River District will not champion nationwide issues, such as ESA reform or NEPA streamlining, though we may add our voice, as appropriate, to such larger campaigns. Typically, we will focus our federal involvement on issues, both regulatory and legislative, that uniquely or disproportionately affect western Colorado.

**Priority Issues:**

- Monitoring the frequent personnel changes in this Administration and offering support and assistance, where appropriate, to new appointees and their offices
- Upper Colorado River and San Juan River ESA Recovery Programs funding (legislative authorization – appropriations)
- Providing education and outreach within the District regarding beneficial programs and provisions in the recently passed 2018 Farm Bill
- Colorado River Drought Contingency Plan authorization/implementation legislation
- Support for Bolts Ditch “easement”
- Good Samaritan legislation (legislative)
- Waters of the US (rulemaking, legislation possible)
- Monitor and protect water rights in proposed Colorado Wilderness (legislative) and other special land designations (legislative and administrative)
- Deep Creek Wild & Scenic designation (legislative)
- USDA Conservation Programs Funding, including NRCS snow course funding (legislative, appropriations)

- **Healthy Forest initiatives and programs to assist forest and watershed health**
- **Ski Area Water Rights Rule/Legislation (regulatory and legislative)**
- **Water and Wastewater Infrastructure Funding, annual revolving loan fund appropriations (legislative)**
- **Legal irrigation through and with federal water infrastructure for hemp and marijuana**
- **Tax exemption for water conservation rebate programs**
- **Provide support for reauthorization and full funding of the Land and Water Conservation Fund**